between the House and Senate versions of the bill, I am informed, was that in the Senate version section 2 provided for the designation of the High Commissioner and Deputy High Commissioner of the Trust Territory as Governor and Lieutenant Governor, respectively, and required that hereafter the President would appoint the Governor and that he would be confirmed by the Senate.

The conference committee has agreed on language that would continue the use of the designation of High Commissioner for the chief executive in the trust territory, but would require that hereafter appointment to that position would be made by the President by and with the advice and consent of the Senate.

The conferees have further agreed that Congress would consider the request to change the title of the High Commissioner to Governor if at a future date the citizens of the Trust Territory of the Pacific, through the Congress of Micronesia, ask that this change be made.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, in accordance with the previous order, I move that the Senate stand in adjournment until 12 o'clock tomorrow.

The motion was agreed to; and (at 5 o'clock and 36 minutes p.m.), under the order of Wednesday, April 26, 1967, the Senate adjourned until tomorrow, Friday, April 28, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 27, 1967:

IN THE ARMY

Brig. Gen. Robert Bruce Shira, [redacted], Dental Corps, U.S. Army, for appointment as Assistant Surgeon General, U.S. Army, as major general, Dental Corps, Regular Army of the United States, and as major general in the Army of the United States, under the provisions of title 10, United States Code, sections 3040, 3442, and 3447.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals, Medical Corps

Maj. Gen. Byron Ludwig Steger, [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Robert Estes Blount, [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Joe Morris Blumberg, [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. Conn Lewis Milburn, Jr., [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

Maj. Gen. James Thomas McGibony, [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

The following-named Medical Corps officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general, Medical Corps

Brig. Gen. Philip Wallace Mallory, [redacted], U.S. Army.

To be brigadier general, Medical Corps

Col. Kenneth Dew Orr, [redacted], U.S. Army.

IN THE NAVY

The following-named officers, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233:

Vice Adm. Joseph M. Lyle, Supply Corps, U.S. Navy.

Vice Adm. Fitzhugh Lee, U.S. Navy.

Rear Adm. John McN. Taylor, U.S. Navy.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 27, 1967:

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1972.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for a term of 3 years expiring June 30, 1970.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 27, 1967

The House met at 12 o'clock noon.

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

It is more blessed to give than to receive—Acts 20: 35.

O God and Father of us all, who hast created man in Thine own image and made him a living soul that he might live in fellowship with Thee, grant unto us Thy blessing as we wait upon Thee in prayer. Make us good in thought, gentle in word, and generous in deed.

Call to our minds again that it is better to give than to receive, better to minister unto others than to be ministered unto ourselves, better to be governed by Thy spirit than to be goaded by our own selfish desires.

Bless our President, our Speaker, and these Representatives of our people. May the benediction of Thy spirit abide in their hearts and lead them in the paths of righteousness, truth, and good will that the lamp of freedom may burn more brightly in our day and the banner of a just good will may fly forever at the masthead of our Nation. In the name of Christ we pray. Amen.

THE JOURNAL

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

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1967—PERMISSION GRANTED TO COMMITTEE ON APPROPRIATIONS TO FILE BY MIDNIGHT FRIDAY, APRIL 28, 1967, A PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, April 28, 1967, to file a privileged report on the second supplemental appropriation bill for fiscal year 1967.

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

There was no objection.

Mr. JONAS. Mr. Speaker, on that bill I reserve all points of order.

UNFAIR TREATMENT OF CONGRESSMEN WITH RESERVE AND NATIONAL GUARD COMMISSIONS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, since coming to Washington I have found that a Defense Department regulation in regard to Congressmen with Reserve and National Guard commissions is very unfair and unreasonable. In fact, when elected to Congress, a man is forced to give up planned military Reserve careers and saharaed into a do-nothing or inactive military status. Under the present Department of Defense regulations a Member of Congress is discouraged from continuing his correspondence courses and his military education.

When most of us started our Reserve military careers we had no idea we would ever be elected to this great body. So why penalize a citizen-soldier just because he is elected to the Congress? If Congress does not want its Members to be citizen-soldiers then why do we not have Congress pass a law and not be regulated by nonelected officials?

I ask that other Members of the Congress join with me in correcting this unfair Department of Defense regulation.

APPROPRIATIONS FOR DEPARTMENT OF INTERIOR

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. RIEGLE. Mr. Speaker, today we will have an opportunity to recommit the appropriation bill for Interior and related activities with instructions that its spending be reduced by 5 percent.

Yesterday, I and other Members offered specific amendments to reduce this appropriation bill, but these amendments were defeated by administration supporters. Those of us who believe we need economy in Government have no choice today but to try our last alternative for reducing spending; namely, an across-the-board cut.

Today the people of the country should know that those who vote against this 5-percent reduction in nonessential spending are voting for a budget in-

crease—and therefore are voting for bigger Government, more Federal bureaucrats, and a bigger deficit which only means more inflation and higher taxes.

Those who vote for this reduction in nonessential spending vote for economy in Government, vote to stop inflation, and vote to protect the hard-earned buying power and tax dollars of the working men and women of this country.

If all the people of the country could be present in this Chamber today, I believe 95 percent of them would vote to reduce this appropriation bill by 5 percent.

WHAT CUTS IN INTERIOR DEPARTMENT APPROPRIATIONS MEAN TO AMERICA

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, yesterday we discussed the appropriation bill that the Subcommittee on the Department of the Interior presented to you.

I do not think I need to point out again that this is a bill which provides over a billion dollars worth of revenue. So, any cut in the appropriations provided by this bill is to say that we do not want to help the economy of the United States. It says instead that we want to cut forest production, and cut water programs. This is exactly what cuts in this bill will do.

Further than that, such cuts in this bill would say to the Indian people, "We do not want to educate you." It says to the people in the trust territories, "We do not want to do a better job to help your government there or the people of your territories."

And remember, the image of the United States in the Far Pacific lies in our management there.

APPROPRIATIONS FOR INTERIOR DEPARTMENT ARE ESSENTIAL

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. REIFEL. Mr. Speaker, I want to join with the gentlewoman from Washington [Mrs. HANSEN] in her remarks concerning the Interior Department appropriations and in her reply to the gentleman from Michigan who seems to take the position that the appropriations for the Department of the Interior and related agencies are not essential spending.

I regret that such a label as that has been placed upon this important bill because in the bill, for instance, there is one item that amounts to over $1 million which is almost 50 percent an add-on item and which has been requested by Members on both sides of the aisle. Its impact can be felt across the country with respect to the destruction that the blackbirds are doing to crops in the Upper Midwest and throughout the South. That is only one item. It was considered so essential by us in the committee that we added it on and cut down in other areas of the budget requests, so that we could accommodate that item and at the same time cut the budget request down almost 6 percent, which I believe was a real cut in a bill that is designed to strengthen our country in its natural resources, in its development, in its protection, and in its exploration for good.

DEPARTMENT OF INTERIOR APPROPRIATION SHOULD BE REDUCED

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. JONAS. Mr. Speaker, we have just heard two arguments against adopting the motion to recommit and I should like to respond during the 1 minute available.

I call to the attention of those in the Chamber the fact that even with a substantial cut, the bill contains $32 million more than the amount appropriated last year. The purpose of the motion to recommit is simply to reduce spending in these programs next year by 5 percent.

I believe the blackbirds can take a 5-percent cut. It would only be $50,000 out of a $1 million item. In view of the budgetary situation and the substantial increase over spending last year, we can afford to reduce this bill by 5 percent.

This, in fact, is the only way Congress can exercise any control over spending in a given year. The President can reduce spending levels, as he undertook to do last year, by freezing funds Congress appropriated for highway construction, military housing, education, health, housing, and so forth. I think Congress should give a little encouragement to the program of reducing spending, and a vote for the motion to recommit will do just that. I urge an affirmative vote on the motion. This will not damage any program but will simply move the funding level close to the level on which the Department operated last year.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. JOELSON. Mr. Speaker, the appropriation that we discussed yesterday was unanimously reported by the subcommittee in control. If we are just going to arbitrarily fix a percentage cut over and above something that has been very soundly considered, the Appropriations Committee might as well go out of business. We have considered this. We have cut 6 percent.

I would urge the Members not to turn over to the executive branch the functions of this Congress. We are charged with the responsibility of appropriating. When we just have an across-the-board slash, we are giving our responsibility to the executive branch of the Government.

COUNCIL ON ARTS AND HUMANITIES

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HALL. Mr. Speaker, I have only one short postscript to add to yesterday's debate as it pertained to the National Council on Arts and Humanities. As I have carefully reviewed that debate and some of the comments, several significant matters come to mind.

First, the debate was full of generalities, but for some reason the proponents were not willing to get down to specifics, that is the 65 grants totaling almost $1 million which were announced on February 8, and which precipitated my endeavors to save the taxpayer a few dollars, a true function of the legislative branch of the U.S. Government.

My colleague, the gentleman from Pennsylvania [Mr. MCDADE], said:

> Through the arts and humanities section of this bill, there are funds to raise the very quality of American life, so that we may offer all Americans a better life.

But nowhere did he relate this worthy objective to the specific grants announced on February 8.

My colleague, the gentleman from New Jersey [Mr. THOMPSON], posed the question:

> Are we competent, any of us, in any particular field, to judge scholars in other fields.

The answer may be questionable! But, I submit that alone is a reason why we should not be appropriating money for this purpose, especially when there are so many non-Government sources available, at least a hundred times the amount the Federal Government is contributing.

My friend the gentlewoman from Michigan stated:

> I particularly hope that we do have a consideration of the American comic strip.

And then she readily acknowledged that she had been inspired to read the Katzenjammer Kids on her father's lap, without the stimulus of a Federal subsidy.

I hope the Congress and the people will always be able to distinguish between a worthy objective and a prudent, reasonable, responsive means of attaining that objective. I simply make the case

that Federal grants and the giving away of hard earned taxpayer's money to individual grantees is a less than responsible means of attaining a worthwhile end. If the day ever approaches when "culture and Federal subsidies," are synonymous then we will indeed be neither very cultured nor very solvent.

EDUCATION AND LABOR PROGRAM

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. LAIRD. Mr. Speaker, I am sure any Member of Congress on the majority or the minority side will take great exception to the remarks made by the President of the United States concerning the educational program which he currently has recommended to this Congress.

In the measure offered by the Committee on Education and Labor, and in the substitute measure offered yesterday by the gentleman from Minnesota [Mr. QUIE], there is no church-state issue involved. The President of the United States in his remarks today is trying to develop this into a major controversy in this Congress. By doing so, he is doing a disservice to the decision that was made in the 89th Congress on this issue and is, indeed, making a severe tactical error in the development of the educational legislation in this Congress. In this extremely difficult period in our Nation's history, his speech today is an attempt to further divide our people without just cause and through raising false charges and straw men.

He talks about his $3.5 billion program; his administration shows charts showing the distribution of a $3.5 billion program, but in his budget he includes only $1.8 billion to fund this program. He deliberately tries to confuse authorizations with appropriations.

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

Mr. LAIRD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, how does the gentleman explain the fact that the first of several drafts we heard about from the distinguished gentleman from Minnesota contains a provision that, if I understood it correctly, 50 percent of the funds should go to the States unencumbered?

Mr. LAIRD. That is not correct, and it was not a provision at any time in the bill which I have seen. The funds could be used only for the purposes as set forth in titles 1, 2, 3, and 5 of the act of the 89th Congress.

Mr. ALBERT. How was the money to go to the States?

Mr. LAIRD. I will yield to the gentleman in a minute.

This was the interpretation put on the bill by people in the administration, in the executive branch, and when Monsignor Donohue and members of the Catholic bishops group went to the gentleman from Minnesota [Mr. QUIE] they were satisfied it was not the intent of the bill. Further to clarify it, the gentleman from Minnesota [Mr. QUIE] has accepted clarifying language suggested by these various individuals.

Mr. ALBERT. Just which one of the numerous Quie bills is the gentleman talking about?

Mr. LAIRD. As soon as we can find out when this bill is going to be scheduled for action on the floor of the House of Representatives, I can assure the gentleman that he will have a copy of the substitute amendment well in advance, at least 48 hours in advance, to go over in detail.

The point I want to continue on is that the President of the United States is only funding the current program at a 46-percent level of entitlement. He talks about a $3.5 billion program for ESEA. Last year with regard to vocational education, it was the Congress which had to increase the funding for vocational education by adopting the Laird amendment, over the objection of the President of the United States. The funding of vocational education must again be increased in this session. As ranking minority member of the Health, Education, and Welfare Appropriation Subcommittee, I want to assure the President of the United States that this program, particularly as it applies to the vocational work-study aspects, will again be increased over and above his recommendations.

REREFERENCE OF H.R. 6138 AND H.R. 8693 TO THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. CELLER. Mr. Speaker, I ask unanimous consent that two bills—H.R. 6138, introduced by the distinguished gentleman from Michigan [Mr. DINGELL], and H.R 8693, introduced by the distinguished gentleman from New York [Mr. OTTINGER], both entitled "A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, or other wildlife taken contrary to State law; and for other purposes"—which were referred to the Committee on the Judiciary be rereferred to the Committee on Merchant Marine and Fisheries. I make this request for the approval of the chairman of the Committee on Merchant Marine and Fisheries, the distinguished gentleman from Maryland [Mr. GARMATZ].

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

There was no objection.

THE AID TO EDUCATION BILL

Mr. BRADEMUS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I regret that I was coming on the floor at the time the gentleman from Wisconsin was speaking, so I did not hear all of his address.

Having made that observation, I wish to say it is my understanding that the gentleman from Wisconsin was making the point that the President of the United States had charged that the minority was raising the church-state issue in respect of the Elementary and Secondary Education Act. Is that correct?

Mr. LAIRD. The President charges that the minority had raised this issue, which is not correct. The White House raised this issue, in the discussion that was set up——

Mr. BRADEMAS. Mr. Speaker, I decline to yield further. I yielded to the gentleman because I wanted to be sure I understood his charge.

I sat for day after day in the hearings of the House Committee on Education and Labor on the amendments to the Elementary and Secondary Education Act. One of the things which struck me, and I am sure struck Members on both sides of the aisle in that committee, was that there was no significant criticism—indeed, I remember no criticism—raised in respect of the title I arrangements in the Elementary and Secondary Education Act or any other titles of the act as they pertained to programs which provide for participation of students from private schools.

Mr. Speaker, we have had this extremely important piece of legislation on the statute books for some time now, a measure which has afforded improved educational opportunities for hundreds of thousands of children in our country who attend both private and public schools. And, Mr. Speaker, these programs have been working with remarkable and beneficial effect in communities all over our country and with almost no difficulty in respect of the church-state question. I, therefore, find it exceedingly strange—and significant—that the Republicans should now seek to undo this carefully and painfully-put-together fabric of assistance for education for the young people of our country, at a time when we all know that education represents one of the first needs of our country.

I know that in my own city of South Bend, Ind., the Elementary and Secondary Education Act has led to improved cooperation on the part of local public school authorities and private school authorities.

I believe it is therefore fair to say, Mr. Speaker, that it has not been the President of the United States or the majority members of the committee who would seek now, through a substitute bill, to undo the spirit of cooperation that we all seek to have in the field of church-state relations in education.

That is one reason I am confident that the overwhelming majority of the Members of this House will be voting against the substitute bill offered by the Republican Party which, as the New York Times said only this week, could kill the historic school aid program and be a great disservice to the young people of our country. I hope very much that the Members of this House will support the committee bill.

ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I had hoped that the gentleman from Indiana [Mr. BRADEMAS] would yield to me for the purpose of asking him a question. Since he did not yield, I am sure that the gentleman from Indiana did not mean to imply that the gentleman from Minnesota [Mr. QUIE], had raised this church-state issue and did not mean to imply in any way that his bill will not continue the same type of ingenious arrangement as far as helping private schools.

Mr. BRADEMAS. That is precisely what the gentleman from Indiana meant to imply.

Mr. LAIRD. Would you point to the language in the bill which was delivered to you yesterday and appears in yesterday's CONGRESSIONAL RECORD that does away with this arangement?

Mr. BRADEMAS. I want to say to my friend from Wisconsin that his phraseology is very interesting—"the bill which was delivered to you yesterday." There has been one Republican bill; there have been two Republican bills, three Republican bills, four Republican bills, five Republican bills, six Republican bills, seven Republican bills. I do not know which Republican bill the gentleman addresses himself to.

Mr. LAIRD. I am addressing myself to the Quie substitutes placed in the CONGRESSIONAL RECORD yesterday.

Mr. BRADEMAS. Which Quie substitute?

Mr. LAIRD. Of yesterday. I might state to my friend from Indiana if the majority keeps changing its mind on when this bill is programed for floor action we may not have any educational legislation in this session.

Mr. BRADEMAS. There have been many Quie substitutes. There have been very many. The mimeograph machine is very busy on the other side of the aisle.

Mr. LAIRD. Since the gentleman is not familiar with the Quie bill, we will send one over to him, and I am sure we will be very glad to have him see that there is no change as far as the arrangements for private schools are concerned. The gentleman knows that is correct.

Mr. BRADEMAS. The gentleman is completely mistaken. As a matter of fact, his contention reminds me of another matter upon which I would like to comment. Some of my colleagues have advised me that the gentleman from Wisconsin earlier in his remarks alleged that Msgr. James C. Donohue of the U.S. Catholic Conference had indicated an endorsement of the Quie bill. If this is an accurate report of the remarks of the gentleman from Wisconsin, I must advise him that he is very much in error. Only this morning's New York Times, in an article by Marjorie Hunter, reported:

The principal Catholic spokesman, Msgr. James C. Donohue of the United States Catholic Conference, issued the following statement:

"We are satisfied the Republicans made a sincere effort to include us. But in spite of that, we do not feel we can support their plan."

Monsignor Donohue said that the Catholic hierarchy would continue to support the Administration's school-aid program.

Further evidence that the gentleman from Wisconsin is incorrect when he contends that the Quie bill provides, in his words, "no change as far as the arrangements for private schools are concerned," is another report in today's Christian Science Monitor commenting on what it calls "the GOP time bomb."

The Monitor says:

Mr. Quie did not anticipate, it is reported, that this bill would have the effect of cutting off federal aid to nonpublic schools. He now denies that it would. But the Rt. Rev. Msgr. James C. Donohue, a spokesman for the American Roman Catholic bishops, says he is extremely doubtful that private-school participation would be possible under these conditions.

Mr. ARENDS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The time of the gentleman has expired.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1968

The SPEAKER. The unfinished business is the vote on the motion of the gentleman from Ohio [Mr. Bow] to recommit the bill (H.R. 9029) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes, on which the yeas and nays were ordered on yesterday. Without objection, the Clerk will again report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the bill to the Committee on Appropriations with instructions to that Committee to report it back forthwith with the following amendment: On page 45, immediately following line 17, insert a new section as follows:

"SEC. 302. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968 only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond ninety-five percent of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 231, not voting 44, as follows:

[Roll No. 73]

YEAS—158

Abbitt	Belcher	Brown, Ohio
Abernethy	Betts	Broyhill, N.C.
Adair	Bevill	Broyhill, Va.
Anderson, Ill.	Biester	Buchanan
Andrews, Ala.	Blackburn	Burke, Fla.
Arends	Blanton	Bush
Ashbrook	Bolton	Byrnes, Wis.
Ashmore	Bray	Cederberg
Ayres	Brock	Chamberlain
Bates	Broomfield	Clancy
Battin	Brown, Mich.	Clawson, Del
Cleveland	Jarman	Rogers, Fla.
Collier	Johnson, Pa.	Roth
Colmer	Jonas	Roudebush
Conable	Keith	Rumsfeld
Corbett	King, N.Y.	Satterfield
Cramer	Kleppe	Schadeberg
Curtis	Kuykendall	Scherle
Davis, Wis.	Kyl	Schneebeli
Dellenback	Laird	Schwelker
Denney	Langen	Scott
Derwinski	Latta	Selden
Devine	Lennon	Shriver
Dickinson	Lipscomb	Skubitz
Dole	Lloyd	Smith, Calif.
Dorn	Lukens	Smith, Okla.
Dowdy	McClory	Springer
Edwards, Ala.	McClure	Stafford
Erlenborn	McCulloch	Stanton
Esch	McDonald, Mich.	Steiger, Ariz.
Eshleman	MacGregor	Taft
Findley	Martin	Talcott
Fino	Mathias, Calif.	Thompson, Ga.
Fisher	Mayne	Thomson, Wis.
Ford, Gerald R.	Meskill	Tuck
Fountain	Michel	Utt
Fulton, Pa.	Miller, Ohio	Vander Jagt
Gardner	Mize	Wampler
Gathings	Montgomery	Watkins
Goodell	Moore	Watson
Gross	Myers	Whalen
Grover	O'Konski	Whalley
Gurney	Ottinger	Whitener
Haley	Pelly	Widnall
Hall	Pettis	Wiggins
Halpern	Poff	Williams, Pa.
Hammer-schmidt	Price, Tex.	Winn
Harsha	Quie	Wydler
Harvey	Railsback	Wylie
Heckler, Mass.	Rarick	Wyman
Herlong	Reid, Ill.	Zion
Hunt	Riegle	Zwach
Hutchinson	Robison	

NAYS—231

Adams	Farbstein	Kirwan
Addabbo	Fascell	Kluczynski
Albert	Feighan	Kornegay
Anderson, Tenn.	Flood	Kupferman
Andrews, N. Dak.	Foley	Kyros
Annunzio	Ford, William D.	Landrum
Ashley	Fraser	Leggett
Aspinall	Frelinghuysen	Long, Md.
Barrett	Friedel	McCarthy
Bennett	Fulton, Tenn.	McDade
Bingham	Fuqua	McFall
Blatnik	Galifianakis	McMillan
Boggs	Gallagher	Macdonald, Mass.
Boland	Garmatz	Madden
Bolling	Gettys	Mahon
Brademas	Giaimo	Marsh
Brasco	Gibbons	Mathias, Md.
Brinkley	Gilbert	Matsunaga
Brooks	Gonzalez	May
Brown, Calif.	Goodling	Meeds
Burke, Mass.	Gray	Miller, Calif.
Burleson	Green, Oreg.	Mills
Burton, Calif.	Green, Pa.	Minish
Burton, Utah	Griffiths	Mink
Button	Gubser	Monagan
Byrne, Pa.	Gude	Moorhead
Cabell	Hagan	Morgan
Cahill	Halleck	Morris, N. Mex.
Carey	Hamilton	Morton
Carter	Hanley	Mosher
Casey	Hansen, Idaho	Moss
Celler	Hansen, Wash.	Multer
Clark	Hardy	Murphy, Ill.
Clausen, Don H.	Harrison	Natcher
Cohelan	Hathaway	Nedzi
Conte	Hawkins	Nichols
Conyers	Hechler, W. Va.	Nix
Corman	Helstoski	O'Hara, Ill.
Culver	Henderson	O'Hara, Mich.
Cunningham	Hicks	Olsen
Daddario	Holifield	O'Neal, Ga.
Daniels	Holland	O'Neill, Mass.
Davis, Ga.	Horton	Passman
Delaney	Howard	Patman
Dingell	Hungate	Patten
Downing	Ichord	Pepper
Dulski	Irwin	Perkins
Duncan	Jacobs	Philbin
Dwyer	Joelson	Pickle
Eckhardt	Johnson, Calif.	Pike
Edmondson	Jones, Ala.	Pirnie
Edwards, Calif.	Jones, Mo.	Poage
Edwards, La.	Karsten	Pollock
Eilberg	Karth	Price, Ill.
Evans, Colo.	Kastenmeier	Pryor
Everett	Kazen	Pucinski
Fallon	Kee	Purcell
	Kelly	Quillen
	King, Calif.	Randall

Rees
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ruppe
Ryan
St Germain
Sandman
Saylor
Scheuer
Schwengel
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Steed
Steiger, Wis.
Stratton
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Udall
Ullman
Vanik
Vigorito
Waldie
Walker
Watts
White
Whitten
Wolff
Wright
Wyatt
Yates
Young
Zablocki

NOT VOTING—44

Baring
Bell
Berry
Bow
Brotzman
Cowger
Dawson
de la Garza
Dent
Diggs
Donohue
Dow
Evins, Tenn.
Flynt
Hanna
Hays
Hébert
Hosmer
Hull
Jones, N.C.
Long, La.
McEwen
Machen
Mailliard
Minshall
Morse, Mass.
Murphy, N.Y.
Nelsen
Pool
Rogers, Colo.
Roybal
St. Onge
Smith, N.Y.
Stephens
Stuckey
Sullivan
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bow for, with Mr. Berry against.

Until further notice:

Mr. Hébert with Mr. Bob Wilson.
Mr. St. Onge with Mr. Smith of New York.
Mr. Hays with Mr. Minshall.
Mr. Machen with Mr. Cowger.
Mr. Waggonner with Mr. Younger.
Mr. Charles H. Wilson with Mr. Mailliard.
Mr. Dent with Mr. Bell.
Mr. Evins of Tennessee with Mr. Brotzman.
Mr. Hull with Mr. Hosmer.
Mr. Stephens with Mr. McEwen.
Mr. Rogers of Colorado with Mr. Nelsen.
Mrs. Sullivan with Mr. Morse of Massachusetts.
Mr. Jones of North Carolina with Mr. Dow.
Mr. Baring with Mr. Long of Louisiana.
Mr. Murphy of New York with Mr. Diggs.
Mr. Donohue with Mr. Hanna.
Mr. Roybal with Mr. Dawson.
Mr. Williams of Mississippi with Mr. Tunney.
Mr. Flynt with Mr. Willis.
Mr. Stuckey with Mr. de la Garza.
Mr. Van Deerlin with Mr. Pool.

Mrs. HECKLER of Massachusetts changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 377, nays 11, not voting 45, as follows:

[Roll No. 74]

YEAS—377

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Delaney
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—11

Ashbrook
Curtis
Davis, Wis.
Derwinski
Eshleman
Gross
Hall
Jonas
Kuykendall
Meskill
Scherle

NOT VOTING—45

Baring
Bell
Berry
Bow
Brotzman
Cowger
Dawson
de la Garza
Dent
Diggs
Donohue
Dow
Evins, Tenn.
Flynt
Hanna
Hays
Hébert
Herlong
Jones, N.C.
Long, La.
McEwen
Mailliard
Miller, Calif.
Minshall
Murphy, N.Y.
Nelsen
Pepper
Pool
Rogers, Colo.
Roybal
St. Onge
Steiger, Wis.
Stephens
Stuckey
Sullivan
Teague, Tex.
Thompson, Ga.
Tunney
Van Deerlin
Waggonner
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Bob Wilson for, with Mr. Bow against.

Until further notice:

Mr. Hébert with Mr. Murphy of New York.
Mr. St. Onge with Mr. Bell.
Mr. Hays with Mr. Brotzman.
Mr. Dent with Mr. Cowger.
Mr. Donohue with Mr. Berry.
Mr. Miller of California with Mr. Mailliard.
Mrs. Sullivan with Mr. Minshall.
Mr. Evins of Tennessee with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Younger.
Mr. Van Deerlin with Mr. McEwen.
Mr. Rogers of Colorado with Mr. Thompson of Georgia.
Mr. Roybal with Mr. Steiger of Wisconsin.
Mr. Jones of North Carolina with Mr. Baring.
Mr. Tunney with Mr. Dawson.
Mr. Teague of Texas with Mr. Hanna.
Mr. Stephens with Mr. Herlong.
Mr. Pepper with Mr. Dow.
Mr. Long of Louisiana with Mr. Flynt.
Mr. de la Garza with Mr. Diggs.
Mr. Williams of Mississippi with Mr. Pool.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REREFERENCE OF HOUSE JOINT RESOLUTION 117 TO THE COMMITTEE ON THE JUDICIARY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that House Joint Resolution 117 authorizing and requesting the President to extend through 1967 his proclamation of a period to "See the United States," and for other purposes, be rereferred to the Committee on the Judiciary instead of the Committee on Interstate and Foreign Commerce. The Committee on the Judiciary has handled this matter before.

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

There was no objection.

DUTY-FREE TREATMENT OF DICYANDIAMIDE AND OF LIMESTONE FOR CEMENT—CONFERENCE REPORT

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 213)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2 and to the title of the bill and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
THOS. B. CURTIS,
Managers on the Part of the House.

RUSSELL B. LONG,
GEORGE SMATHERS,
CLINTON ANDERSON,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 286) to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962 submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommend in the accompanying conference report:

Under the bill as passed by the House, sections 201(b)(1) (relating to limit on decrease in duty) and 253 (relating to staging requirements) of the Trade Expansion Act of 1962 would not apply with respect to dicyandiamide. In effect, this would authorize the President to eliminate the duty (or reduce the rate to a rate under 50 percent of the July 1, 1962, rate) on imports of dicyandiamide pursuant to his trade agreement authority and would permit the elimination or reduction to be made without staging. Under Senate amendment No. 1, the prenegotiation procedural requirements of sections 221, 223, and 224 of the Trade Expansion Act of 1962 would be waived with respect to dicyandiamide. The House recedes.

Senate amendment No. 2 relates to limestone, when imported to be used in the manufacture of cement, provided for in item 513.34 of the Tariff Schedules of the United States (limestone chips and spalls and crushed and ground limestone). Under the amendment, the same provisions of the Trade Expansion Act of 1962 are waived with respect to such limestone as are waived under the bill (as amended by Senate amendment No. 1) with respect to dicyandiamide. The House recedes.

The House recedes on the amendment of the Senate to the title of the bill.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
THOS. B. CURTIS,
Managers on the Part of the House.

The SPEAKER. The gentleman from Arkansas is recognized for 1 hour.

Mr. MILLS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this conference report has to do with two changes made to the bill H.R. 286 by the other body. The conferees were unanimous in accepting these two changes in the conference.

The subject matter of a bill introduced by the gentleman from Washington [Mr. PELLY]—H.R. 1141—which passed the House earlier by unanimous consent, was added to the provisions of H.R. 286, a bill which also passed the House by unanimous consent.

As to the other amendment, the Senate adopted language to the bill with respect both to the subject matter of H.R. 286 and the amendment containing the subject matter of H.R. 1141, which had the purpose of waiving the hearing process and certain other prenegotiation procedures with respect to the elimination of the rates of duties on these two products.

As to the two products we are talking about, the initial bill involved dicyandiamide, and in the bill introduced by the gentleman from Washington [Mr. PELLY] the subject of the amendment we are talking about is limestone to be used in the manufacture of cement.

In both of these instances the Senate amendment would suspend the prenegotiation procedures of the Trade Expansion Act of 1962 requiring that public hearings be held and that the Tariff Commission report to the President on the economic effects of the duty elimination. The purpose of waiving these procedures is to permit the President to put both of these items on the duty-free list during the current trade negotiations now about to be completed in Geneva.

In one instance, as Members will recall, dicyandiamide is not produced in the United States. It is used in the production of plastics. Coming in duty free, it would enable our processors of plastics to become more competitive with those abroad who have this article to use free of duty.

In the case of limestone, duty-free imports would come from Canada into the State of Washington and some of the other areas around the State of Washington, because this type of limestone is not available in anything like sufficient quantity on the west coast to keep the cement industry there in business.

It will be recalled also from the earlier discussion that we do not find it feasible or economical to transport limestone used to produce cement for long distances because of the weight of it and the freight involved. Cement, too, is produced in a limited area for sale and distribution within that limited area.

So it would have no effect on the other parts of the United States. I know of no objection that was presented to the committee prior to the time that this legislation was considered by the House.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. MILLS. Mr. Speaker, I yield myself 2 additional minutes.

There was a question subsequently raised by some members of a union that consists of cement workers, as I recall it. We looked into that situation and found no justification for any fears on their part with respect to employment. If we do not get this limestone into the United States, there would be a great deal of fear, in my opinion, as to the continued employment of people in the actual cement production in some of these areas, because they could not pay the price of getting the limestone from my State of Arkansas, for example, to the State of Washington for use in this connection.

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

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I simply want to emphasize what the chairman said, but I would add one point because I have been concerned in the past about nongermane amendments that were put on our bills. This was indeed a bill that the Committee on Ways and Means had considered in depth and, as the chairman explained, it was more of a technical reason why we put them both together.

Mr. MILLS. And both bills had passed the House.

Mr. CURTIS. That is right. Both bills had passed the House. It was on a subject matter, also, that we were familiar with.

On the other point, the reason for waiving the procedure of hearings was because of the Kennedy round which was just about to finish up. If we were going to use this for trading material, which we can, we have to waive these hearings. So, as the chairman explained, we took care to be sure that there were no substantive rights involved that would be ignored, and we were satisfied, as explained, that this would not effect any damage and, in fact, would work the other way.

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

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

Mr. GROSS. I thank the gentleman from Arkansas for yielding.

As he is well aware, a real serious situation has developed with respect to the importation of meat and dairy products into this country. It would be my hope in the shortest possible time that the distinguished gentleman from Arkansas and others in the House would give us some help, that is, we in the agricultural areas of the country, as the gentleman from Arkansas is, in shutting off the imports at least to support this conference report. I hope we might have some help on these issues that would be reassuring.

Mr. MILLS. Let me respond to my friend from Iowa. Like my friend, I am always interested in the amount of these items that come in from abroad and the effect that it may have on our domestic producers. I have been in touch with the people who are in the dairy business and who are concerned about the importation of certain types of products that come from processing milk. I have also been in touch with the people concerned about increases, as they describe them to me, of the importation of products that are directly competitive with livestock slaughter. We are looking into it, and if there is not some change in the situation, in all probability we will be giving consideration to it in the Committee on Ways and Means.

Mr. GROSS. I thank the gentleman.

Mr. PELLY. Mr. Speaker, perhaps at this point the less said the better as far as this conference report is concerned.

As the chairman has explained, the House conferees accepted a Senate amendment which substantially is my bill, H.R. 1141. However, Mr. Speaker, I do want to thank the chairman and the other House conferees for agreeing to this amendment, especially as my bill, H.R. 1141, had already passed the House unanimously.

I want to confirm what the distinguished gentleman from Arkansas [Mr. MILLS] has said, that this will allow the cement industry in the Washington State area to expand and to create more jobs, and it will not adversely affect any lime or cement plants in any other areas.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I and all other Members desiring to do so may revise and extend their remarks in the RECORD on the conference report just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. STEIGER of Wisconsin. Mr. Speaker, unfortunately, because of other important congressional business, I was delayed in reaching the floor of the House in order to vote on rollcall No. 74, the rollcall on the bill H.R. 9029, making appropriations for the Department of the Interior and related agencies for fiscal year 1968.

Mr. Speaker, had I been present I would have voted "aye."

HOUSE RESOLUTION 442—PROVIDING FOR THE CONSIDERATION OF H.R. 2508, FEDERAL STANDARDS FOR CONGRESSIONAL REDISTRICTING

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 442 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 442

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to require the establishment, on the basis of the eighteenth and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, but such amendment shall not be subject to amendment. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendment, if adopted, and the previous question shall be considered as ordered on the bill and on the amendment thereto, if adopted, to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield to the distinguished gentleman from California [Mr. SMITH] 30 minutes and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 442 provides a closed rule with 2 hours of general debate for consideration of H.R. 2508, a bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes.

The problems of congressional redistricting have troubled the Congress for many years. Extensive hearings on the establishment of congressional districts have been held by the Judiciary Committee since 1951. On March 16, 1965, the House passed H.R. 5505 which would have required that congressional districts be composed of contiguous territory in compact form and would have provided statutory standards to implement the one-man, one-vote doctrine. The proposal did not become law and was reintroduced in this Congress as H.R. 2508.

The purpose of H.R. 2508 is twofold: First, to give guidance to the States in the establishment of districts for the election of Representatives in Congress by requiring that districts be composed of contiguous territory in as reasonably a compact form as the State finds practicable; and, second, to provide congressional standards to State legislators to implement that one-man, one-vote doctrine.

The bill establishes temporary criteria to be effective during the 91st and 92d Congresses, and permanent standards for the 93d and subsequent Congresses.

Mr. Speaker, this is a rather complicated subject, a subject about which I am sure all of the Members of the House are concerned.

Mr. Speaker, it is my opinion that the Committee on the Judiciary of the House of Representatives made a presentation before the Committee on Rules based upon its long study of this matter.

Mr. Speaker, the adoption of the rule would make it in order to bring this question to the floor of the House for consideration in the manner in which many Members of this body have felt that we could proceed, at least, to give or establish certain guidelines in this area.

Mr. Speaker, I urge the adoption of H.R. 442, in order to give the Committee on the Judiciary the opportunity to explain this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL. Mr. Speaker, will the distinguished gentleman from California yield?

Mr. SISK. I am glad to yield to the distinguished gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman from California yielding to me at this point.

I wonder if I could undertake to bring out a little bit more information to the membership of this body, as to why this legislation comes to the floor under a closed rule? Was this done because in the opinion of the Committee on Rules or in the judgment of the chairman of the Committee on the Judiciary that this was needed?

Mr. Speaker, I wish to determine why is it necessary to consider this legislation without the benefit of the 5-minute rule, or without the privilege of insertions of points of order?

Mr. SISK. Mr. Speaker, I appreciate the comments of my good friend, the distinguished gentleman from Missouri [Mr. HALL].

Mr. Speaker, I recognize that this is somewhat of a controversial question.

Mr. Speaker, normally, I am opposed to closed rules.

I might say that this is a very unusual grant in this case, because I believe about the only instances in which the Committee on Rules does grant the closed rule has to do with ways and means dealing with tax matters generally. So this is a departure from the norm.

I think that the Committee on the Judiciary, the gentleman from New York, the distinguished chairman [Mr. CELLER] of that committee, and the gentleman from Ohio [Mr. MCCULLOCH] made an excellent presentation to the committee, and I believe it somewhat justified the closed rule, based on many of the problems that our committee has undergone in the course of attempting to draw some of these guidelines.

There is no question that each and every one of us has his own peculiar problems in connection with congressional reapportionment. As a Member from California, where we are right now concerned with it, we well recognize our own particular problem. I suppose this

would be true of all 50 States. Every individual, I guess, would have a little different approach. I believe the committee felt that after having gone up and down the hill a time or two on this matter and, having had long and extensive hearings to study it, that the time had come probably for the House to vote up or down some kind of flexible guidelines to give to the courts in the hopes the courts will follow them, or at least give some consideration to them, and go ahead and see if it will be helpful.

There is a matter of time involved here. There are a number of States right now who are involved in this problem. I believe in some cases it will be the third time since 1960. So it was with some urgency, as I say, that we went along with the Committee on the Judiciary on this occasion.

I must say this has not fully justified in my mind, necessarily, or in the mind of the gentleman from Missouri, the use of the closed rule, but this is a case where we felt that the exception to the rule was in order.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's reply. I think it is very candid. I am still against closed rules, as they obviate the individually elected Representative's prerogatives.

As I have determined his statement, first, it is done in this instant to not open up a Pandora's box for redistricting at different times, or at different levels, or according to different geographical limits by each Member of this body, and second, it is certainly done at the request of the chairman of the committee having jurisdiction in this area, and does not therefore originate in the Committee on Rules, although they sanctioned it, or with the Parliamentarian in this case.

Mr. SISK. The gentleman very well states the case.

Mr. HALL. I thank the gentleman for yielding. I shall be against this closed rule, but am certainly for proper and responsible guidelines to the high tribunal on this political issue. I do not and have not considered it justifiable. I know the constitutional intent that this highest legislative body should determine its own standards of district alinements. In my opinion the court's intercession was devious and certainly it has wrought havoc with us all, and the several States of the Union, plus subsidiary political divisions.

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

Mr. SISK. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I appreciate the gentleman yielding to me, because I would like to address a question to the chairman of the Committee on the Judiciary with respect to some language that appears in the bill.

There is language in the bill which employs the phrase "excluding Indians not taxed," and leaves the apparent inference that there are some Indians who would not be counted in some areas of the country for the purposes of determining representation within a State.

We had a colloquy on this matter the last time legislation along this line was before the House to establish firmly the fact that we are not imposing any new restriction upon the counting of people for representation in the districts. I would like to get the comments of the chairman of the Committee on the Judiciary on this point once again.

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

Mr. SISK. I will be glad to yield to the gentleman from New York to comment briefly on the question of the gentleman from Oklahoma.

Mr. CELLER. I thank the gentleman from California and the concluding statement of the gentleman has been sound.

The committee followed the language that is in the Constitution. It is my understanding at the present time there are no Indians not taxed; they are subject to sales taxes and excise taxes and income taxes. There is one exception; namely, from certain lands that are in trust, some are and some are not subject to taxation.

It may be that the language in the bill is obsolete. It is in the Constitution and it is in all legislation appertaining to redistricting throughout the years, it may be, however, I repeat, obsolete language.

I would say to the gentleman, if the bill is passed here and passed by the Senate, and goes to conference, I would pledge to have the matter reviewed by the conferees. I am almost sure that phrase would be eliminated.

Mr. EDMONDSON. If I understood the chairman of the Committee on the Judiciary correctly, from the standpoint of actual application, in determining the representation of a district, this language would be of no importance and have no significance as all Indians are paying taxes of one kind or another.

Mr. CELLER. No, it would not, and therefore they would be counted.

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

Mr. SISK. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I support the rule and I shall support H.R. 2508, a bill that establishes interim standards for congressional districts for the 91st and 92d Congresses and regular standards for the 93d and subsequent Congresses.

I cannot stress too much, Mr. Speaker, the urgent need for this particular piece of legislation. The interim standards provided for in this bill allow a 30-percent maximum variation between the population of the largest and smallest district, and the subsequent regular standards would impose a 10-percent maximum variation.

Now why are these standards so urgently required?

They are required because unless we act now to establish these standards, we are going to be faced with a situation of much difficulty. It is entirely possible that as many as 21 States will have to redistrict—despite the fact that most of these States have already shuffled their district boundaries to comply with the Supreme Court's Wesberry against Sanders decision of 1964.

This potential phenomenom of "musical redistricting" is the direct result of two more recent Supreme Court decisions. In the first, the Court rejected a Missouri plan which kept the population of all the State's districts within 10.4 percent of the average district population. In the second, the Court found unconstitutional Indiana's 1965 redistricting plan with a maximum 12.8-percent variation from the average.

These decisions illustrate the futility of the judicial branch of our Government entering Justice Frankfurter's "political thicket." What has resulted is nothing less than sheer chaos. Although most political scientists have usually assumed that variations of 10 to 15 percent from the average must be tolerated to avoid gerrymandering or splintering of towns, cities, and counties, this assumption has not proved valid in the case of Indiana and Missouri.

The problem, of course, is that the very nature of the judicial process does not lend itself to the establishment of a definitive allowable standard—and, in fact, to date the Court has not set such a standard.

So where does this leave us? Well, I am afraid it leaves us pretty much in the dark. We are faced with the possibility of new litigation in those 21 States that fall outside the Missouri and Indiana averages. For five of these States, this would be the third round of redistricting since the 1960 census. In addition to this incredibly ridiculous situation, as Members we are left in a sea of total uncertainty as to exactly where and what district we will be running from.

Obviously, then, what is required is a set of standards—and that is precisely the purpose of this bill. For the next two Congresses it will freeze at 30 percent the allowable deviation between the largest and smallest district in the State. This will provide the State legislatures with some type of guideline to follow so as to eliminate, at least in part, the doubt as to just what redistricting plan is constitutional.

In addition, the bill states that districts "be composed of contiguous territory, in as reasonably a compact form as the State finds practicable." This provision should help to prevent flagrant and abusive gerrymandering.

Mr. Speaker, it is clear that this piece of legislation is a must if we are to avoid wholesale confusion and chaos. If we fail to pass this bill, we and we alone are to blame for forfeiting our legislative responsibility to the courts. I hope we do not let this happen, and I urge my colleagues to support this important measure and the rule which makes consideration of the bill in order.

Mr. SISK. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this resolution, House Resolution 442, provides for a closed rule with 2 hours of general debate for the consideration of the bill, H.R. 2508, a bill providing for standards for congressional redistricting.

I think we have covered the reason why the rule is a closed rule. It is a little different from any other time that we have asked for a closed rule because we were just a little bit afraid that it might open up a pretty big problem here, if it were not a closed rule. In fact, it is the first time that I can recall that we have had a closed rule for a bill coming out of the Committee on the Judiciary where the committee cannot offer amendments themselves.

The purpose of the bill is to set up precise criteria for the several States to follow when redrawing congressional districts. The Committee believes that such action is necessary because since the Wesberry decision—1964—the courts in applying the "one man, one vote" concept, have not been uniform in approving or disapproving various plans. The committee believes uniformity is needed.

The bill provides two plans; one is applicable only for the 91st and 92d Congresses the other applies to the 93d and all subsequent Congresses as a permanent solution.

The permanent plan provides that each representative elected to the Congress be elected from an individual district. Only in States with a single representative would the candidate run "at large"; all others would be required to run from a district drawn by the State legislature following Federal criteria contained in the bill. The population variation between the largest and smallest district is permitted to be only 10 percent, as measured by the most recent census. If a State decides to redistrict more than 2 years after a decennial census, it must have a new special census taken upon which to base its redistricting; and such a census must be taken within 2 years of the first congressional election held under the redistricting plan. Unless the State constitution provides otherwise, only one redistricting effort may be made between regular decennial censuses.

All States would be required to have districts, one for each representative to which it is entitled, if it is entitled to more than a single representative. This would include New Mexico and Hawaii. Population variations are limited to 10 percent from largest to smallest. The bill requires that all territory of a district be composed of contiguous territory "in as reasonably a compact form as the State finds practicable." This leaves to the States the decision on the physical structure of individual districts, within reason. They are required to follow the 10-percent rule in regard to population.

The temporary plan differs in several respects. It covers only the 91st and 92d Congresses. It repeats the basic requirement that each State must have as many election districts as it has representatives, but excludes New Mexico and Hawaii, which may elect their representatives at large. It also requires that all such districts vary from the largest to the smallest only within a fixed percentage. The percentage is not 10 percent, as in the permanent plan, but 30 percent. The language giving the State legislatures control over the physical structure of districts is not included.

Finally the bill provides that any State under court order to redistrict for an election shall use such districts as are created for such election until the State establishes new ones valid under the act or the court order is modified.

Mr. HUNGATE has submitted minority views. He opposes the 30-percent population of the temporary plan, and also its allowance of at large elections in two States, but no others.

Mr. CONYERS has also added minority views. He lists a number of cases, where the variations of population were much less than 30 percent, in which courts have held the redistricting invalid. He favors a section calling for judicial review in order to clearly define the relationship of the legislation to the courts.

Finally, he opposes the deletion of the requirement that districts be drawn "as compact form as practicable" and the substitution of "in as reasonably compact form as the State finds practicable." He feels it will permit widespread gerrymandering.

I should like to make a few personal comments, if I may, particularly as they relate to California, because I would like to try to make a little history today from the way I feel about the question. I realize that I am speaking only for myself and not the 37 other Members from the State of California. Our opinions may differ somewhat. But I do sincerely hope that on the passage of this bill, it will help to give some guidelines to the courts so that we can have more uniformity throughout the United States.

Since the 1964 decision there have been different interpretations by different courts, and I think rightfully so, I have no question but what the distinguished members of the California Supreme Court would always render a fair decision in connection with the redistricting problem. I hope the bill will pass and that it will help the courts and the State legislatures.

In 1965 after the 1964 "one-man, one-vote" rule, petitions in California were brought before the Supreme Court to require the State legislature to reapportion the State assembly, which is the body comparable to the House of Representatives, consisting of 80 members, and to redistrict the State senate, which consists of 40 members, and to redistrict the Members of the House of Representatives, 38 Members. We had the 1960 census. The State legislature redistricted in 1961 on the basis of the 1960 census.

In my opinion, they were faced with an impossible situation from the standpoint of making equal congressional districts. The reason I make that statement is that there are 80 assembly districts in the State of California. We had an increase of several Congressmen in 1961, and we ended up with 38 Members of Congress, 38 seats to be divided for the 1962 election.

The constitution as it is presently written in California prohibits the dividing of an assembly district into different congressional districts so the State legislature, from a practical point of view, was faced with having to divide 38 into 80, which it cannot do. You give each of the 38 congressional districts two of the assembly districts, and that leaves four left over. So some congressional districts had to take three assembly districts because of the constitutional requirements.

If we actually had each assembly district redistricted in accordance with the law, my understanding would be that they would have approximately 207,000 people based upon the 1960 census. So if they did do all those equally in these congressional districts and those congressional districts had to take more than two assembly districts, obviously they would be off a third or 50 percent, however the figures happen to be.

So the Supreme Court in the State of California directed that the assembly and the senate be redistricted. That was done in 1965, and the elections held in 1966 on the basis of the new districts.

The court did not order redistricting of the congressional districts, but stated the legislature could do it. My interpretation regarding the decision is that the legislature in California can do it if they wish to do it this year, in 1967, or, if they do not do it, the Supreme Court will give consideration as to whether they will consider a future petition.

The point I am attempting to make, for purposes of the RECORD, of my own opinion, is that if we reapportion in the State of California at this time based upon the 1960 census, we will not be any better off than we are now. It will present some very difficult problems.

There is no doubt that some of the districts are out of proportion with this particular bill. One specific example is the 13th district of California. It consisted of six counties in 1960. It was very large. So it was divided into two districts, four counties were placed in one district, and two counties, Santa Barbara and Ventura, were placed in another district. They were a little lower than the average number of people they should have had. Since 1961, the 13th Congressional District, with the many defense installations there, and the other areas there, has increased tremendously in size, so that as of now the estimate is that there are approximately 600,000 people in that particular district.

Yet, if we do redistrict at this particular time, that particular district, based on the 1960 census, would have to take additional people which would make it larger than it is now, which presents a problem that is extremely difficult, in my opinion, to comply with.

So, in mentioning those facts, we may jump from the frying pan into the fire. We do not have a 1967 census. If we had a 1967 census, it would be easy to do.

I would hope that the courts would give consideration to this between now and the 93d Congress, because we will have a census in 1970. Some States will lose Representatives or seats, and some will gain. In 1971, according to the Con-

stitution, there will be a reapportionment among the States. At that time, I believe it can be done based upon the criteria in this bill. It may be pretty tough to get down to 10 percent. That is what it will be. I concur in it.

I think I should say in connection with the constitution of California, which prohibits dividing assembly districts, I would interpret the Supreme Court's decision in the State of California in 1965 to permit the State legislature now to split assembly districts if they reapportion between now and the 93d Congress.

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

Mr. SMITH of California. I yield to the gentleman from California.

Mr. CORMAN. Mr. Speaker, I believe, referring to section 2 of the bill of the interim law, that in California or in any other State where a district was undersized based on the 1960 census, but which had grown since that time, could be defended based upon a special census, under the language at the bottom of page 4 and top of page 5.

I mention that, because it was the amendment of the gentleman from Minnesota. It would be, I believe, applicable to the hypothetical case made.

That would not prevent reapportionment of California, because I believe our dilemma is, that the oversized district is in an area which has had a population explosion. I do not believe this could be defended, but the hypothetical district could be defended under the language mentioned by the gentleman.

Mr. SMITH of California. The only place I would find I would be in disagreement with that—and it would not be from the gentleman's statement, but from the standpoint of being practical—I know of no way to get a census between now and the time the legislature adjourns. I would be pleased if we could figure it out.

Mr. CORMAN. I just want to point out there are provisions we referred to for a special census under the 1954 act for a particular district. The purpose of that special census would be to defend the legality of that particular district. That, of course, could be done if anyone could afford the cost of it. I would agree with the gentleman no one is going to pay for the cost of recounting all the people in California. If they did, I am sure the court would make us reapportion, because the 28th district is not only large but is still growing.

Mr. SMITH of California. As we proceed in the matter I hope the distinguished gentleman from California and I will find ourselves in complete agreement on the bill and on issues between now and 1971. It will be a privilege and a pleasure.

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

Mr. SMITH of California. I yield to my colleague from California.

Mr. HOSMER. Would the bill, if enacted, require redistricting of California, and I believe 21 other States, where the districts as now constituted are more than 30 percent off from the norm of the 1960 census?

Mr. SMITH of California. I will give my answer, and I would appreciate it if the distinguished chairman of the Judiciary Committee [Mr. CELLER], would listen to my answer.

A question directed to me is as to whether this bill will require redistricting. My answer is it will not require redistricting and it will not prohibit redistricting. It merely sets up permanent standards to apply after the 93d Congress and temporary standards, if redistricting is indicated, in the 91st and 92d Congresses.

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

Mr. SMITH of California. I yield to the gentleman from California.

Mr. SISK. I should like to comment. I agree completely with what my colleague, the gentleman from California [Mr. SMITH] just said. As I interpret it, and as I understood the statements made by the gentleman from New York and the gentleman from Ohio when they were before our committee on this subject, it is correct. If the gentleman from New York wishes to comment further, he can.

I might say to my colleague [Mr. HOSMER], I believe the gentleman from California [Mr. SMITH] has correctly interpreted what we were told as the interpretation of this legislation.

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

Mr. SMITH of California. I am happy to yield further.

Mr. HOSMER. Should this bill be enacted, would it in a sense preempt from the State jurisdiction whatever the bill does in fact cover?

I have in mind this situation: Suppose a State constitution prohibits congressional districts from jumping county boundaries, and it turns out that in meeting the requirements of this bill it would be impractical not to jump county boundaries in establishing new congressional districts. Would the bill in fact make it legal to do so, despite a particular State constitutional provision?

Mr. SMITH of California. I do not believe this bill would cover that particular problem. It sets forth the guidelines on the temporary and permanent standards and criteria for redistricting. I know of no language in the bill other than "in as reasonably a compact form as the State finds practicable" that would be involved. If that language could be interpreted to permit them to jump, I do not know. Of course, there are a lot of questions we will not know the answers to until we get a final decision.

Mr. HOSMER. I thank the gentleman.

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

Mr. SMITH of California. I yield to the gentleman from California.

Mr. CORMAN. I should like to comment on whether this bill would require a legislative act. It is my own view that this Congress cannot and is not making that effort. That would be brought about by a court order.

If there should be a court order, this legislation sets up some guidelines as to what that court order ought to be.

If the State legislature reapportions within these guidelines, it is my own view that the court would not upset it. That is about all we would accomplish in this legislation.

As to the jumping of county lines, at the moment we have to comply with the one man, one vote rule, and if there is a lawsuit one cannot defend himself on the basis that he is required to apportion by counties and that is the reason for the malapportionment. It would be the court decision, under the Reynolds case, that one must follow the one man, one vote rule.

All the Congress says is what the one man, one vote ought to mean.

Mr. SMITH of California. I appreciate the gentleman's comments.

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

Mr. SMITH of California. I yield to the gentleman from Texas.

Mr. ECKHARDT. My question goes to the question of the closed rule and with respect to some of the meaning of the language which I understand we may not amend under the closed rule.

I refer to page 5 of the bill, in which it is said:

In the event a court of competent jurisdiction has ordered the redistricting of any State and such order has been applied in an election, the districts established by such court order or orders shall remain in full force and effect.

In my State of Texas, the court has not actually established the districts but has directed that districts be established by the legislature.

Of course, no election has yet been had. It would appear that the language may be inadroit in not referring both to a district established by such court order or "pursuant to such court order."

Mr. McCLORY. Mr. Speaker, will the gentleman yield in response to that question?

Mr. SMITH of California. I will be glad to yield to the gentleman from Illinois.

Mr. McCLORY. The sole purpose and intent of the last sentence in section 2 is to relate to those cases where the congressional districts have been established by court order and it would not apply to the situation to which the gentleman makes reference but only to those States where the court established congressional districts and it avoids having the court enter a new order or enter into a new proceeding for each election and continues the effectiveness of the court order during this temporary period until the States redistricted for the 93d Congress.

Mr. ECKHARDT. It would not apply, then, to the situation in which the court ordered redistricting and the legislature has subsequently redistricted?

Mr. McCLORY. It would not apply to that court order. No.

Mr. ECKHARDT. One other technical question. I ask these at this time only because we are under a fully closed rule here.

In section 2 it would appear there is no cutoff date for the application of section 2 whatsoever because it is stated here, "in each State entitled in the 91st Congress to more than one Representa-

tive." This would be a qualifying provision and continue indefinitely, as I read it. I do not see how this is limited by its language to those elections which result in those Congresses.

Mr. McCLORY. If the gentleman will yield, I think the purpose and intent of that section is clear in that it refers only to the 91st and the 92d Congresses and these are temporary provisions which are effective until we have the next decennial census, which would apply to the 93d Congress and then bring into effect the permanent guidelines set forth in section 1.

Mr. ECKHARDT. I am quite sure that is the intent, but it would have appeared that the language should have read then, "in the 91st Congress in each State which is entitled to more than one Member——"

Mr. SMITH of California. That is the way the section stands now.

Mr. ECKHARDT. No. As a matter of fact, it starts out, "in each State entitled in the 91st Congress." That would include all States, and all States would continue to qualify under that description indefinitely.

Mr. McCLORY. That is not the intent of the legislation, and I would not expect it to be the effect of this provision.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

BIRTHDAY GREETINGS TO THE HONORABLE BARRATT O'HARA

Mr. MATSUNAGA. Mr. Speaker, I take this time to speak out of order because tomorrow marks a great day in our national life. It is the birthday of the oldest Member of this august body. The most distinguished and beloved Member from the State of Illinois, the Honorable BARRATT O'HARA, will be celebrating his 85th birthday. He was born April 28, 1882, at St. Joseph, Mich., the son of the late Circuit Court Judge Thomas O'Hara and Mary Barratt O'Hara.

BARRATT O'HARA has had a long and illustrious career of dedication to the freedom and well-being of his fellow men. He has carried out this dedication in a number of walks of life. At the age of 15 he left high school to fight for Cuban independence in the Spanish-American War. Returning to this country, he completed high school and went on to the University of Missouri, Northwestern University, and the Kent College of Law. At the age of 20 he was sports editor of the St. Louis Chronicle; at 21 he was sports editor for Hearst's Chicago American. At the age of 30 he was elected Lieutenant Governor of Illinois—the youngest in the history of that State.

In 1917, he became president of a film company with studios in Hollywood, but he resigned to serve in World War I. After the war he practiced law in Chicago, spoke nightly over a Chicago radio station, and was attorney for the city of Chicago in traction reorganization and subway construction.

He was associated with the famous criminal lawyer, Clarence Darrow, and still holds one of the best records, if not the best, for having obtained acquittals for defendants charged with capital crimes.

He was elected Representative from the Second District of Chicago to the 81st and 83d Congresses, and he has been reelected ever since.

His sincere dedication to the work of this Congress can be seen in his outstanding attendance record. His interest in bettering the lives of his fellow men is indicated throughout his career as soldier, editor, lawyer, Lieutenant Governor, and Congressman. His achievements range from minimum wage legislation for Illinois as its Lieutenant Governor in the early years of his career, to his efforts in behalf of labor, when he was a radio personality, and finally to his fine congressional record in such fields as housing, minimum wage, and civil rights.

Once the youngest Lieutenant Governor of his State, and now the oldest Member of the House, BARRATT O'HARA has shown us that neither youth nor age hinders the work of a truly dedicated public servant. BARRATT O'HARA has earned the honor and gratitude of his colleagues in the Congress and of Americans everywhere.

To me, he has been not only the dearest of friends, but also a treasured advisor and source of sage counsel. It was my distinct privilege to live with BARRATT O'HARA for over a month at the Congressional Hotel when I first arrived in Washington as a green Member-elect and to be taken under his wings, so to speak, during that first session of my first term. The lesson he taught me best, and which typified his sterling qualities, was couched in these words, "Don't get up to talk unless you know you have a contribution to make."

I am sure I speak not only for myself but for all my colleagues when I say: "Happy birthday, BARRATT; may you celebrate many more birthdays in health and happiness, and may we be privileged to celebrate them with you."

Mr. McCLORY. Mr. Speaker, will the distinguished gentleman from Hawaii yield to me at this point?

Mr. MATSUNAGA. I am delighted to yield to the distinguished gentleman from Illinois [Mr. McCLORY].

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Hawaii has expired.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

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

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include pertinent extraneous matter.

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

There was no objection.

Mr. McCLORY. Mr. Speaker, will the distinguished gentleman yield?

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I wish to join with the distinguished gentleman from Hawaii [Mr. MATSUNAGA] in extending happy birthday greetings and warm affection to my longtime friend and colleague, the distinguished gentleman from Illinois, BARRATT O'HARA.

And, Mr. Speaker, I am sure that I speak on behalf of the Members on this side of the aisle in expressing those good wishes.

Mr. Speaker, I recall only a few years ago, when we celebrated in this body the gentleman's 50th year of public service. I recall also more than 30 years ago when I was a law student and a member of a legal fraternity I was called upon to provide a program of inspiration and encouragement to my fellow struggling law students. I called upon one of the most distinguished and most colorful figures at the Illinois bar—none other than the gentleman from Illinois [Mr. O'HARA], whom we honor again today.

Mr. Speaker, the distinguished gentleman from Illinois [Mr. O'HARA] was then a prosecuting lawyer in the city of Chicago. I am proud to have known and admired the gentleman over this long period of years.

Mr. Speaker, I express to the distinguished gentleman my personal good wishes, as well as those of my collegues on this side of the aisle upon this most auspicious occasion.

Mr. ALBERT. Mr. Speaker, I join in the tributes made to the distinguished gentleman from Illinois [Mr. O'HARA]. No finer man ever lived. His presence in this House is an inspiration to every Member. He is one of the most articulate debaters in this body, not simply because of his keen mind, his vast experience, and his ready tongue, but because of his great heart which goes out to every human being who is the subject of injustice. Yes, Mr. Speaker, BARRATT O'HARA is a great orator because, when he speaks, he speaks from his great heart. I love him. I am honored to call him my colleague and my friend. I extend to him the greetings of the day. God give him many more of them.

Mr. EDMONDSON. Mr. Speaker, it is a genuine pleasure to join today in wishing a happy birthday to one of the best loved Members of this body, the gentleman from Illinois, the Honorable BARRATT O'HARA.

In the 85 years of his life, this eloquent American has not only rendered outstanding service to his country, he has also won a lasting place in our Nation's history as a great lawyer and a great humanitarian.

It is a privilege to call him a colleague and a friend, and I wish him many happy birthdays in the years ahead.

Mr. ANNUNZIO. Mr. Speaker, I rise today to congratulate my distinguished colleague from Illinois, the Honorable BARRATT O'HARA, on his 85th birthday which he is celebrating tomorrow, April 28.

It gives me great pleasure to join his

host of friends to wish him abundant good health and good fortune in the years ahead as he continues his outstanding service in the best interests of his constituents in the Second District of Illinois and the people of America.

Congressman O'HARA has served his country with vigilance, honesty, and dedication in the 81st, 83d, 84th, 85th, 86th, 87,th, 88th, 89th, and now the 90th Congress. He is the only Member of Congress who is a veteran of the Spanish-American War, and he served again in the Armed Forces during World War I.

At the age of only 29 he was elected as Lieutenant Governor of the State of Illinois and was the youngest person in the history of our State to hold this responsible position.

He was an outstanding attorney in our State before coming to Congress. At one time he was also editor of the Chicago Examiner and the Chicago Magazine.

My colleague has received numerous awards in recognition of his distinguished public service including the Clarence Darrow Humanitarian Award. We from Illinois recall that Mr. O'HARA led the fight for passage of Illinois' first minimum wage law. Two years ago he served as a delegate to the 20th General Assembly of the United Nations.

To the "boy wonder of Illinois," as he is fondly known by his fellow legislators, I extend my best wishes for a happy birthday and many more years of fruitful service in the Congress of the United States.

GENERAL LEAVE TO EXTEND

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

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

There was on objection.

Mr. SMITH of California. Mr. Speaker, I have no further request for time.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Speaker, I urge that we vote down the previous question on this bill and that we vote down this rule.

Mr. Speaker, I urge upon the Members of the House that we have an open rule, rather than a closed rule.

Mr. Speaker, the pending legislation upon which we are asked to act has had no hearings on it at this session of the 90th Congress.

Mr. Speaker, this legislation had no hearings held upon it in the last session of the Congress. Yet it comes before this session of the Congress for its consideration and possible passage with only 2 hours of general debate provided for its general discussion. Two years ago it was voted on a closed rule with 3 hours' debate.

Now, 2 years later it is brought up with only 2 hours of debate. All the time was used up when it was considered previously. The bill at that time carried a 30-percent variation, but I would suggest many things have happened in that time. Many court decisions have been decided in the past 2 years on this very question.

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

Mr. HUNGATE. Mr. Speaker, I will yield to the gentleman from Mississippi in just a moment.

Mr. Speaker, I would like to see an open rule on this so we could decide whether a 10-percent variation was a good variation for 1973, and so we could find out if it would not be a good one for 1968. So I do not see why, in the interest of uniformity, if some States wish at large elections they should not be permitted to have them after 1973 and why at the same time at large elections shall be denied to those States who do want them now in 1968.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield at that point?

Mr. HUNGATE. Yes, I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I would like to say that I am going to vote against the previous question. I oppose closed rules, except in the most extraordinary circumstances. I do wish to say, however, that by voting to open up this rule does not necessarily indicate that I am against the bill. I believe I will support the bill.

I agree with the gentleman. I believe the Members of the House should be permitted to offer amendments on any measure that comes before this body unless it is a very extraordinary measure that should be voted up or down "as is," and this is not such a measure.

Mr. HUNGATE. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, there are some other items in here such as "in as reasonably a compact form as the State finds practicable." And if the previous question is voted down I plan to offer a rule that will permit amendments to be offered under the 5-minute rule.

Mr. ECKHARDT. Will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. ECKHARDT. Is it not true that we are providing in this bill for a set amount of time, so that a State may not at its own discretion redistrict in the middle of a 10-year decennial, no matter how drastic the population changes may have been, and no matter whether the legislature of the State feels that this change in the middle of the period would be desirable?

Mr. HUNGATE. As I read the majority views, this would be correct, although I would say to the gentleman that I am not everywhere accepted as an expert on all of the points in this bill.

Mr. ECKHARDT. It would appear that the decision of the Federal Government on this point should perhaps yield to the State government when it is determined that there is a sufficient local change in population for an additional districting during the decennial, and we would close that out absolutely if we pass this bill.

Mr. HUNGATE. I believe the gentleman is suggesting that the advantages of not diluting the citizen's vote, if dilution is not to exceed 10 percent, as the rule would be in 1973, it would seem to me, would be a good rule now. It would seem to me that if the State legislators—and I see many here who have not supported the Dirksen amendment, but they will I believe support this bill—it seems to me the one-man, one-vote, if it is a good rule for the State legislature and for the State senate and for the State representatives and for the city council, or the county supervisors, that it is a pretty good rule for the U.S. Congress now.

Mr. Speaker, I yield back the balance of my time.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I am reluctant to oppose the wishes of my distinguished chairman or the Committee on Rules, but I believe it is manifestly unfair that legislation of this significance be debated under a closed rule. Many here have already stated that a closed rule is highly unusual. I am going to vote against the previous question. I do not have any amendments to offer myself because I believe the progress that we are making in the courts, now that the Supreme Court has moved into what was heretofore considered a forbidden political thicket, is going to be much more expeditious that any arbitrary formula that we can devise.

Sixteen years go when our distinguished chairman began introducing redistricting legislation, it was an attempt to eliminate gerrymandering of congressional districts.

I agree with what the gentleman from New York [Mr. CELLER] said at that time.

He said:

> In the light of the court decisions and the legislative enactments the importance of the problem of fair, equitable apportionment both by the Federal and State legislatures is one that demands a final and prompt solution. It must be a solution which goes to the very root of the problem and eradicates the sources of the evil * * *. The problem is one which involves the fundamental principle of equality which permeates our entire Constitution so that its denial imperils the very heart of our democracy.[1]

Mr. Speaker, in my view this bill does not go to the very root of the problem that we face nor does it eradicate the sources of evil.

As a matter of fact, I think this bill would perpetuate the problem of confusion this bill is supposedly going to solve, because there are many parts of this bill that are very questionable and unclear when it comes to intepreting what they mean and how they would actually be enforced.

For example, there was one amendment offered in full committee which is now incorporated in this bill which could create problems in States that have already conformed to the one-man, one-vote doctrine with respect to congressional districts. The temporary districting plan for 1968 and 1972 which would allow a district to have a deviation in population up to 30 percent. That would

[1] 17 Law and Contemporary Problems 268, at 274.

open the door to State congressional delegations that already have been redistricted—and apparently some 22 States have done so satisfactorily and have conformed with the "one-man, one-vote" doctrine—to be subjected by their State legislatures to further redistricting to take advantage of the erosion of the "one-man, one-vote" principle that this bill would allow.

Some of the State congressional delegations that could be affected in this manner and be redistricted yet another time by their State legislatures are the following: Arkansas, Maryland, Utah, Michigan, Oklahoma, Montana, Kentucky, South Dakota, Mississippi, Wisconsin, Maine, Virginia, North Dakota, South Carolina, Rhode Island, Kansas, Arizona, Alabama, Oregon, New Hampshire, and Idaho. For the reasoning and factual situation that leads me to list these particular 22 States, I would refer my colleagues to the Statement I inserted in the CONGRESSIONAL RECORD of Tuesday, April 25, starting on page 10763, particularly table C in the Legislative Reference Service memorandum included, following my statement.

Then there is the situation of States whose districts have been declared unconstitutional and the cases are still pending in the courts.

The great question that has not been adequately answered is what happens to States that are under court order to redistrict if this bill becomes law? Many of these States had congressional districting plans where the variation in population between the largest and smallest district was well below the 30-percent guidelines established by this bill for the 1968 and 1970 elections. However, the courts found that such deviations were unconstitutional. For instance, Missouri had a 21.8-percent deviation, Texas had 2.1 percent, and Indiana 22.8 percent.

Could the attorneys general of those States now go into Federal court and ask for those court orders to be vacated because Congress had determined that such population deviations were constitutional, though the courts had just determined that those same population deviations were clearly not constitutional?

Some State, who might not want to present the issue in such a stark and dramatic fashion, might be imaginative to forego the use of that argument and comply with the court's findings that its current congressional districts were unconstitutional and then enact a "new" constitutional congressional districting statute which would happen to be a carbon copy of the "old" unconstitutional statute.

Would that be possible under the provisions of this bill?

In summation, I say that the confusion we will create by having a temporary rule here until 1972 and then a 10-percent deviation rule from 1972 on is more cumbersome and is going to create more litigation than by allowing the courts to proceed on their own.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield 1 additional minute to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I thank the gentleman.

As I was saying, Mr. Speaker, the temporary law provided in this bill for the 1968 and 1970 elections is going to create more litigation than by allowing the courts to proceed on their own. The fact is that the courts have come up with a uniform requirement. The requirement that they have postulated in redistricting cases is that the States are not expected to comply with a uniform percentage type of rule the Supreme Court has recognized that some States have peculiar problems—including boundaries of city and county boundary lines and special geographic considerations. Therefore, what might be good for the State of Michigan, which has a 3.4-percent variation, might be impossibly too tight a standard for some other State.

For all of these reasons, I urge my colleagues, whether you agree with me of not regarding the bill itself, to at least vote down this rule so that we may consider this bill under the normal procedures of the House which allow debate and votes on amendments to bills. Many members have amendments they want to offer including some that would clarify many of the confusing and vague provisions of this bill. Let us debate this important matter as it should be debated and let democracy prevail as we discuss the very serious questions involved in this bill.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. I rise in opposition to the proposed closed rule and associate myself with the excellent remarks of my colleague from Michigan [Mr. CONYERS] and the gentleman from Missouri [Mr. HUNGATE].

Mr. Speaker, I am fundamentally opposed to any closed rule. Such a rule necessarily involves a denial of democracy and shuts off opportunity in this House to consider alternatives to proposed legislation.

Such a rule is particularly obnoxious as applied to the bill we are presently considering inasmuch as this bill contains very serious constitutional and policy questions.

This bill raises serious questions as to overruling present court decisions with respect to the degree of deviation permitted in the population of congressional districts.

The bill raises a serious question with regard to the requirement of compactness of a congressional district—whether States should be able to make compactness determinations unfettered.

The bill raises serious constitutional and policy questions because of the lack of any provision for judicial review.

While recognizing the desirability of legislative standards for apportionment, I strongly oppose the bill in its present form. It represents a giant step backward from the constitutional interpretations by the courts requiring congressional districting to be as nearly equal in population as practicable. It renders meaningless the important requirement that districts be compact, turning this determination over to the State legislatures, many of which have shown no disposition to respect compactness or equality in framing district lines. It makes no provision for judicial review.

Whether you agree with these reservations or not, however, these are certainly important constitutional and policy questions that deserve debate. Alternative resolutions to these districting questions should be considered. There is no justification for a gag rule here shutting off these considerations from debate.

I urge my colleagues to vote down the previous question and vote down this closed rule.

Mr. SISK. Mr. Speaker, I recognize that this legislation is controversial, though extremely important to the Congress. I would hope that the House would see fit to adopt the rule and permit the gentleman from New York [Mr. CELLER], and the gentleman from Ohio [Mr. MCCULLOCH], to present their case.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. ALBERT). The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. SISK) there were—ayes 42, noes 34.

Mr. BOLLING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 99, not voting 50, as follows:

[Roll No. 75]

YEAS—284

Abbitt	Colmer	Goodell
Adair	Conable	Goodling
Addabbo	Conte	Gray
Albert	Corman	Griffiths
Anderson, Tenn.	Cramer	Grover
Andrews, Ala.	Cunningham	Gurney
Annunzio	Daniels	Haley
Arends	Davis, Ga.	Halpern
Ashmore	Davis, Wis.	Hamilton
Aspinall	Delaney	Hammer-schmidt
Ayres	Dellenback	Hanley
Barrett	Denney	Hansen, Idaho
Bates	Devine	Hansen, Wash.
Belcher	Dole	Hardy
Betts	Dorn	Harrison
Bevill	Dowdy	Harsha
Biester	Downing	Harvey
Blanton	Dulski	Heckler, Mass.
Boggs	Duncan	Henderson
Bolton	Edmondson	Herlong
Brademas	Edwards, Calif.	Holifield
Brasco	Edwards, La.	Holland
Bray	Erlenborn	Hosmer
Brooks	Esch	Hull
Broomfield	Eshleman	Hunt
Brown, Mich.	Evans, Colo.	Irwin
Brown, Ohio	Everett	Jacobs
Broyhill, Va.	Farbstein	Jarman
Burke, Fla.	Fascell	Johnson, Calif.
Burke, Mass.	Feighan	Johnson, Pa.
Burleson	Findley	Jonas
Burton, Utah	Fino	Jones, Ala.
Bush	Fisher	Jones, Mo.
Cabell	Flood	Karsten
Carey	Foley	Kastenmeier
Carter	Ford, Gerald R.	Kazen
Casey	Fountain	Keith
Cederberg	Frelinghuysen	Kelly
Celler	Fulton, Pa.	King, Calif.
Clancy	Fulton, Tenn.	King, N.Y.
Clark	Fuqua	Kleppe
Clausen, Don H.	Gardner	Kluczynski
Cohelan	Gathings	Kornegay
Collier	Gettys	Kyl
	Giaimo	Kyros
	Gibbons	

Landrum	Patman	Skubitz
Langen	Patten	Smith, Calif.
Latta	Pelly	Smith, Iowa
Leggett	Pepper	Smith, N.Y.
Lennon	Perkins	Smith, Okla.
Lipscomb	Pettis	Snyder
Lloyd	Philbin	Springer
Long, Md.	Pickle	Stafford
Lukens	Pirnie	Stanton
McClory	Poage	Steed
McCulloch	Poff	Steiger, Ariz.
McDonald, Mich.	Price, Ill.	Stubblefield
	Price, Tex.	Taft
McFall	Pucinski	Talcott
McMillan	Purcell	Taylor
Macdonald, Mass.	Quie	Teague, Calif.
	Quillen	Teague, Tex.
MacGregor	Railsback	Tenzer
Madden	Randall	Thomson, Wis.
Mahon	Rarick	Tuck
Marsh	Rees	Udall
Martin	Reid, Ill.	Ullman
Mathias, Calif.	Reifel	Utt
Mathias, Md.	Reinecke	Vander Jagt
Matsunaga	Resnick	Vanik
May	Rhodes, Ariz.	Vigorito
Mayne	Rhodes, Pa.	Waldie
Meeds	Riegle	Walker
Meskill	Rivers	Wampler
Michel	Roberts	Watson
Miller, Calif.	Rodino	Watts
Miller, Ohio	Rogers, Fla.	Whalen
Mills	Ronan	Whalley
Mize	Rooney, N.Y.	White
Monagan	Rostenkowski	Whitener
Montgomery	Roth	Whitten
Moore	Roudebush	Widnall
Morris, N. Mex.	Roush	Wiggins
Morse, Mass.	Ruppe	Williams, Pa.
Mosher	Ryan	Willis
Multer	Satterfield	Winn
Murphy, Ill.	Saylor	Wright
Myers	Schadeberg	Wyatt
Natcher	Schneebeli	Wylie
Nichols	Schwengel	Wyman
O'Hara, Ill.	Scott	Young
O'Hara, Mich.	Selden	Zablocki
Olsen	Shipley	Zion
O'Neal, Ga.	Shriver	Zwach
O'Neill, Mass.	Sikes	
Passman	Sisk	

NAYS—99

Abernethy	Fraser	Moorhead
Adams	Friedel	Morgan
Anderson, Ill.	Galifianakis	Moss
Andrews, N. Dak.	Gallagher	Nedzi
	Garmatz	Nix
Ashbrook	Gilbert	O'Konski
Ashley	Gonzalez	Ottinger
Battin	Green, Oreg.	Pike
Bennett	Green, Pa.	Pollock
Bingham	Gross	Pryor
Blackburn	Gubser	Reid, N.Y.
Blatnik	Gude	Reuss
Bolling	Hall	Robison
Brinkley	Hathaway	Rooney, Pa.
Broyhill, N.C.	Hawkins	Rosenthal
Buchanan	Hechler, W. Va.	Rumsfeld
Burton, Calif.	Helstoski	Sandman
Button	Hicks	St Germain
Cahill	Horton	Scherle
Chamberlain	Howard	Scheuer
Clawson, Del	Hungate	Schweiker
Cleveland	Hutchinson	Slack
Conyers	Ichord	Staggers
Corbett	Joelson	Steiger, Wis.
Culver	Karth	Thompson, Ga.
Curtis	Kee	Thompson, N.J.
Derwinski	Kupferman	Tiernan
Dingell	Kuykendall	Watkins
Dwyer	Laird	Wolff
Eckhardt	McCarthy	Wydler
Edwards, Ala.	McClure	Yates
Eilberg	McDade	
Fallon	Machen	
Ford, William D.	Minish	
	Mink	

NOT VOTING—50

Baring	Dent	Long, La.
Bell	Dickinson	McEwen
Berry	Diggs	Mailliard
Boland	Donohue	Minshall
Bow	Dow	Morton
Brock	Evins, Tenn.	Murphy, N.Y.
Brotzman	Flynt	Nelsen
Brown, Calif.	Hagan	Pool
Byrne, Pa.	Halleck	Rogers, Colo.
Byrnes, Wis.	Hanna	Roybal
Cowger	Hays	St. Onge
Daddario	Hébert	Stephens
Dawson	Jones, N.C.	Stratton
de la Garza	Kirwan	Stuckey
Sullivan	Waggonner	Wilson, Charles H.
Tunney	Williams, Miss.	
Van Deerlin	Wilson, Bob	Younger

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.
Mr. St. Onge with Mr. Bob Wilson.
Mr. Waggonner with Mr. Morton.
Mr. Byrne of Pennsylvania with Mr. Bow.
Mr. Dent with Mr. McEwen.
Mr. Donohue with Mr. Mailliard.
Mr. Evins of Tennessee with Mr. Cowger.
Mr. Hays with Mr. Minshall.
Mr. Dow with Mr. Bell.
Mr. Murphy of New York with Mr. Byrnes of Wisconsin.
Mr. Rogers of Colorado with Mr. Brotzman.
Mr. Van Deerlin with Mr. Brock.
Mr. Kirwan with Mr. Dickinson.
Mr. Jones of North Carolina with Mr. Younger.
Mr. Boland with Mr. Nelsen.
Mr. Daddario with Mr. Berry.
Mr. Brown of California with Mr. Dawson.
Mr. Flynt with Mr. Hanna.
Mr. Roybal with Mr. Stratton.
Mr. Stuckey with Mr. Williams of Mississippi.
Mrs. Sullivan with Mr. Baring.
Mr. Tunney with Mr. Diggs.
Mr. Hagan with Mr. Pool.
Mr. Stephens with Mr. de la Garza.
Mr. Charles H. Wilson with Mr. Long of Louisiana.

Mr. MACHEN changed his vote from "yea" to "nay."

Mr. MURPHY of Illinois changed his vote from "nay" to yea."

Mr. FINO changed his vote from "nay" to "yea."

Mr. O'KONSKI changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 1 legislative day in which to extend their remarks and include extraneous material in connection with the subject of my special order today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL STANDARDS FOR CONGRESSIONAL REDISTRICTING

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2508, with Mr. EDMONDSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. CELLER] is recognized for 1 hour and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 1 hour.

The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, once again we are confronted with the problem of establishing standards for congessional redistricting. I have been concerned with this problem for many years. I first offered a bill in 1950, and in 1951 the Judiciary Committee held extensive hearings on the establishment of congressional districts. Since that time, however, bills dealing with this problem have gotten nowhere. During the 89th Congress, on March 16, 1965, the House passed a redistricting bill which would have required that the districts be composed of contiguous territory in compact form. This bill was not acted upon in the Senate. Comity between the two Houses, in my humble opinion should have caused the other body to have given the bill better than mere cavalier treatment.

The Supreme Court in 1964, in Wesberry against Sanders, ruled that the matter of congressional districting was justiciable and under article I, section 2, of the Constitution that congressional districts must be composed as nearly as practicable of equal numbers of people. In the Wesberry case, the Supreme Court said:

> We hold that, construed in its historical context, the command of Art. I, § 2, that Representatives be chosen "by the People of the several States" means that as nearly as is practicable one man's vote in a congressional election is to be worth as much as another's.

The Supreme Court further said, in concluding its opinion:

> While it may *not* be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives. That is the high standard of justice and common sense which the Founders set for us.

It is time now for Congress to act in a manner to implement this decision. If Congress does not act, the courts will. Certainly, it is far better to permit the States to draw their own lines. If we allow the courts to continue to draw district lines each judicial district or each judicial circuit will have different formulae. There will be no uniformity.

The Judiciary Committee, in acting on H.R. 2508, amended the bill substantially in order to accomplish the following:

First. Provide interim standards for the establishment of congressional districts for the 91st and 92d Congresses.

Second. Provide standards for the es-

tablishment of congressional districts for the 93d and subsequent Congresses.

Third. Provide that the redistricting of any State that has been established by court order shall remain in full force and effect until the State shall have established valid districts in accordance with the provisions of the act.

Section 1 of the bill establishes standards for State legislatures to follow in the creation of congressional districts for the 93d and subsequent Congresses. These standards are:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative. Existing provisions for a Representative at Large are eliminated.

Third. Each district shall be composed of contiguous territory, in as reasonably a compact form as the State finds practicable.

I personally wished the standard of compactness to be just "compact" with no qualifying language, but the Judiciary Committee demanded qualifying language; namely: "in as reasonably a compact form as the State finds practicable." This change is unfortunate.

In setting forth the guideline that districts be "reasonably" compact, the committee apparently intends to give the States flexibility in establishing congressional districts. As far as practicable, this standard would not require splitting up of State or local governmental units or subdivisions. The committee intends that the State legislature shall determine the form or shape of congressional districts in implementing the congressional policy against gerrymandering.

The committee's use of the standard "in as reasonably a compact form as the State finds practicable," is intended to prevent gerrymandering. As to this result I have my doubts.

Fourth. The district with the largest population shall not exceed by more than 10 per centum the district with the smallest population in number of persons, excluding Indians not taxed.

Fifth. Population shall be based on the then most recent decennial census, but if a State redistricts more than 2 years after a decennial census, the population figures to be used must be those of a statewide Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8) and said census must be less than 2 years old at the time of the next election following the redistricting.

Sixth. Unless the particular State constitution requires otherwise, there shall not be more than one redistricting between decennial censuses.

Section 2 of the bill establishes temporary or interim standards for State legislatures to follow in the creation of congressional districts for the 91st and 92d Congresses. These standards are:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative, except the States of Hawaii and New Mexico may continue to elect their Representatives at large.

Third. The district with the largest population shall not exceed the population of the district with the smallest population by more than 30 percent, excluding Indians not taxed.

Fourth. Population shall be based on the Eighteenth Decennial Census, or any subsequent Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8).

Fifth. When any State has been redistricted by court order, and such order has been applied in an election, for interim stability the districts so established shall remain in full force and effect until the State shall establish valid districts pursuant to the act, or until superseded by a subsequent court order.

The other body did not see fit to adopt the legislation that was adopted by this House. It is rather sad to make that statement. I should think that comity—the comity that exists between both Houses—should have prompted the other body to accept what we had passed, and which appertains to the membership of this body. There was no skin off the back of any of the Members of the other body. I hope that this bill passes today, and that at least a bit more sober judgment will descend upon the brows of the solons of the other body and they will accept, on the score of comity alone, what we do here, and which appertains to our own membership.

Now, this bill is a result of our failure to enact legislation of this character over the years.

What has happened after the Wesberry against Sanders case? The various courts throughout the Nation started to redistrict. There were no guidelines, and the situation became a veritable hodgepodge. There was no consistency throughout the Nation. Every State varied from another State, because we had failed to lay down anything in the nature of guidelines.

I am reading now from the Congressional Quarterly.

This is on page 3 of the issue of September 16, 1966:

> Beyond declaring the districts must be as nearly equal in population as is practical, the court in its Wesberry decision set down no precise standards. This left the State legislatures and the courts with little guides as to what constituted one man—one vote.

Now, we seek to lay down some standards, so that there will be at least some degree of consistency throughout the Nation.

This is not perfect. I warn the gentlemen and ladies of the House, we just cannot satisfy every single Member of the House, because every district has its peculiarities, every district has it differences from other districts. Men have come to me with their problems and their peculiarities—and they are peculiar to their own districts—with the question, "Will this bill satisfy all these situations?" I said, "No. We cannot give you the millennium in this bill. We cannot give perfection. We cannot satisfy all and sundry. We do the best we can." That should be all that is asked of us. We approximate justice here. We set down decent guidelines.

For years I asked that in the guidelines we should use the words "contiguous and compact." Those words have been used for many years. We continue to use the word "contiguous" in the bill, but we have qualified the use of the word "compact." We say: "In as reasonably a compact form as the State finds practicable."

I did not like that qualifying clause. Yet what is legislation? Legislation is and always has been compromise. We just cannot bludgeon—at least the chairman cannot bludgeon the members of his committee that they abide by his will. That is not the Democratic method. It is a give-and-take proposal. That is the way all legislation is devised in a democracy. If we did not have it that way, we would have a dictatorship, and I am not going to be a dictator as far as the chairmanship of my committee is concerned.

I recognize the members of my committee have different views. We try to get together to develop a consensus, and we have developed a consensus on that score. The gentleman from Michigan rose and said, very properly, he does not like the idea of the qualifying phrase. I do not like it either. What am I going to do? Demand everything I want? We cannot do that, gentlemen. Legislation is not fashioned that way. This bill, however, is a practical bill, and I hope it will be accepted overwhelmingly by the Members.

In the report we say, for example, and very properly:

> Despite the fact that the Federal courts have reviewed the congressional districts of a number of States, Federal courts have not established precise criteria for congressional districting. Establishment of such precise criteria is a matter for Congress. Continued litigation underscores the urgency for Congress to declare its policy.

We declare its policy in this bill. Will the courts follow that declaration of policy? Will the courts follow the standards that we lay down?

I believe they will. I cannot with absolute certainty say they will. Nobody can tell what the courts may do. But I believe it is reasonable to say that the courts will follow our guidelines. They cannot disregard them. They must take them most seriously into consideration. It would be woeful for us at this stage not to lay down these guidelines.

We divide the bill into two parts. One part is temporary. The other part is permanent.

We say that after the next census, the 19th census, which will become operative about 1972, there shall be a fair division of population, with a possible difference of 10 percent between the district with the highest population and the district with the lowest population. The district shall be as compact as possible within the discretion of the legis-

lature, and the district shall be contiguous.

But prior to 1972, for the next two Congresses, temporarily in the interim we say there shall be a tolerance of more than 30 percent between the largest and the smallest districts.

Why did we do that? We did that so as not to muddy the waters too much temporarily. We did not want to disturb the situation unduly until the next Federal census. It would be unfair to do otherwise.

It is kind of like trying to force one's hand into a tight glove. One has to maneuver. One has to flex. Finally one can get the tight glove on.

So we are putting on a tight glove, as it were, after 1972, and we are laying down these tight restrictions of 10 percent more than the smallest district. But until then we say, "All right; so that there may not be too much undue disturbance and interference with the present district lines, we make the tolerance wider—30 percent."

It is arbitrary; I admit that. But it is fair. It will last only until 1972.

When we contemplate the history of this legislation and the difficulties we have had in getting anything through, we have to recognize that we have to give something and that we cannot in one fell swoop say, "It must be 10 percent."

I sort of feel, if I may use the term, like Sisyphus in the Greek mythology, who was trying to push a boulder up over a steep hill. Every time he got near the top of the hill, the boulder would fall upon him and down he would go with the huge rock. I have been trying and trying to get a bill through for 20 years, and I am now near the top. I hope, with the help of Members, I can push this boulder over the hill. I think I can, because we have a reasonable proposition.

Again I say we cannot satisfy everyone, but I believe, in a measure, we can go reasonably far enough to satisfy most of the Members of the House.

I hope the bill will pass.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from North Carolina.

Mr. WHITENER. I should like to compliment the chairman of our Judiciary Committee upon his statement with reference to this bill and also to compliment him for the years of effort he has put forth in trying to get some type of road charted for the fixing of congressional districts. I believe that if the Congress had adhered to the gentleman's advice in previous years much of the problem that seems to be bothering our brethren today would probably not exist.

If I may say this, Mr. Chairman, I am one of those on the committee—and I can say, I think, without violating a confidence that the chairman of our committee felt the same way—who did not particularly like the exact language of every phase of this bill. However, we are supporting it and I join him in supporting it because it was the best we could do. It is easy to be critical and to try to look after one's own little problems, but we cannot do that. I think this bill is a good approach to a very knotty problem.

Mr. Chairman, I say you are to be commended. It is my firm conviction with the language we have we should be able to prevail on the other body to take action, as they should have done in the last Congress or in 1965, when we passed a similar bill.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. BRADEMAS. Mr. Chairman, I want to join my friend from North Carolina in commending the distinguished chairman of this committee for the outstanding work that he and his colleagues have done on this very important measure.

Mr. Chairman, I should like to propound to the distinguished chairman of the Committee on the Judiciary several questions which are of importance to the State of Indiana and, I am sure, to Members generally.

My first question is this: Under the provisions of this bill, would it be possible to split county and township lines in drawing the boundaries of congressional districts?

Mr. CELLER. I think the splitting of county and township lines would be possible under existing law and would be possible under this bill.

Mr. BRADEMAS. My second question, Mr. Chairman, is this: The State of Indiana is presently under court order to revise the congressional districts that were in effect for the 1966 congressional elections. What effect would this legislation have on the State of Indiana?

Mr. CELLER. As I understood it, the court has ruled that the redistricting was not lawful and therefore your State must now redistrict. The bill sets up guidelines and if the redistricting occurs, the court would have the guidelines set up by the bill to follow.

Mr. BRADEMAS. My third question, Mr. Chairman, is this—and I must precede it by this statement of facts. In the State of Indiana a three-judge Federal court declared that the 11 Indiana congressional districts cannot be used in the 1968 elections because of too large a variation in population. The Indiana General Assembly this year adjourned without having drawn new congressional districts, and it does not meet again in regular session until 1969. If the State legislature continues to be at an impasse and fails to redistrict in a special session, would the three-judge Federal court be obliged to draw new districts?

Mr. CELLER. Under those circumstances, the State would have to be redistricted and the redistricting would be done either by the State legislature or by the courts. Either one or the other must act, because the present lines have been declared illegal by the court.

Mr. BRADEMAS. My last question is this: In the event—and this is a question I know has been raised by some of our colleagues—the section of the bill pertaining to permissible population disparities among congressional districts were held unconstitutional, would the section of the bill banning at-large congressional elections remain in force?

Mr. CELLER. I think the answer is yes. I say that even though there is no separability clause, because in the bill, the population standard and the requirement that Representatives be elected only from districts are separate and distinct matters, I am quite sure that the court would consider them separately.

Mr. BRADEMAS. I thank the chairman and renew my commendation of him and his committee for their work on this important measure.

Mr. ICHORD. Mr. Chairman, will the distinguished chairman of the Committee on the Judiciary yield?

Mr. CELLER. Yes, I yield to the distinguished gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I also commend our distinguished chairman of the Committee on the Judiciary of the House of Representatives for his outstanding and visionary work in this field.

Mr. Chairman, for years the gentleman from New York has been urging the Congress to take this step.

Mr. Chairman, I would point out to the House that it is a sad, humiliating, and degrading spectacle, in my opinion, to see Members of this body—for example, our Maryland colleagues—have to go before a three-judge court in order to get their congressional districts redrawn.

Mr. Chairman, it is also a humiliating and degrading spectacle, as well as injurious to our constitutional and democratic processes, to have a district court and State court in the great State of Illinois perform the purely legislative function of establishing congressional districts.

Mr. Chairman, this bill, if adopted, would have the effect of moving the courts out of the political thicket, away from the legislative function which many students of our form of government believe to be a very dangerous practice for the courts and one which tears at the very fabric of our constitutional government.

However, Mr. Chairman, I do have questions with respect to the effect of this bill, if adopted, upon the State of Missouri.

In 1961 the General Assembly of Missouri divided the State of Missouri into 10 congressional districts. Members were then elected in 1962 under this plan. A suit was filed in the Western District Court of Missouri against this reapportionment, and on January 4, 1965, this redistricting act was held unconstitutional. On June 30, 1965, the legislature again redistricted. Under the 1965 Congressional Redistricting Act, the population of the largest district was 474,895, or 42,914 persons in excess of a mathematically ideal district. The population deviation from an ideal district is plus 9.9 percent. The population of the smallest district is 390,240, or 41,741 persons less than a mathematically ideal district. The deviation in population from an ideal district is minus 9.6 percent. On February 14, 1966, a complaint was filed in the western district court claiming that the 1965 Congressional Redistricting Act was unconstitutional. The district court on August 5, 1966, held that the 1965 redistricting act was void but permitted elections to be conducted in 1966 under the 1965 act.

The court, however, did enjoin elections under the act in 1968, 1970, and thereafter. This decision was appealed to the U.S. Supreme Court and in a per curiam opinion on January 9, 1967, a motion to affirm was granted and the judgment was affirmed. The Missouri Legislature is now trying to redistrict again.

I have three questions.

My first question is: If this measure is passed and signed into law, would the Missouri State Legislature be required to redistrict again?

My second question is: Would the Missouri Legislature be prohibited by the terms of H.R. 2508 from redistricting again before the 1970 census?

My third question is: If the Missouri Legislature is still required to redistrict under the terms of H.R. 2508, what will be the permissible percentage deviation in the new redistricting act?

Mr. CELLER. Well, Mr. Chairman, I will state to the distinguished gentleman from Missouri [Mr. ICHORD] that these are rather long and involved questions. I shall undertake to try to respond to the question of the gentleman in this fashion, if I may:

Mr. Chairman, the answer to the gentleman's first question is, I believe "Yes." The State of Missouri at the present time is not redistricted lawfully. In fact, the court has specifically found, as the gentleman recited, that the 1965 Redistricting Act was unconstitutional and was not eligible for use in elections in 1968 and 1970.

The court also said the redistricting was not void, approved its use for 1966. I suppose that was for practical purposes. Accordingly, if the bill, H.R. 2508, becomes law the State of Missouri will be required to redistrict.

With respect to question No. 2, Missouri being required to redistrict before the 1970 census, there is nothing in section 2 of the act which prevents more than one redistricting before 1970. Section 1 of the act prevents more than one redistricting between dicennial censuses. Accordingly, if Missouri so desires, it could redistrict a second time before the 1970 census.

Mr. ICHORD. The gentleman has answered that Missouri will still be required to redistrict under the terms of this bill. My third question is then applicable. If this bill becomes law, what will be the percentage of population deviation that will be permissible?

Mr. CELLER. If the redistricting is before 1972 the court, I am sure, would follow the guidelines we lay down in this districting, namely, that there would have to be a fair degree of population in the districts with a difference of 30 percent between the district with the largest population and the district with the lowest population.

If the redistricting is subsequent to 1972, there would have to be a total difference of 10 percent between the largest and the smallest district.

Mr. ICHORD. Mr. Chairman, I thank the gentleman for this opportunity to establish congressional intent. I am going to support his legislation because of the general principle involved. However, there is only one thing that concerns me. Here you will have a situation in Missouri where 9.9 percent above and 9.6 percent below is unconstitutional, but in other State jurisdictions where they have not gotten into court they will have a deviation of 15 percent above and 15 percent below, which will be legal and constitutional. That is one aspect of the legislation which does concern me. Missouri will have to redistrict, I agree, because it is under court order. However after this bill passes it would be legal for the legislature to draw districts with greater deviations than now exist but the district court has retained jurisdiction and I suppose that it can be worked out by application to the court for a change of the order due to this legislation.

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

Mr. CELLER. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Chairman, I rise on a slightly different point.

I recall the gentleman from New York saying in response to the question as to what compromises were made in committee, particularly as to compactness, he recited that the language now is in as reasonably a compact form as the legislature finds practicable. Actually, what the bill says is "as the State finds practicable."

I believe there may be a view that the word "State" is a broader entity than the legislature. The point I would make to my chairman is that the word "State" may include the legislature, and it may include a court; it may include the decision of a court.

Mr. CELLER. I thank the gentleman, and I am glad he is making legislative history on that.

Mr. KASTENMEIER. I make that point because I believe a number of the Members should be concerned about whether their district would be gerrymandered by the adoption of this bill.

Mr. CELLER. Of course, the gentleman may recall that while we were debating that in the committee itself I took a firm stand on the question of compactness, and wanted to hold onto the word "compact" without any qualifying language, but I could not prevail.

Now I may be inconsistent in supporting this bill without qualifying language. I believe it was Winston Churchill who said he would rather be right than consistent. I would rather be right than consistent in the sense of being right. I want to get something done here.

If we try to get perfection, we get nothing done.

There is the difficulty. There is the rub. That is why I say I would rather be right than consistent. And I am right here, I think.

Mr. KASTENMEIER. I think everyone who is familiar with this question over the years knows of the fight that the gentleman from New York has made against gerrymandering.

Mr. CELLER. If I may interrupt the gentleman to point out that in the report on page 4, you have the following language:

> The committee's use of the standard "in as reasonably a compact form as the State finds practicable," is intended to prevent gerrymandering.

Mr. KASTENMEIER. Yes, the gentleman is correct. A broad construction of the word "State" would include at least a remedy for the action of a State legislature inasmuch as an aggrieved person may go to the State court on the question of "as compact a form as practicable" if he feels aggrieved, under this bill.

Mr. CELLER. I think the gentleman is right.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. RANDALL. Mr. Chairman, in H.R. 2508 on page 4 at line 18 the word "shall" is used. At that place the bill reads: "and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that the States of Hawaii and New Mexico may continue to elect their Representatives at Large)."

In the State of Missouri, we are under a court order to redistrict. Our legislature may or may not be able to agree before the mandatory date of adjournment on a plan of redistricting. If our legislature does not act, the wording of this bill makes it mandatory legislation. In other words a Representative shall be elected only from districts and not at large. In effect, the bill says someone is going to redistrict. That could mean either the legislature or the courts would have to divide the State into districts?

Mr. CELLER. They have to redistrict because you cannot have a Congressman at Large except in the two cases of Hawaii and New Mexico. After 1972 no State would have a Representative at Large.

Mr. RANDALL. The provision on page 4, then is a temporary provision. After 1972, there will be no exceptions and no State may have a Representative at Large?

Mr. CELLER. That is correct.

Mr. RANDALL. I want to commend the chairman, the gentleman from New York, and particularly to commend him for what he said about comity, in the hope that the other body enacts H.R. 2508.

Our chairman deserves the thanks of the House because this measure sets up guidelines or standards both temporary until 1972, and permanent thereafter. This is not a plan to circumvent the one-man, one-vote of Wesberry against Sanders, but instead a bill to implement the one-man, one-vote rule within two separate sets of guidelines, one rather liberal until 1972, and another much more limited and restrictive thereafter.

The strongest provision of this bill is the mandatory requirement that the States be divided into districts. This respects the philosophy that leads to the most pronounced distinction between the House and the other body. Members of the House have to listen to the voice of the people in their own district. On the other hand, because of a large geographical area embracing many groups and many separate interests, there is the opportunity to escape responsibility. This

measure, by preventing the election of Members of the House at-large or statewide, restores the original intent that Members of the House listen to the voice of the people in a limited area rather than an entire State.

Returning again to the principle of comity, a bill having to do with redistricting of the House of Representatives should not be of great concern for the other body. If the Members of Congress on the other side of the Capitol should have any possible interest, it should be in the direction of enacting a measure that would encourage Congressional Districts because when Members of the House are forced to run statewide, they become better known and better acquainted throughout the State and thus become stronger to challenge members of the other body in a statewide contest. H.R. 2508 should pass the House and certainly should not meet the same fate of inaction suffered in the other body by a very similar bill sent over in March 1965.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the able chairman of the House Committee on the Judiciary, the gentleman from New York, has articuately and accurately explained H.R. 2508. Thus, I believe it would serve a useful purpose for me to offer a few hard statistics which document the need for this legislation. There has also arisen some question regarding the powers of Congress to enact this proposal; therefore, I believe I might contribute to this debate by offering documentation of the clear unequivocal constitutional authority for the Congress to promulgate guidelines and standards for our State legislatures to follow in establishing congressional districts.

It is nearly unbelievable when one realizes the wave of congressional districting and redistricting that has occurred since the 1960 census and particularly since the Supreme Court's 1964 decision in Wesberry against Sanders. The latest count shows 41 States or 422 of our 435 congressional districts have undergone some form of redistricting. Most States have had to redistrict on numerous occasions with most of this activity obviously occurring since the 1964 Supreme Court decision.

If I may be candid and blunt, if this legislation is not enacted, I believe we can predict with some accuracy that under the current trend of Federal court decisions, an additional 22 States or 297 congressional districts may have to redistrict to satisfy the court-made criteria. This measure, which seeks to maintain the status quo of those many States which have already redistricted until the 1970 census, would preserve approximately 75 percent of these districts.

Mr. Chairman, I want to state clearly and without reservation that this legislation is not an attempt to nullify any decision of the Supreme Court or to unreasonably delay the impact or effect of any such decision. The Supreme Court has never—I repeat never—established a precise constitutional criteria for congressional districting. Therefore, rather than nullify the Supreme Court's rulings in this area, we are—by enacting this measure—filling a void created by the Court, a void which confronts every State dealing with congressional districting. This measure in seeking to employ temporary guidelines certainly does not unnecessarily delay redistricting under fair and realistic standards. To require the States to immediately comply with the standards of the permanent provision of this act—section 1—would be an unwise requirement with minimum effectiveness. It would mean that the States would have to redistrict in 1968 on 1960 population figures and then, within a matter of only 2 or 3 years, redistrict again under the 1970 decennial census. As we lawyers say: res ipsa loquitur—this speaks for itself.

Now, I would like briefly to discuss the constitutional foundations upon which this legislation so firmly and securely must rest.

The Supreme Court—in the Wesberry case—declared that article I, section 2 of the Constitution, which states that Representatives be chosen "by the People of the several States" means that as nearly as practicable, one man's vote in a congressional election must be worth as much as any other man's vote.

In establishing the one-man, one-vote rule, the Court raised many questions that it has never attempted to answer. It set forth no criteria or standards for the States or lower Federal courts to follow. Each court in considering the question of the constitutionality of congressional districts under the wording of article I, section 2, has in effect been forced to pronounce its own policy in deciding the inherent issues in the case. It is, therefore, not surprising that there is no unanimity in the redistricting standards laid down by lower Federal courts.

Subsequent consideration of redistricting cases by the Supreme Court has similarly failed to set forth any such precise or workable policy for creating congressional districts. This, however, I do not find difficult to understand, for I am of the opinion that article I, section 4 of the Constitution precludes the Supreme Court from determining such standards. That provision of the Constitution reads as follows:

> The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

In tracing the history of article I, section 2 of the Constitution, I found that the delegates to the Constitutional Convention in adopting this provision were quite aware of problems in creating districts for Representatives.

James Madison in discussing the matter referred to "the vicious representation" in Great Britain of "rotten boroughs," James Wilson of Pennsylvania urged that people be represented as individuals, so that America would escape the evils of the English system under which one man could send two members to represent the borough of Old Sarum, while a million people in London could send but four.

It was for these reasons that the authors of the Constitution stated in article I, section 4 that the State legislatures should prescribe the regulations for the conduct of elections for representatives, but further gave the Congress supervisory power to make or alter such regulations. The wording of article I, section 4 of the Constitution is clear. The power of the Congress to supervise the "manner" by which representatives are elected is absolute and plenary. This legislation is but an implementation of that power.

Mr. Chairman, I sincerely urge that H.R. 2508 be enacted.

The CHAIRMAN. The gentleman from Ohio has consumed 13 minutes.

The gentleman from New Jersey [Mr. RODINO] is recognized.

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

Mr. RODINO. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I wish to commend the very able and distinguished chairman of the Committee on the Judiciary [Mr. CELLER] for his long, arduous, dedicated and unyielding efforts to enact into law guidelines to provide equal representation in the House for all Americans.

In urging adoption of H.R. 2508, I am additionally hopeful that the chairman's efforts will be finally crowned with victory. Unfortunately, this bill which passed here the last Congress was not approved by the other body. The confusion and difficult situations with reference to congressional apportionment that exist in many of the States today would be alleviated with the enactment of this bill.

Apportionment, a complex subject, does not generate much public excitement. Yet it is an issue with which we all, as legislators, must be vitally concerned. It is a vital issue because it determines whether all constituents receive equal representation.

Apportionment establishes the numerical composition of the Congress. It regulates the size of legislative districts based on population. Fairness demands that each lawmaker represents approximately the same number of people. This is the "one man, one vote" principle determined by the U.S. Supreme Court in Wesberry against Sanders.

This doctrine is embodied in H.R. 2508. The bill proposes to approve a population variation as great as 30 percent between congressional districts, that is, 15 percent above and below the number that would have each member within a State represent the same number of constituents. In 1973, the variation must be reduced to 10 percent, that is, 5 percent above and below the number for equal representation. It provides that the districts should be contiguous and as compact as possible. To avoid an abrupt transition, the date 1973 has been chosen to coincide with the beginning of the 93d Congress.

There are presently eight States which have districts with population disparities even greater than the 30-percent standard established in this bill. Ac-

tually, as great as 61.4-percent deviation of the largest district from the smallest district exists. Certainly, this deviation is inequitable. This bill presents a sensible and democratic solution to the problem of fair and equal representation.

Perhaps there never will be perfect apportionment because of population explosions and shifts that occur between each census. Chairman CELLER's bill is the best approach to equal and fair representation, and I urge its approval.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I appreciate the gentleman's yielding.

Mr. Chairman, I support this legislation. I am grateful to the gentleman from New Jersey [Mr. RODINO] for yielding. His statement of support of H.R. 2508 is consistent with the attitude that he has taken in the Committee on the Judiciary during the several times that he and I have participated in legislation relating to Federal standards for congressional districts.

The present bill may not fulfill all of the needs of the hour in the area of congressional redistricting. However, it is a step forward. It is my hope that the guidelines which it establishes will be strictly adhered to by the various State legislatures in the future when they come to consider the realinement of congressional districts.

Too often we have witnessed conflicting standards being applied by various Federal and State courts dealing with this problem. When all of the cases are compared it is apparent that today we have a government of men rather than of laws in the field of congressional redistricting. The whims of individual judges seem to have been brought into play in striking down the combined wisdom of the members of State legislatures in redistricting cases. This situation should not be permitted to continue.

The current bill will give fair and accurate guidelines. Hereafter, if the bill becomes law, courts will not be permitted to wander wildly in the legal area of redistricting. The test of contiguity, population balance, and compactness as established by the State authorities, will be the fixed guides which courts and legislatures will be required to observe.

Notwithstanding some minor provisions that I would alter if I had sole authority to write this bill, I shall support it with my vote.

Mr. RODINO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly urge the approval today of H.R. 2508, to establish Federal standards for congresssional redistricting. In my judgment its enactment is essential if we are to resolve the dilemma now facing the Nation because of the necessity for continuing reapportionment. For without this legislation, recent Supreme Court decisions may require that 22 States, or 297 congressional districts, be reapportioned.

The Constitution, in article I, section 5, provides that "each House shall be the judge of the elections, returns and qualifications of its own Members." Long before now the Congress should have acted to fulfill this obligation by approving guidelines for the equitable delineation of congressional districts. The failure of Congress to enact population or size standards led to the Supreme Court's historic Wesberry against Sanders decision, requiring that districts be as equal in population as practicable. Subsequently, we have let this void be filled by actions by the State legislatures and the courts. And they have had no guidelines upon which to base decisions on the validity of reapportionment plans.

H.R. 2508 would establish a two-stage process for assuring equally populated, nongerrymandered congressional districts by 1972. For the interim period of the 91st and 92d Congresses, a 30-percent deviation between the population of the largest and the smallest districts in a State would be permitted. But for the 93d Congress, and thereafter, a stringent 10-percent maximum variation figure would be imposed. The bill also requires that districts be contiguous and compact as far as is reasonable and practicable.

Mr. Chairman, I would particularly stress another provision, that—

> There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.

I originally proposed this amendment in subcommittee and I am very gratified that it was accepted.

Enforced redistricting more often than once between censuses is both extremely costly and disruptive of the orderly processes of government. With the constant growth in population and the great mobility of our citizens, it would be impossible for any substantial length of time to truly achieve the ideal of one man, one vote. And what I would term "excessive redistricting" inevitably results in confusion and uncertainty for the individual citizens for whose benefit it was intended.

Another factor pointing up the urgent need for this legislation is the disturbing fact that in the absence of action by Congress, vital congressional redistricting decisions are often made by State legislatures which are themselves grossly malapportioned. Malapportioned State legislatures have in the past taken action which flagrantly violated citizens' rights to equal representation. Generally, too, State legislatures have little knowledge or responsibility for Federal problems.

Mr. Chairman, I urge approval of H.R. 2508. In my opinion it is a realistic and reasonable solution to the problem of assuring equal representation for all citizens.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield for a question?

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

Mr. BINGHAM. Mr. Chairman, I thank the gentleman for yielding.

I would like to address a question of interpretation to the gentleman from New Jersey or any other member of the committee. I am puzzled by the language of section 2, and the same language appears in section 1 with a different figure. Section 2 reads:

> The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population and the number of persons.

Earlier the distinguished chairman of the committee was saying that the intent of the bill was to provide for a permissible variation of 15 percent from the norm up and down, but, to my mind, that is not consistent with the wording of the bill. For example, if I may suggest an illustration, if district A has 115,000 inhabitants, and district B has 85,000, they differ 15 percent from the norm up and down, but the difference between the two districts is 30,000, and 30,000 is not 30 percent of 85,000, but 35 percent of 85,000, with the result, in that situation, that the variation would not be permissible, as I understand it, under the text of the bill. I wonder if this can be clarified?

Mr. RODINO. The gentleman is absolutely correct. I am sure the chairman, in responding to the question previously, only referred to the 15 percent above or 15 percent below as a shorthand reference. He, of course, referred to the language of the bill, commencing on line 21 down through line 25, that it shall not exceed by more than 30 percent. That is the variation, 30 percent more than the smallest district.

Mr. BINGHAM. Would it be fair to say the actual variation up and down is approximately 13 percent from the norm, if my arithmetic is correct?

Mr. RODINO. I am in no position to say whether it would be 13 percent.

Mr. BINGHAM. It figures out that way.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

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

Mr. CORMAN. I would like to respond to the gentleman from New York. The reason for this language is to give greater latitude to the State legislatures for apportionment, and yet more precisely preserve one man, one vote. If there is some reason to have a district more than 15 percent over now, or more than 5 percent over, after this, that would be possible under the language of the bill, but it would mean the smallest district could not then be 15 percent under the norm. It would mean there could not be more than 30 percent variance between the two.

In a State with five to six districts, with a city which might need more variance to permit one district in that one city, this would give a legislature a little more variation. But it is true that it more nearly protects one man, one vote by saying the largest may not exceed the smallest by more than 30 percent, than it does to say 15 percent above or below the norm.

There may be a lesser number difference in the formula for this bill than there would have been under a 15 up or down or a five up or down after the next decennial census.

Mr. BINGHAM. I thank the gentleman.

Mr. RODINO. Mr. Chairman, I yield

5 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I believe there is a great possibility that this bill will increase confusion in the area of congressional redistricting, that we will create greater inequities, and that we will do great harm to the effective court system of redistricting which has been going on.

If no bill is enacted, 22 States apparently would not require redistricting for the 1968 and 1970 elections. According to Congressional Quarterly, some 22 States have apparently complied with the one-man, one-vote decision of the Supreme Court. For a discussion of the reasoning and population statistics which led to Congressional Quarterly's determination of which States could be considered to be in compliance with the Supreme Court's policy, I refer my colleagues to the memorandum from the Legislative Reference Service that I inserted in the CONGRESSIONAL RECORD for Tuesday, April 25. The discussion of this particular point appears on page 10765.

In all of those 22 States the population deviation of the congressional districting plan is well below the 30 percent allowed in this bill for the 1968 and 1970 elections. If this bill were to be enacted into law, the State legislatures in those 22 States would be free to pass another congressional districting law that could increase the population deviation up to 30 percent. The possibility that the legislatures could now redistrict under much looser rules than those previously understood to be required could be just too great a temptation for many State legislatures.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I certainly will yield.

Mr. CORMAN. How many of the States the gentleman has just indicated will have to reapportion because of gaining or losing seats in the next decennial census?

Mr. CONYERS. That we cannot predict, I say to my good friend from California.

I might say further that, of course, in 1970 there is going to be another decennial census and as a result there will certainly be a lot of redistricting that will be therefore required in a great number of States. In many instances this redistricting will be caused by major shifts of population within the State itself even though there would be no change in the total number of Congressmen allotted to those particular States.

What I am saying is that imposing an artificial formula requirement, which is really what this bill would do, is likely to create greater confusion for at least the 1968 and 1970 elections than would otherwise exist.

Mr. CORMAN. My point is that in at least some of those States the gentleman indicates, this legislation will force reapportionment. The fact of the matter is that either gaining or losing seats will force reapportionment. Is that a fair statement?

Mr. CONYERS. Yes; it is.

Let me point out what I consider to be the most serious defect in this bill. I refer to the fact that we are setting a 30-percent deviation requirement, which no court has ever upheld since the original one-man, one-vote decision regarding congressional districts, Wesberry against Sanders.

Apparently there are at least six States under court order right this moment. These States and their legislatures will have to determine whether they wish to comply with the decisions of all the courts, State and Federal, on this question, which have consistently stated that population deviations of much less than 30 percent are unconstitutional or instead follow the guidelines included in this bill.

If anyone thinks that establishing a 30-percent deviation standard is doing anything other than eroding the one-man, one-vote principle, I should be delighted to find out that it is not doing so, and be told how that could be so.

Not one State or Federal court has ever approved a 30-percent deviation, and I will give the floor to any Member who has a court or a State to name.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

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

Mr. RODINO. It is fair to state that the court has not, as the gentleman rightly stated, approved any deviation of 30 percent, but is it not fair to state that no court has been presented a guideline set by the Congress prior to this time?

Mr. CONYERS. They certainly were not. At the present time there are no precise mathematical guidelines for congressional redistricting established by Congress. Nor have any such precise mathematical guidelines been established by the Supreme Court itself.

I am suggesting that the formula which has been worked out by the court—and the court has set it in about four different decisions—is that one cannot create a precise formula which will serve every State.

A natural geographic barrier might require that your State have a larger deviation in population from the smallest to the largest district than would be appropriate for another State. The Supreme Court has repeatedly stated that it does not expect the one-man, one-vote principle to be applied slavishly but would consider such difficulties as reasonable cause for deviations that would otherwise not be legitimate.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RODINO. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. Let me make my point, and then I will be delighted to yield to the gentleman.

There is also a serious question in the different States as to whether you cross various local and county lines. Where you do cross them the court will require a different consideration to be taken into account in trying to see if you are being practical in drawing up compact and contiguous lines. This is what the courts decided in the New Jersey congressional districting. So constitutionally we cannot say that every State in the Union must meet a specific maximum percentage deviation especially one which has never been approved by the court, and when in fact the courts have consistently declared smaller population deviations to be invalid.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield now?

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

Mr. HOLIFIELD. I am impressed by some of the arguments that the gentleman made. I would like to ask him if he thinks this legislation, if passed by both bodies, would be mandatory upon the court or permissive and whether the guidelines either could be considered or rejected by the court.

Mr. CONYERS. Yes, sir. I would be delighted to answer that because the same question troubled us in the committee. The bill would be mandatory on the courts. It would invite a great number of courts that have already redistricted to consider some other plan that would produce up to a 30-percent deviation.

Mr. HOLIFIELD. The gentleman's statement is borne out by the committee report.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. Yes. I yield to the gentleman from New Jersey.

Mr. RODINO. I have a different interpretation entirely. I am sure the language is not mandatory but is merely instructional and a guideline for the courts. There is certainly no attempt to mandate the court that it should carry it out as such. I am sure the gentleman recognizes that.

Mr. CONYERS. I stand corrected, then. I was in all of the committee proceedings. If this language is not mandatory but permissive on the courts, I stand corrected. But I must say that after careful review I cannot find anything in the bill or in case law which would indicate that this bill would be anything but mandatorily binding on the courts.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

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

Mr. CELLER. I think the gentleman should stand corrected. We could not issue a mandate to the court, as the gentleman from New Jersey said. This language is permissive. When the court would interpret the nature of the lines, it would undoubtedly take the guidelines into most serious consideration, but that would not be absolute. That would be persuasive, and I am inclined to agree that the courts would not likely disregard the admonition laid down by the Congress when it devised the guidelines, but one cannot say that the court must of necessity follow the guidelines.

Mr. CONYERS. I thank the chairman for that explanation.

Mr. HOLIFIELD. Mr. Chairman, would the gentleman yield further for a further question on that?

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

Mr. HOLIFIELD. If the chairman is right that this not mandatory, would not the courts find themselves in opposition to previous decisions which the gentleman in the well has brought out, of 4- or 5-percent differentials?

Mr. CELLER. Of course, that would be because previously Congress did not lay down any guidelines. Now the Congress will have acted upon it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CELLER. The Congress will have acted upon it and laid down guidelines and said that the districts should be divided in this manner.

Mr. HOLIFIELD. Does it say shall be or can be?

The CHAIRMAN. Is there additional time yielded to the gentleman on the floor?

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman.

Mr. HOLIFIELD. I renew the question. Does the legislation say that they shall follow these guidelines or they may follow them?

Mr. CONYERS. There does seem to be, at the least, some confusion as to whether it does or does not specify. I would point out that the bill, beginning on line 21, page 4 states:

> The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population.

I always understood that the use of the word "shall" in a law meant it was pretty definite. I would think that if a State's largest district did not exceed by more than 30 percent the district with the smallest population that the courts would have to declare such a districting plan to be valid, unless they decided this provision of the bill was unconstitutional. And we are told that this bill is constitutional.

Mr. HOLIFIELD. It is not up to the court at all.

Mr. MACGREGOR. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. CONYERS. In just a moment I will be delighted to yield to my good friend, but let me point out while we are debating what guidelines we should suggest to the court, we should consider what the court's guidelines already are. No one has pointed out that in fact the Court has established guidelines already.

Mr. Chairman, I would like to cite some cases for the members of the Committee of the Whole House on the State of the Union. It is important to note, however, that the Supreme Court has warned against any "uniform formula" and the establishment of "rigid mathematical standards." *Roman* v. *Sincock*, 377 U.S. 695, 710 (1964). In fact, the Court has cautioned:

> What is marginally possible in one State may be unsatisfactory in another, depending on the particular circumstances of the case. Reynolds v. Sims, 377 U.S. 533, 578 (1964).

And, further—

> The fact that a 10 percent or 15 percent variation from the norm is approved in one State has little bearing on the validity of a similar variation in another State. *Swann* v. *Adams*, 385 U.S. 440, 445 (1967).

Mr. Chairman, the American Civil Liberties Union has analyzed this bill carefully. Based on their long and close familiarity with constitutional law, and particularly the case law developed in implementing the one-man, one-vote decision, they have come to the conclusion that H.R. 2508 "represents a dilution of and turning back from the historic holdings of the U.S. Supreme Court." In a letter sent to every Member of the House of Representatives, they outline their various concerns about the bill which leads them to urge that this bill be defeated. I am particularly heartened by the fact that my concerns about various provisions in this bill is supported by the analysis of the American Civil Liberties Union which has far greater expertise in this area than I would ever claim. Because this letter presents such a lucid and concise analysis of the bill, I would like to insert it in the RECORD at this point in my remarks.

AMERICAN CIVIL LIBERTIES UNION,
Washington, D.C., April 25, 1967.

DEAR CONGRESSMAN: I am writing to urge your opposition to H.R. 2508, a bill with laudatory ultimate purposes but whose effect, unfortunately, would be directly contrary to those purposes.

The bill, "To Require the Establishment, on the Basis of the Eighteenth and Subsequent Decennial Censuses, of Congressional Districts Composed of Contiguous and Compact Territory for the Election of Representatives," was recently placed on the House Calendar after having been reported out by the Committee on the Judiciary.

The ultimate purposes I referred to can be restated as:

1. The implementation of the one-man, one-vote doctrine for Congressional redistricting of *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)).

2. The prevention of gerrymandering (certainly an integral part of No. 1).

A study of the bill leads me to the conclusion that the sponsors of this bill have not adopted the wisest methods of the realization of laudable ends. Indeed, as drafted, it represents a dilution of and turning-back from the historic holdings of the United States Supreme Court.

Mr. Justice Black enunciated the doctrine in *Wesberry* in these words:

"While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives."

H.R. 2508 seeks to achieve this numerical equality by establishing standards for the State Legislatures to follow in the creation of Congressional districts.

The approach is a two-staged one.

In the first stage, applicable to the 91st and 92nd Congress, the bill provides for the State the guideline that:

"The district with the largest population shall not exceed the population of the district with the smallest population by more than 30 per centum, excluding Indians not taxed."

A 30 per cent variation between Congressional districts is an unreasonably far cry from the objective of "equal representation for equal numbers of people." Our Courts have rejected State redistricting plans which provided considerably less of a variation. I can think of no reason which would justify placing the Congressional stamp of approval on such a redistricting scheme, temporary though it may be. Aside from the question of the constitutionality of such a scheme, it is unacceptable from a policy standpoint. It provides a too loose standard for the States about to redistrict. And for those which have already been reapportioned under far more stringent standards, it would appear to offer an encouragement to do it over again under standards less concerned with equality.

Beginning with the 93rd Congress, the standard of permissible variation would be reduced to 10 per cent. It appears to me that this too is unwise. While 10 per cent may be the best that can be achieved in certain States, a good faith effort may result in considerably less of a deviation in others Presently, the Courts may determine the good faith and the reasonableness on a case by case basis. This bill purports to prohibit the courts from interfering if a State has conformed to the 30 per cent rule in the elections of 1968 and 1970 and the 10 per cent rule beginning in 1972, even though a great deal better is possible. It would be, if sustained, a serious undermining of a landmark judicial advance.

We think it should be left finally to the courts to decide in each case, under the doctrine of *Wesberry*, whether the district has been drawn as numerically equal as reasonably possible. Nor can we see a justification for permitting a period of grace until 1972, during which a 30 per cent deviation would be permissible.

Turning to the second announced purpose of this bill, the prevention of gerrymandering, the bill again seeks to offer "precise criteria" for the guidance of the State Legislatures. The guideline to prevent gerrymandering is that beginning with the 93rd Congress, "each district shall be composed of contiguous territory in as reasonably a compact form as the State finds practicable." Again, under its plain meaning, this provision would appear to withdraw the jurisdiction of Federal courts in the area of gerrymandering by prohibiting them from reviewing and questioning a State finding of reasonableness and practicability. The role of State courts in such a situation is left ambiguous.

Furthermore, there is ambiguity created in the absence of the reference to "contiguous" and "compact" in the guidelines for the elections of 1968 and 1970. Is it thus suggested to the Legislatures that they need not concern themselves with gerrymandering until 1972 even though the courts may now consider the question?

For the above reasons I urge that you oppose H.R. 2508 when it is brought to a vote on Thursday, April 27, 1967.

Sincerely yours,

LAWRENCE SPEISER,
Director, Washington Office.

TYPOGRAPHICAL ERRORS IN THE MINORITY VIEWS OF REPRESENTATIVE CONYERS REGARDING H.R. 2508 AS PRINTED IN HOUSE REPORT NO. 191

In the minority views I submitted regarding this bill in House Report No. 191 there were certain typographical errors. I feel a responsibility to include a reference to these typographical errors along with my remarks today to insure that the record will be clear:

Page 9, paragraph 4, line 3; correct language: "the principal two being the standards of population and of compactness."

Page 9, paragraph 5, line 14; correct language: "decisions regarding the Constitution's limitations".

Page 10, paragraph 1, line 6; correct

language: "*Swann* v. *Adams*, 380 U.S. 440 (1967)"

Page 10, paragraph 1, line 12; correct language: "incident to the effectuation of a rational".

Page 10, paragraph 2, line 3; correct language: "variation of roughly 22 percent".

Page 11, paragraph 3, line 4; correct language: "matters since Wesberry v. Sanders".

TYPOGRAPHICAL ERRORS IN THE STATEMENT BY REPRESENTATIVE CONYERS REGARDING CONGRESSIONAL REDISTRICTING IN THE CONGRESSIONAL RECORD OF TUESDAY, APRIL 25, 1967

In the statement regarding this bill that I inserted in the CONGRESSIONAL RECORD of April 25, starting on page 10763 there are certain typographical errors. I feel a responsibility to include a reference to these typographical errors along with my remarks today to insure that the record will be clear. I would also request that the permanent edition of the CONGRESSIONAL RECORD of that day be corrected accordingly:

Page 10764, column 2, paragraph 6, corrections: The last two sentences should be stricken.

Page 10764, column 3, paragraph 2:

Though I would certainly be in favor of requiring all States in the Union to immediately conform with the one-man, one-vote doctrine I must say it is hard for me to see how we can justify, automatically and immediately forcing some States to redistrict, while at the same time postponing any redistricting for another large group of States until 1972 when a new census will have been taken—and when the number of Congressmen apportioned to many of the States will have changed.

It would seem to me to be hard to justify that Nebraska with 31.1 percent disparity in population will immediately have to go through this very arduous process while Minnesota with 28.5 percent disparity will now be allowed to wait 5 years before it implements what the Supreme Court has stated is the clear requirement of the U.S. Constitution.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I am delighted to yield to the distinguished gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, we are making an error in attempting to determine whether this particular statute would be wholly permissive or wholly mandatory.

Mr. Chairman, I believe it was and is the intention of the subcommittee and of the full Committee on the Judiciary that the statute be instructive, and we hope strongly instructive, to the courts of the country.

Mr. Chairman, I would like to call to the attention of the members of the Committee of the Whole House on the State of the Union the fact that the gentleman from Michigan has not referred to the fact that the courts in the handling of apportionment problems have commented that the Congress has not acted and has not instructed the courts in these particular matters.

Mr. CONYERS. No; I cannot say that I have ever referred to that fact.

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield further, is that not a fact, though?

Mr. CONYERS. Yes. The Court did initially make remarks of that kind. However, we have begun to develop a pattern.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. OTTINGER. Mr. Chairman, I would like to associate myself with the remarks which have been made by the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. MCCULLOCH. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I thank the distinguished gentleman from Ohio, the ranking minority member of the Committee on the Judiciary, in order that I may comment very briefly upon the bill.

However, Mr. Chairman, I cannot begin these remarks without taking notice of the fact that this is a very significant bill; significant in a personal way to the distinguished chairman of the Committee on the Judiciary, because the gentleman has fought for many years to establish some sort of fair standards, for congressional districts.

Mr. Chairman, it is my opinion that the work of the distinguished gentleman from New York last year and his work this year in bringing this legislation to the floor of the House for consideration is of extreme importance to the political well-being of the Nation.

Therefore, Mr. Chairman, I would like to congratulate the distinguished gentleman from New York for his persistence in what I feel is a very good cause.

Mr. MACHEN. Mr. Chairman, will my distinguished fellow colleague from the great State of Maryland yield to me at this point?

Mr. MATHIAS of Maryland. Yes, I am glad to yield to my distinguished colleague from Maryland.

Mr. MACHEN. Mr. Chairman, I thank my distinguished colleague, the gentleman from Maryland [Mr. MATHIAS], for yielding to me at this time.

Of course, the gentleman from Maryland [Mr. MATHIAS] is cognizant of the fact that we are parties to a Federal law case that redistricted the State of Maryland under a ruling of the constitutional powers of the legislature.

Mr. Chairman, we had a deviation of less than 30 percent, from top to bottom—15 percent either way; is that not correct?

Mr. MATHIAS of Maryland. There was a case in the U.S. court in Baltimore that resulted in redistricting.

Mr. MACHEN. And, Mr. Chairman, if the gentleman will yield further, if this bill is enacted into law, would that within itself not seem to be a mandate to our legislature to reenact a law that we feel is distasteful and one which the courts have found unconstitutional?

Mr. MATHIAS of Maryland. Mr. Chairman, permit me to say to my colleague, the gentleman from Maryland [Mr. MACHEN], and to the Committee that, certainly, it would not be my thought that this bill would represent an invitation to the courts or the Legislature of Maryland, or to anyone else, to redistrict again.

Mr. Chairman, one of the purposes of the bill is to provide a reasonable solution to this problem and to enact legislation which will give the body politic and the electorate some sense of stability, and some sense of continuity. Of course, this has an effect upon the Members also. It was not the intention of the committee of the bill to open the door to further redistricting. You will find in the language of the bill that it specifically validates and confirms those judicial redistrictings of the kind that was effected in Maryland.

To make this even more clear, I think there is a possibility that some instructions may be offered at the proper point here which would make this understanding crystal clear, but I am stating it to the Members as I view it at this time.

Mr. MACHEN. I thank the gentleman.

Mr. MATHIAS of Maryland. Mr. Chairman, there is a proverb, never controverted, that even the longest journey begins with a single step. I believe that is what we are dealing with in this case. Certainly there are valid criticisms that can be made of this bill. There are many things about it that particular people may not find compatible with their local political situation.

I have studied with great interest the rather voluminous material and charts the gentleman from Michigan placed in the RECORD on Tuesday. I believe they are a great contribution to the understanding of the bill, and of the problem. But I refer back to the fact that we must do something. I believe it is a very sad commentary on the House of Representatives that we have allowed a vacuum to exist. And as the gentleman from Missouri pointed out earlier here, the Members have been obliged to become parties in lawsuits in order to have judges legislate, and judges not only drawing the maps, judges not only drawing the district lines, but actually laying down the guidelines. While I have concurred in the fact the judges have had to do it because nobody else was doing it, the plain fact remains that the judges only finally were forced into the political thicket because we did not discharge the constitutional responsibilities that were conferred upon us, and because, of course, the State legislatures did not do it either.

Mr. Chairman, I believe it is time to help the courts get out of the thicket, or at least out of the thorny legislative areas where our duty lies.

We are not here, let me say, to lay down guidelines for the courts in future cases, we are here, as I conceive of this bill, to eliminate the necessity for most of the future cases. We are not laying down guidelines, we are laying down the law. And we have the constitutional authority and the constitutional responsibility to do that. We have not discharged that constitutional responsibility for far too long.

Mr. CONYERS. Mr. Chairman, will the gentleman yield for a question?

Mr. MATHIAS of Maryland. I will yield to the gentleman in just one moment, and I ask the gentleman to wait

for just one moment because what I am about to say may affect the gentleman's question.

In the charts and the statistics that have already been put into the RECORD, of course, the gentleman has pointed out the deviations that exist and that may affect at least the temporary interim period of districting which is contemplated by the bill.

In that connection, I believe there is a good argument for a period in which there is some flexibility. We are attempting here in the latter part of this decade to deal with figures that were gathered in the first year of the decade. We are dealing with the 1960 census, but this is 1967. We are pragmatic people, or we ought to be. We know that we are not actually dealing with reality. For instance, Maryland, after the judicial redistricting is very close to equality among all districts, about a 2-percent deviation on paper. And yet, as a matter of fact, we know that in two if not three of the Maryland districts which are supposed to range from 382,881 to 393,210, there are more than half a million people.

The Congressional Directory lists only 10 districts, in five States, with 1960 populations over 500,000. According to the Census Bureau, however, by a phone call this afternoon, the Bureau has certified to the Clerk of the House that 83 districts, in 29 States, now have estimated populations over 500,000.

	Col. 1[1]	Col. 2[2]
Arizona	3	0
Arkansas	2	0
California	16	5
Colorado	2	0
Connecticut	1	0
Florida	7	0
Georgia	2	0
Illinois	4	0
Indiana	1	0
Kentucky	1	0
Louisiana	3	0
Maine	1	1
Maryland	2	0
Massachusetts	2	0
Michigan	1	0
Minnesota	2	0
Missouri	2	0
Nebraska	1	1
New Jersey	3	0
New York	5	0
North Carolina	1	0
Ohio	2	0
Oklahoma	2	2
Oregon	1	0
Pennsylvania	1	0
Texas	9	0
Utah	2	0
Virginia	3	0
Washington	1	1

[1] Districts over 500,000 (Census Bureau estimate).

[2] Districts over 500,000 (1960 population).

Not including: Delaware (one Member, at large), Hawaii, or New Mexico (two each, at large).

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman.

Mr. CONYERS. Will not my colleague, the gentleman from Maryland, concede that the reason the courts did enter into this "political thicket" was not because they were waiting for us to provide guidelines but because of the fact that the State legislatures would not act and so the courts were finally forced to act, and will my colleague not also concede that the courts have established guidelines; that they have never approved any 30-percent deviation; and that they have never ordered an election for a Representative at Large in any State—although they have come perilously close to that. I think that judicial consistency is being established as a result of the decisions that have followed from the first redistricting case. Would not the gentleman concede that?

Mr. MATHIAS of Maryland. No, I do not concede that.

Let me say that I support what has been done by the courts. I think they had to do it. But I think they only had to do it because a vacuum existed for which we here are responsible and for which our colleagues in the State legislatures are responsible.

I do not believe for 1 minute that the Federal judges would have stepped into this picture had that vacuum not existed. When we move belatedly into this field, I think we are going to occupy it.

Furthermore, I do not believe we are laying down guidelines which will be competitive with the decisions of the Federal judges in the past. I think we are doing here what the Constitution intends that we do and that is to regulate the election of Representatives. This will be the law, not a guideline. As I say, I cannot conceive that the courts will feel that this is a competitive exercise. I think they will welcome this as being a constitutional declaration on the part of the Congress.

Mr. CONYERS. If my colleague will yield for just some brief observations.

In the Missouri case, the deviation ranged from minus 9.7 percent to plus 10.4 percent. And it was voided.

In the Indiana case, the largest district exceeded the smallest district by roughly 23 percent and not 30 percent. And it was voided.

In the Massachusetts case, the largest district exceeded the smallest district by roughly 27 percent. The act was held unconstitutional.

Mr. MATHIAS of Maryland. May I just remind my distinguished friend, the gentleman from Michigan, of this fact, however, notwithstanding all the figures you quote, I can give you the Maryland case today, which is the result of judicial redistricting, which is about 2-percent deviation on paper, but as a matter of fact we know it is far, far bigger. The reality of the matter is just that—after a growth period of 7 or 8 years—the 1960 figures are obsolete.

Mr. FRIEDEL. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman.

Mr. FRIEDEL. My colleague from Maryland has just cited the case of Maryland where the Federal court ruled that a bill passed by the State legislature which allowed a 20-percent variation or deviation was unconstitutional. And they settled on a bill that had a variation of around 2 percent.

How can we justify, and not only in the case of Maryland but with all other States—where we would have a variation of 30 percent?

The average district is about 400,000. Under this bill you can have a district of 460,000 and another district with 340,000—which is a difference of 120,000. So how would they justify that wide a variation or difference in population with the one-man, one-vote principle?

Mr. MATHIAS of Maryland. Let me say to my distinguished friend from Maryland, I agree that I cannot justify it over the long pull. But in a period where we are moving from a complete vacuum to a period of congressional direction, you have to accept some flexibility and I am willing to accept it in this case.

Mr. FRIEDEL. I am also willing to accept some flexibility but not to the extent of 30 percent.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, in all deference to my colleagues in this body, a lot of hogwash has been expressed in the last few minutes. We are talking about data that is 7 years old when we talk about the 1960 decennial census. Much of it is so out of date as to be practically useless. I am sure that many States have had a similar experience to that of my own State of Minnesota. My congressional district, when it was established in December, 1961, was almost perfect in terms of population equality. Minnesota is entitled to 8 congressional districts.

On the basis of the 1960 census my district had 445,000 people. Today it has 625,000 people. If you redistricted Minnesota tomorrow on 1960 data and you achieved absolute population equality between the 8 congressional districts, my district in 1967 would have 50 percent more people than the least populous Minnesota district.

Ladies and gentlemen, you have got to have a population leeway of 30 percent during this upcoming interim period so as to give legislatures the opportunity intelligently to meet, insofar as they can, the spirit of the court's decisions.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I will yield to you by asking you a question. Do you believe in equipopulous districts, or do you believe in the right to cast an equally weighted vote?

Mr. CONYERS. I really do not know how to answer that question. I do not understand the distinction he is trying to establish.

Mr. MACGREGOR. May I say to my distinguished friend from Michigan that I believe you should. You have done a great deal of work, and effective work, in writing minority views. The day before yesterday you put into the RECORD a lot of tables. But until you have addressed yourself to the question of whether you wish to accomplish equally weighted votes or equipopulous districts, I submit you have not grappled with the heart of the problem.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I will yield in a minute.

Throughout America we have suburban districts that are contiguous with rural districts. I can cite a number of examples where you have a suburban district of 500,000 people and next to it a rural district of 500,000 people. But the demographic facts show that the suburban district has only 200,000 eligible voters with 300,000 minors. Next to it the rural district with the same number of people has 300,000 eligible voters and 200,000 minors.

If you are going to require absolute population equality what you are saying is that you want a person in one of those districts to have a vote that is worth only two-thirds as much as that of the fellow who lives across the river or across the county line. And you are going to say to the fellow who lives across the river or across the county line, "Your vote is worth half again as much as that of your neighbor."

May I say to my distinguished friend—and he is a dear friend of mine; we have worked together on matters—that you must first decide whether or not your objective is equipopulous districts or whether it is the right to cast an equally weighted vote. A 30-percent deviation during an interim period would enable intelligent, thoughtful, hard-working, dedicated legislators to try to carry out the intent of the Supreme Court decisions.

I now yield to my friend from Michigan.

Mr. CONYERS. I thank my good friend, with whom I have really enjoyed working on the Judiciary Committee on a number of very important pieces of legislation.

From listening to the gentleman it seems he is raising two separate considerations when he asks me whether I favor equipopulous districts or equally-weighted votes. I would have thought that both those terms referred to the same concept. But let me try to deal with the two considerations raised by my colleague.

First of all there is no doubt that populations grow during the periods between decennial censuses. I am sure he is correct in citing statistics showing that the population in a given district in 1967 could be far different than what it was in 1960.

First of all that would be true in any 10-year period. I am sure that the population in any given district in 1977 will be greater than what it was in 1970, or in 1987 compared to 1980. It is for that reason that I agree with Congressman ECKHARDT that we should not prohibit State legislatures from redistricting more than once between decennial censuses. That provision would prevent a State legislature from trying to develop a redistricting plan toward the end of a decennial period that would have taken those population changes into account.

But I must also point out that the same type of inequity is present in the fact that we only reallocate congressional seats once every 10 years. For instance, ever since about the middle of 1963 California has had a greater population than New York. But during the entire decade of the 1960's New York is going to continue to have 41 Congressmen, while California has only 38. It is for that reason, by the way, that I favor the taking of mid-decennial censuses.

As far as the inequity of having to redistrict in 1967 based on 1960 census data, I would point out that the courts have allowed the using of special census data so that a districting could be based on the most current data possible.

As far as the second question of whether we should count all people or just those of voting age in drawing congressional district boundaries, I must say that I did not realize that was a problem. On first consideration of the question, I would point out that the apportionment of the 435 Congressmen among the several States is based on total population, regardless of the ages of those individuals, and not on the voting population. The U.S. Constitution, in the 14th amendment, provides that:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State.

Therefore, I do not see how we can apportion Representatives among the people within a particular State on any other basis than the whole population, not just the voting age population.

But may I point out to my colleague that the important question is not whether I understand or am able to define his terms. The major consideration we are dealing with involves the one-man, one-vote concept. Twenty-two States in the Union have been able to redistrict without a 30-percent deviation, and, no matter how difficult you make your examples, it does not change a thing. The majority of the States in the Union right now have been able to redistrict well below a 30-percent deviation figure without great difficulties arising from the problems that you are conjuring up.

Mr. MACGREGOR. I am not conjuring them up at all. The Supreme Court has mixed the two doctrines of equipopulous districts and the right to cast equally weighted votes, and I hope that our discussion here today might be somewhat instructive to them as they grapple with this problem in the future, because what I think they really would like to see is that each man's vote is equal to another man's vote. But in coming down to tiny percentages of population equality, they take their eye off the ball and do not accomplish their objective.

Mr. MCCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the distinguished gentleman from Ohio.

Mr. MCCULLOCH. I yield 1 additional minute to the gentleman from Minnesota.

Mr. MACGREGOR. I thank the gentleman.

Mr. MCCULLOCH. Mr. Chairman, is it true that if there be a redistricting in many or some States of the United States in 1967 or 1968, that there would be deviations from 10 percent to 30 percent or 40 percent, and there would not be a one-man, one-vote districting situation?

Mr. MACGREGOR. The gentleman is absolutely correct. And in trying to meet that problem, we have inserted language in this bill, at the bottom of page 4 and running over to the top of page 5, to the same purpose as the similar language that was in the 1965 bill. We have provided that where there is special census information available, it may be utilized to validate a districting plan.

May I conclude by saying to my friend from Michigan—and I am sure he listened with great pleasure to our chairman, as like Sisyphus, he tried to push that boulder up over the hill—notwithstanding the fact that the gentleman from Michigan is standing on that boulder, I am going to lend a shoulder to the weight behind the boulder, and I think we are going to put it over the hill.

Mr. CELLER. Mr. Chairman, I yield 5 mintues to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I woud like to commend, of course, our distinguished chairman, who has worked on this bill for many years. No legislation in this field—and there are many great landmarks—would have been possible without the combined and cooperative efforts of our chairman from New York and the distinguished ranking minority Member from Ohio. Their courage and courtesy is hard to equal.

I would like to commend also the remarks made in this debate, which were helpful and illuminating, by the gentleman from Michigan [Mr. CONYERS], and the gentleman from Missouri [Mr. ICHORD], and the gentleman from Minnesota [Mr. MACGREGOR].

I believe all of us recall our Greek mythology and recall the great thing about Sisyphus, the reason it is so fascinating a story, is that the boulder always fell back. Albert Camus reminds us that the great triumph of man is to keep trying even when he knows the task is hopeless.

If we can reminisce a bit, the Rules Committee recently gave us what is popularly known as an Ethics Committee. We approved that 400 to 0. Many with short tenure issued long statements on the need for moral catharsis and enjoined that they would watch for performance, not merely creation of an Ethics Committee. I hope that they in here will join me in reconsideration of a speech on this very topic of politial morality delivered by the late Adlai Stevenson in Los Angeles, Calif., September 11, 1952. It could have been written yesterday.

Governor Stevenson said:

> I am frank to say that I get a little confused by corruption in politics. We tend to think of it as something so simple—the simple, unsophisticated terms of graft, of cash on the barrel head—but its forms are many and I think of another form which we witness every day.
>
> Perhaps the proper description is not corrupt, but expedient, for the legislator—be he in Sacramento, or Springfield, Illinois, or Washington, D.C.—who will vote for all kinds of special-interest bills to catch or to hold some votes while he prates piously about economy and indignantly about waste. Call that what you will. Condone it as you please. Even profit from it as you do now

and then. Its cost to you is infinitely greater than all thievery and rascality that capture the headlines.

Everyone is for economy, efficiency and honesty and against waste, sin, corruption and communism. But how about the log-rolling for laws, or their repeal to serve the interest of some group at the public expense, to catch some votes or for fear of losing some?

Many things are done which seem to be hard to distinguish from outright bribery. Yet we will condone the one and condemn the other.

Surely, there must be some higher standard and some better test than simply bribery for cash, but I dare say that the only way that we will attain some higher standard of ethics and of responsibility and of courage in public life will be compounded heavily of forbearance your self from exerting selfish pressures plus some positive applause and tangible support for the guy who is playing it straight morally and ethically, as well as legally, in spite of the fact that you will probably not agree with him on the merits of the issues and actions many times. Indeed, sometimes he may not even wear your party label.

Just remember that all that is gold to a politician does not glitter, and that to be good and stay in office, he needs a lot of help from people who don't want anything from him except to be good.

In short, Mr. Chairman, if the only ethical improprieties we can detect involve the exchange of cash, falsification of vouchers, and credit-card abuse, we are going to miss most of the action.

I hope we can join with Mr. Stevenson, Mr. Chairman—

In any event, whatever my own fate as a politician, I do know that sound government ends when the leaders of special groups call the tune, whether they represent capital, labor or farmers, veterans, pensioners or anyone else.

Shall we bundle together the morality monument we passed a fortnight ago with this statute which will do so much to save the seats of every one of us. But let us return, as every Congressman must ultimately return, to the subject before us. Most of the Members will vote for this bill—and I suppose most will—but if you are from New York, this bill will help, and you need this bill because you will have a variation of over 30 percent between the districts. Some have over 100,000 more people than others. The permissible 30 percent variation might aid in saving a seat.

However, if a Member is from Ohio, this bill would be a good bill, because there is a 45-percent variation in districts with over a 100,000 difference in population between districts.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

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

Mr. CELLER. The gentleman mentioned that there was a variation of more than 30 percent in the size of districts in New York. I checked on that, in the Congressional Quarterly. As between the district now occupied by the gentlewoman from New York [Mrs. KELLY], which is the largest district, and the district occupied by the gentleman from New York [Mr. FINO], which is the smallest district, there is a spread of 29.5 percent. It does not go above 30 percent.

Mr. HUNGATE. If the chairman will permit, I certainly agree with his statement and with the statement in the Congressional Quarterly. I used this figure originally, and the legislative reference service furnished a figure to the gentleman from Michigan [Mr. CONYERS], which he inserted in the RECORD, on page 10765, which indicated it was above 30 percent.

I would want to state the correct figure. I am not certain whether it is 29 percent or some other figure.

Mr. CELLER. It is very important that these figures be correct. I read from the Congressional Quarterly, weekly reported dated September 16, 1966.

I fear that the gentleman's figures were obtained from a record different from that. These are the latest figures. These figures show the disparity is less.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HUNGATE. Mr. Chairman and the chairman of the committee, I shall be glad to correct my remarks to show that New York is within the permissible 30 percent we now propose to enact.

If a Member is from California, he should support this bill, because that seems to be the worst malapportioned State in the United States. Despite the fact that they received eight additional Congressmen after the last census, there are population variations of over 280,000 between districts, and a percentage difference between districts indicating something over 60 percent.

Perhaps if we could have had an open rule, which I sought, Members could have sought an amendment to raise the percentage to 70 percent. This would have saved their seats, and would have satisfied them.

If a Member is from Indiana, they are still under a court order to redistrict, and face the possibility of at-large elections. This bill would abolish the at-large elections, and could save their seats.

On the other hand, if a Member is from Hawaii or from New Mexico, this bill will guarantee at-large elections until 1973, and could save a seat. This will allow plenty of time to amend the bill further.

The bill should receive the support of every person from Indiana or Texas, who does not want to run at large, and the support of everyone from Hawaii or New Mexico who wants to run at large.

We also have a statement in here that the district should be as compact as the State finds practicable. This should be good news for North Carolina. The North Carolina districts are approximately what I have indicated here on the map.

As I say, "as compact as that State finds practicable" should get the vote of the people from North Carolina.

They are under a redistricting order, because some have suggested that the present lines are tortuous. By the way, it was suggested that the present district lines are tortuous and that each incumbent got a district of his own.

To accomplish this, wildly shaped districts were created, often only one county wide and circling like crawling snakes. One State representative remarked that his county belonged in its congressional district "like Elizabeth Taylor belongs in the YMCA."

If the Member's district is unusual in shape, or in size, or in population, this bill is for him. Therefore, I am certain that the bill should pass without the support of such areas as Michigan or Mississippi, both of which are within the one-man, one-vote rule.

If we pass this measure, which will do so much for so many of us sitting here, it is imperative that we take other action to maintain our high ethics image. This can be done, as some have already done, by opposing such devices as the Dirksen amendment or by resisting the call for a new constitutional convention, because that comes from districts and States which are malapportioned.

If we pass this bill it will be received by a malapportioned legislature.

If the new Committee on Standards of Official Conduct is without a slogan, may I suggest, with apologies to James Russell Lowell:

In every struggle for power or pelf,
Be true to one party—namely yourself.

Mr. MACGREGOR. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, I might say that I have no need for the chart, and the Sergeant at Arms is free to remove it as far as I am concerned.

Mr. CORMAN. Mr. Chairman, will the gentleman yield for one question on this?

Mr. MCCLORY. I yield to the gentleman.

Mr. CORMAN. I would like to mention this on the chart before it is removed. Would there be a Federal registrar in your State? Would the gentleman enlighten me on that?

Mr. WHITENER. Mr. Chairman, would the gentleman yield to me?

Mr. MCCLORY. I yield to the gentleman from North Carolina.

Mr. WHITENER. I would say to my distinguished and brilliant friend from California sending Federal registrars to any area shown on that map would be about as big a waste of money as some of the things a lot of my friends around here have been supporting for a good long while.

Mr. MCCLORY. There seems to be a contention here by a number of those speaking in opposition to this bill that the Congress is lacking in authority to enact any legislation with respect to establishing guidelines for congressional districts. I disagree entirely with that contention and state on the contrary that it is highly incumbent on the Congress to provide the guidelines as set forth in this legislation.

As I interpret the bill before us, and having served on the subcommittee that considered it, there are two main purposes to be served by this congressional redistricting legislation.

The two main purposes to be served by the congressional redistricting legislation are:

First, to provide a legislative method of establishing congressional districts of approximately equal population; and

Second, to give stability to existing and future congressional districts.

The U.S. Supreme Court, in holding unconstitutional a number of congressional districting acts of State legislatures, has—in my opinion—indicated the need for congressional guidelines. This bill—H.R. 2508—undertakes to provide these guidelines. The measure establishes temporary guidelines, which affect existing congressional districts as established either by State legislatures or by court orders. And, in addition, it provides long-range guidelines that will affect congressional districts following the 1970 Decennial Census.

The suggestion of contiguity and compactness caused a certain amount of concern to the members of the committee. There is no desire on the part of committee members to authorize or countenance gerrymandering through this legislation. Quite the contrary; the committee wishes to provide guidelines that will establish compact and contiguous districts wherever it is possible for the State legislatures to meet these criteria.

The criterion of contiguity requires a rather liberal interpretation when it is necessary to include within a single congressional district areas which are separated by a body of water. Yet we find within congressional districts located along our coastlines numerous instances where such condition exists. These districts are contiguous and are thus interpreted by court decisions. In addition, they should be considered compact if the State within which they are located interprets them in that way. In other words, as I understand the intent of this legislation, the question as to compactness calls for a practical interpretation, and also attempts to leave this practical or practicable result up to the decision of the State legislatures.

The emphasis on this legislation is distinctly that congressional redistricting is a legislative and not a judicial function. In providing this emphasis, it is my feeling that the committee has also adhered to pronouncements of the U.S. Supreme Court. In other words, the Congress, through this legislation, is responding to the need for congressional guidelines.

It may be difficult for State legislatures to meet the criteria set forth in this bill without cutting across county lines and even municipal and ward boundaries in many instances. However, there should be sufficient latitude to permit natural boundary lines to be considered in establishing congressional districts.

This latitude of 30 percent between the district having the highest population and the one having the lowest population during the next 4 years, and a total of 10 percent between districts having the highest population and lowest population thereafter, would seem to provide sufficient latitude so that State legislatures could establish sensible districts of approximately the same population.

It does not seem appropriate to me to suggest that the State legislatures are going to deliberately use every means and device for evading the intent of this bill. On the contrary, I would expect that State legislature fulfill the objectives and intent of the Congress in establishing congressional districts, and that the requirements of this measure will be fulfilled as intended by the committee and by this House.

Let us recall that the guidelines set forth in this bill must be applied throughout the 50 States—large States and small States—sparsely populated and heavily populated. This legislation must be applied to such diverse situations as exist in the States of Maine, Massachusetts, Colorado, California, and Hawaii.

I can assure you that the members of the committee had in mind the interests of all 50 States and the many peculiar problems that exist in the individual States. A sincere effort has been made to take into consideration all of the particular problems and to satisfy the needs of all.

The establishment of guidelines, it seems to me, is essential. This bill represents the best that the committee can do, and it certainly should be possible for the legislatures of all of our States to establish valid and constitutional districts within the guidelines that have been set forth in H.R. 2508.

Mr. Chairman, I think it should be made crystal clear that the intent of this legislation is to provide a workable and practical program for establishing congressional districts on a basis required by the Constitution, as interpreted by the U.S. Supreme Court.

The intent and effect of the final sentence of the bill is to give support to those temporary redistricting plans which have been confirmed by a court order until the State legislature has an opportunity to improve upon what the court may have ordered. It would frustrate and violate this intent if greater disparity in population were permitted by any legislative action—and I would expect any such measure to be held invalid. Certainly, the intent of this legislation—H.R. 2508—is to establish, as rapidly as possible, districts having equal population within certain prescribed limitations—and to give reasonable stability to such districts.

The intent of the final sentence in the bill is to prevent a multiplicity of suits—to reduce the amount of court litigation—and to prevent a court proceeding prior to each election between now and 1972. To ascribe any other intent, or effect, to this sentence would be to thwart the intent of the Congress and to violate the entire congressional program of establishing guidelines for stable and fair congressional districts.

Let me emphasize once more that the committee regards the subject of congressional redistricting as a legislative function. If the State legislatures can, in the exercise of their authority, establish congressional districts that are fairer, more compact, or more contiguous than those that the court has directed, the legislative prerogative should be recognized.

However, there is no intent to grant any legislative authority that would permit greater disparity, less contiguity, or less compactness—and there should be no ambiguity in the legislative history on this subject. Any other interpretation would be inconsistent and violative of the entire meaning and thrust of this legislation.

Mr. ICHORD. Mr. Chairman, will the distinguished gentleman yield to me at this point?

Mr. McCLORY. Yes; I yield to the distinguished gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I thank the gentleman from Illinois for yielding and it is my opinion that the distinguished gentleman has made a very valid point with respect to the court's exercising a legislative function.

Mr. Chairman, permit me to read to the gentleman and the other Members of the Committee of the Whole House on the State of the Union the following sentence of an Illinois court on what they call congressional reapportionment, rendered on September 10, 1965.

Mr. Chairman, the court in the case stated as follows:

> On September 10, 1965, the Supreme Court of Illinois in People ex rel. *Scott* v. *Kerner et al.*, 32 Ill. 2d 539, 208 N.E. 2d 561, by appropriate order afforded the two opposing political factions of the State Electoral Board opportunity to settle in an orderly fashion the Illinois congressional reapportionment controversy.

Mr. Chairman, here is a court exercising a legislative function.

Mr. Chairman, it is my opinion that it is high time we took the courts out of the legislative field.

Mr. McCLORY. I thank the distinguished gentleman from Missouri.

Mr. McCULLOCH. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, first of all, I want to commend the distinguished chairman of the Judiciary Committee, my colleague from New York, for his long efforts in developing this legislation. A principal purpose of this bill is to prevent gerrymandering, and it deserves support, if only for this reason.

This matter of maintaining congressional districts of equitable nature is a subject of vital importance to every Member of this body, for it is a fundamental element of our representative government.

I will not attempt to repeat or review points already discussed by my distinguished committee colleagues who have explained this legislation, but there are two points which I believe deserve special attention.

I call your attention to the concluding sentence of the bill which reads:

> There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.

Many Members of the House have been faced with redistricting experiences. In the last few years some Members have had their districts redrawn as many as three times. Examples that come to mind are my colleagues from the States of Missouri and North Carolina.

The provision that I quoted and which

I authored as an amendment to the bill in committee, is designed to remedy this unnecessary and useless situation.

This particular provision of the bill is designed as a stabilizing factor for congressional districts. In effect, it prohibits a State from undertaking a redistricting more often than is required by article I, section 2 of our Constitution, unless State constitutions should provide otherwise. I would also point out that a State has not been redistricted within the meaning of this provision until the State legislature has enacted valid and proper districts which comply with the act.

There is currently under consideration by the Congress a plan for conducting a national census every 5 years. This provision of H.R. 2508, based on article I of the Constitution calling for an apportionment of Representatives every 10 years, would remain in effect regardless of the fact that a census might be conducted every 5 years.

This provision also permits each State to make its own determination regarding such redistricting. If the State, by its constitution, desires to redistrict more frequently than this law provides, it is free to do so. H.R. 2508 simply gives some order and stability to this process.

One valid redistricting following each decennial census is enough. It is consistent with the analogous constitutional requirement for apportionments.

A second point to which I would like to direct attention of my colleagues is the provision of this bill regarding population requirements for the districts.

There are actually two standards provided for in the bill, the first a permanent one to take effect with the 93d Congress, and the other a temporary one to provide a period of transition until the next decennial census is completed—or for the 91st and 92d Congresses.

This bill seeks to take cognizance of fair and reasonable standards and at the same time provides for an orderly transition to the time when population figures are available to realistically and truly create equitable congressional districts.

The permanent provision of this bill provides that:

> The district with the largest population so established shall not exceed by more than 10 per centum the district with the smallest population in the number of persons * * *

While the Supreme Court has refused to set a simple mathematical test for congressional districts, the lower Federal courts have set standards which vary from State to State. For example, a lower Federal court in Texas in Bush against Martin declared that:

> Any congressional redistricting plan in which the Districts on the average vary more than 5.5% from the ideal and under which less than 49.4% of the people can elect a majority of the State's congressmen (12) would be condemned for failure to represent a good faith effort toward equality as nearly as is practicable.

On the other hand, in New Jersey a court found a 17.3-percent deviation from smallest to largest unconstitutional. This plan provided for a deviation of 7.3 percent of the largest district from the average size and 8.7 percent from the smallest.

The standards of section 1 of H.R. 2508 certainly are fair and equitable even by the standard of the lower Federal courts.

The temporary standard provided by the bill permits the district with the largest population to exceed by not more than 30 percent the district with the smallest population in number of persons. This provision does not overrule or nullify the rulings of the Supreme Court. The language of the permanent section shows the basic intent of this measure is to be every bit as strict as the Court criteria. It is essential, however, that the States be given time and some leeway in adjusting to the ultimate standards set by this bill. A period of transition seems only fair. And even more important, the States must only be redistricted to this strict standard when there are available the reliable and then recent figures of the 1970 Decennial Census.

The Constitution in article I, section 2, gives Congress authority for determining the: "Times, places, and manner of holding elections for Senators and Representatives." This is then a proper function of Congress to set standards for the redistricting of its membership. The Supreme Court in Wesberry against Sanders declared that redistricting was a justiciable issue, and the Federal courts review the standards set by a State—I repeat—State legislative body. There is a big difference when standards are those set by the Congress, a coequal branch of Government. While this power of Congress is not an exclusive grant by the Constitution, this matter is a legislative matter and the policy of the Congress—in the absence of an abuse of legislative power—must prevail. In an analogous situation, the Supreme Court recognized in Baker against Carr, "the impossibility of a Court's undertaking independent resolution without expressing lack of the respect due coordinate branches of Government."

In short, the Court has clearly recognized the doctrine of separation of powers with regard to this matter and it would seem appropriate that it be applied fully in this instance.

Mr. Chairman, I urge affirmative action on this bill.

Mr. McCULLOCH. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. BIESTER].

Mr. BIESTER. Mr. Chairman, I am in rather a position of mixed feelings with respect to this bill. I support the concept of the bill. I support its purpose. I hope that circumstances lead to my being able to vote for it.

My greatest problem lies with the period of time which is characterized as a temporary period during which it seems to me our policy and purpose should be to provide some level of stabilization not only for the Members of this House but for the constituency which elected them. The people of our country are entitled to know who their Congressmen are, not just from month to month, not just from year to year, but from decade to decade.

In this temporary period with respect at least to a number of States, as I have reviewed the chart which was inserted in the CONGRESSIONAL RECORD on Tuesday, if we apply the 30-percent standard and base that upon the formula contained in the report inserted in the RECORD, four States would have to be redistricted, and those States find themselves within the range of 15 percent up from an average norm, and 15 percent from an average norm down.

My feeling is that we should provide as much stabilization as possible during this period, and discourage other redistricting in our States which have only had them in the last year or 2 years.

I certainly feel that the 30-percent figure, or a 15-percent up and a 15-percent down figure, makes sense when you are dealing with the end of the decade.

The population explosion has been tremendous, and in Pennsylvania I know that although on paper the figures may be 15-percent up and 15-percent down, they are much closer than that in actuality. I believe we should enable the legislatures to rely on the most accurate figure they possibly can because this is the way to do a real job, and not just the appearances of doing a real job.

If I have the opportunity to do so, and am recognized, it is my intention at the appropriate time to offer a recommittal motion with instructions to clarify the 30-percent range, and to ask that it be clarified as 15-percent up from an average norm, and 15-percent down from an average norm, as the tolerable range. And also I intend to ask for certain other stabilizations in the redistricting which has occurred during the last 2 or 3 years.

Now, Mr. Chairman, I yield back the balance of my time.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, as has been pointed out, the case of Wesberry against Sanders decided that the House of Representatives of the Congress of the United States should be elected on the basis of one man, one vote.

Ohio has been referred to several times today as a glaring example of one of the States that has not necessarily complied with that rule.

We do have a case in Ohio which is now going through the three-man Federal district court and we have been told that we will have to redistrict again even though we just did it in December of 1965. No decision has been rendered and the journal entry of the court has not been entered.

Following this decision and decisions which followed implementing the one-man, one-vote rule, the Legislature of Ohio went about the task of redistricting the State.

There was language in the decisions of the Supreme Court which led one to believe that the one-man, one-vote doctrine should be based on the last Federal census. There was other language which seemed to say that the overriding consideration is one man, one vote based on actual current population.

In Franklin County, in which is situated the State capital, Columbus, and the districts which the Honorable SAMUEL L. DEVINE and I have the privilege of representing, we have a situation where a county has grown to a population of over 800,000 since 1960. Accord-

ing to the 1960 Federal census, the population is something over 682,000.

Obviously, even based on the 1960 census, this county was too large for one district—the average size of which was to be 404,433.

When we began the task of making the 12th Congressional District of a size to comply with the Supreme Court decision, we soon found that the county of Franklin was indeed much larger by population than the 682,000 plus figure as determined by the 1960 Federal census.

With the help of the Columbus Chamber of Commerce and the Ohio Department of Development, plus some figures from the Bureau of Labor Statistics of the Department of Labor, we found that the population of Franklin County, as of July 1, 1965, was over 786,000 people.

Obviously, basing a redistricting proposal for Franklin County on the 1960 census would not comply with the one-man, one-vote doctrine.

The Columbus Chamber of Commerce had compiled these figures based on factors which allowed it to estimate the population within one-tenth of 1 percent of the actual 1960 census. The figure is determined by taking a formula based on the number of building permits, the number of gas, water, and electric permits, along with the number of new postal addresses, plus the births and deaths in the county.

This figure is kept up to date on a continuing basis from month to month.

As of July 1, 1964, the population of Franklin County had increased to 764,-923.

As of July 1, 1965, the increase was to over 786,000.

As of July 1, 1966, it is over 810,000.

So that in the case of each district, the 12th District and the 15th District in Ohio, we are now about equal to the 404,000 average figure per district. If we divide the whole State of Ohio by 24, which is the number of congressional districts we have, into the estimated present population we come up with what we call almost a minus 5-percent district in each case.

The 12th District and the 15th District in Ohio are the fastest growing congressional districts in the State. As of today, they are within, as I have said, a 5-percent deviation of the estimated population of the whole State of Ohio.

If the idea of the Supreme Court decision in the Wesberry against Sanders case is to have people represented equally or as near as possible equally, then we have complied with that decision, obviously.

This bill today would say that considerations such as a rapid increase in population are possible and indeed proper but that when we take another look at the problem after a head count through a Federal census in 1970, the districts may vary in size by only 5 percent, so that the increases in population such as have occurred in Franklin County can be taken into account for the first redistricting after the Wesberry against Sanders case but not thereafter.

I wish to commend the gentleman from New York [Mr. CELLER] and the gentleman from Ohio [Mr. MCCULLOCH] for this Herculean effort in behalf of good government, and I urge your support of the bill.

Mr. MCCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, as a member of the subcommittee I was much impressed by the remarks just made by the gentleman from Ohio [Mr. WYLIE]. In the redistricting bill which this body passed in 1965 we included language which read as follows:

> Where a State has redistricted since the last decennial census, the most recent Federal special census may be used in determining whether any district, invalid under the latest decennial census, meets . . . The percentage criteria contained in that particular bill.

Mr. Chairman, while the 1967 bill does not repeat exactly the language used in the 1965 bill, it is the intent of the subcommittee that the spirit of the 1965 language shall be contained in the actual text of the 1967 bill. In the 1967 bill, at the bottom of page 4, we make specific reference to any subsequent Federal special census, and our purpose was to provide the best possible information available to validate a redistricting as to the 30-percent criterion set forth in section 2 of the 1967 bill.

Mr. MCCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, I rise merely to emphasize the importance of the remarks made by my colleague, the gentleman from Ohio [Mr. WYLIE]. I might say that he was a member of the General Assembly in Ohio when they went through the process of redistricting. He made reference to Franklin County. Very simple this: They did a job based upon intelligent information and statistics. But you could not rely upon the 1960 census for population increase because this is one of the fastest growing areas in the Nation. If we had the means of taking the census more frequently than during the decennial period, it would show that as of today, in 1967, 7 years after the last census, that the two districts to which he made reference would fall right on target within the percentages necessary as set forth by the Supreme Court. So it will be necessary for us to perform our legislative functions to prevent the court from performing legislative functions and to look at it realistically on the basis of what the population is today and not what the Supreme Court sets as a guideline 7 long years ago, when there have been changes.

Mr. MCCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DEVINE. I yield to the distinguished gentleman from Ohio.

Mr. MCCULLOCH. Did I properly understand the gentleman from Ohio to say that the new district that was created by the redistricting legislation passed in 1965, which created the new district, the population therein had increased at least 100,000 since 1960?

Mr. DEVINE. In excess of 100,000 since 1960.

Mr. MCCULLOCH. Mr. Chairman, that points up what several of us have been trying to say. There just is no such thing, congressional election to congressional election, of a one-man, one-vote actuality. It is an impossibility. The reasons for this legislation became clear as more and more districts experience that which has been described by my colleague, the gentleman from Ohio [Mr. DEVINE].

Mr. Chairman, I yield such time to the gentleman from Washington [Mr. PELLY], as he may desire.

Mr. PELLY. Mr. Chairman, it is essential that Congress establish some guidelines for establishing congressional districts lest uncertainty continue to reign and lest we find the courts suddenly ruling 297 congressional districts invalid. This bill, H.R. 2508, would cure this problem by replacing doubt with certainty. It is easy to understand why there has been so much confusion in the States since Federal courts have been directing redistricting, but without precise criteria for accomplishing it. Now, H.R. 2508 would establish permanent standards, and of equal importance, would allow a few years for the State legislatures to act. Mr. Chairman, I support this bill aimed at ending the States' present districting dilemma.

Mr. REUSS. Mr. Chairman, I am opposed to H.R. 2508, because I believe it a step backward in the principle of one person, one vote.

The principle of equality in congressional electoral districts has not been easily won. In Wisconsin we were able to enact a system of one-person, one-vote representation for the Wisconsin Legislature in the early 1950's only as a result of an historic decision by the Wisconsin Supreme Court. I had the privilege of participating in that litigation to secure fair representation as special counsel for the late Secretary of State Fred R. Zimmerman. The Wisconsin Legislature then addressed itself, after the 1960 census, to an equitable apportionment of the State's 10 congressional seats. The 1963 Wisconsin congressional reapportionment law is one of the fairest in the Nation. The most populous and the least populous districts, under that 1963 representation, vary only 3.4 percent from the average.

This is in full compliance with the decision of the U.S. Supreme Court in *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)), in which the Court said:

> While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives.

Under the bill before us, States may, for the 1968 and 1970 elections, ignore this fundamental goal and instead allow for a disparity between the smallest and the largest district of up to 30 percent.

I see no reason why those States which have not already performed their manifest duty to enact equal congressional districts should be relieved from the Supreme Court mandate to redistrict now. The House cannot become a truly rep-

resentative body until this is done. There is no excuse for delay.

Worse than that, the 30-percent leeway provided by H.R. 2508 would give an incentive for States like Wisconsin, which have redistricted properly, to backslide. They could undo the fair redistricting which they now have on their lawbooks, and turn the clock backward to the bad old days.

This is my most serious objection to H.R. 2508. But it is not the only one. The 10-percent leeway standard set up for 1972 and thereafter is likewise much too relaxed. H.R. 2508 is also defective in that it empowers the States to gerrymander their districts, now and forever. After 150 years this kind of monkey business ought to be abolished now.

Mr. KUPFERMAN. Mr. Chairman, while I opposed the rule (H. Res. 442) to bring this matter up today for a vote, on the grounds that first, no hearings had been held—see minority views of Hon. JOHN CONYERS, JR., to the committee report No. 191—and second, the rule itself prevented amendment which left the matter on a take-it-or-leave-it basis, I must now support the bill itself, H.R. 2508, establishing Federal standards for congressional redistricting, because finality is essential.

The chairman of our Judiciary Committee, the gentleman from New York, the respected and well-qualified Hon. EMANUEL CELLER, himself, recognizes that this bill is not perfect. Nonetheless, I agree with him that we must set up some standards and we cannot let the various courts in the country come up with differing rules.

A candidate is entitled to know where his district is and, with some certainty, where it will be in the future. We must not allow to occur again anything like the recent fiasco in New Jersey or the New York State legislative reapportionment situation where candidates had to run for 1-year terms while the courts and the legislature jousted over boundaries.

Mr. RHODES of Arizona. Mr. Chairman, under the provisions of the U.S. Constitution, the establishment of precise criteria for congressional districting is a matter for Congress. The continued litigation in this area underscores the importance of Congress declaring its policy. Indeed, if Congress does not establish guidelines for the States to follow, the districts in 22 States or 297 congressional districts may be ruled invalid.

H.R. 2508 would provide congressional standards for the States to follow in the establishment of districts for the election of representatives to Congress.

In 1964, the Supreme Court held in Wesberry against Sanders that the matter of congressional redistricting was a justiciable issue. As a result of this decision, many States have been directed by the Federal courts to redistrict. However, the courts have not established precise criteria for redistricting. Nor, under the Constitution, should they do so. Consequently, there has been a great deal of confusion, and all too frequently, State redistricting plans have been set aside.

H.R. 2508 would introduce the essential element of certainty into the presently troubled situation. It would establish temporary criteria to be effective during the 91st and 92d Congresses and permanent standards for the 93d and subsequent Congresses. The interim standards for States to follow would permit districts to have a population spread as great as 30 percent between the high and the low districts. These temporary guidelines would also give stability to States operating under court-ordered redistricting plans. The permanent standards established by this bill are as follows:

First. Each State shall establish by law a number of districts equal to the number of authorized representatives.

Second. Representatives shall be elected only from such districts so established. Existing provisions for Representatives at large in multimember States are eliminated.

Third. Each district shall be composed of contiguous territory in as reasonably a compact form as the State finds practicable.

Fourth. The district with the largest population in a State shall not exceed by more than 10 percent the district with the smallest population as determined under the then most recent decennial census.

Mr. BLACKBURN. Mr. Chairman, it is with great pride that I take this occasion to make known my support of the bill to require redistricting among congressional districts so as to insure fair representation of all the people in the Congress.

On the vote on the previous question I cast a "No" vote on the philosophical basis that I generally am opposed to closed-rule debate. I feel that every measure should be subjected to the possibility of amendment when, in debate on the floor of the House, it develops that some facet of the bill would require change. In the present bill, it is my thought that no State should be exempted from the provisions of the act.

Notwithstanding my sentiments that some need for change might exist in the bill, I still am happy to cast my vote for it.

For many years the residents in the metropolitan area of Atlanta were grievously underrepresented in our State house of representatives and senate. The more equitable representation which now exists was, I regret, the result of judicial decree and not legislative responsibility.

I am proud that the measure which now stands before this House is the result of an action initiated within the House. I am proud that the Congress has shouldered its responsibility without waiting for an endless procession of lawsuits.

Mr. REID of New York. Mr. Chairman, I am unable to support H.R. 2508, a bill to establish Federal standards for congressional districting, in its present form. While legislation along these lines is desirable, and the committee has made a start, I believe that the bill before us could compromise two important facets of congressional districting.

First, by permitting a variance as high as 30 percent in the size of district under the interim provisions to be in effect through 1973, the bill would seem to be departing markedly from the impact of several significant court decisions.

Second, the last sentence of section 2 raises doubts as to the jurisdiction of Federal courts in congressional districting cases. Serious constitutional questions are involved in the districting cases presently in litigation, and it would seem advisable that there be no uncertainty about the authority of Federal courts to decide these issues on the merits.

Mr. GUDE. Mr. Chairman, I am opposed to H.R. 2508 because it fails to squarely face the necessity for the establishment of one-man, one-vote guidelines. I voted against the rule which prevented us from offering amendments on the floor to rectify certain deficiencies in the bill.

This bill has set standards for congressional districting which the Supreme Court has already indicated are unconstitutional. Furthermore, a population variation of 30 percent between congressional districts is inequitable. The authors of the bill tacitly admitted this by providing that the permissible maximum will be 10 percent starting with the 93d Congress. The bill also neglects to make provisions for compactness as a standard for congressional districts.

I am opposed to this bill because it does not adequately provide equal representation for equal numbers of voters.

Mr. McCULLOCH. Mr. Chairman, we have no further requests for time, and we yield back the balance of our time.

Mr. RODINO. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, the gentleman from Missouri, who gave such a vigorous argument a while ago, implied that one could be for this bill only if he had some special interest in it. But there may well be two kinds of Congressmen here: Those who have really good districts they want to keep, and those who have not such good ones and would like to get better ones. It reminds me of what I was told when I was a young man: to beware of the girl who loudest proclaims her virginity.

I would point out that as far as California is concerned, this bill does not prevent California from being reapportioned. The court would order the reapportionment of California under this bill, just as it would under the existing case law. This bill would, for California, and for any other State that has to be apportioned now or in 1971, give some objective standards and give some stability to reapportionment.

The only clear case law at the moment is the court believes there ought to be a one-man, one-vote principle followed. As the gentleman from Michigan [Mr. CONYERS] pointed out, in many of the cases there has been great divergence among the cases as to how much latitude there ought to be.

Reapportioning any legislative body is difficult. Anyone who has served in a city council that reapportions itself or in a State legislature that reapportions itself or reapportions the congressional districts, knows there is nothing more difficult politically to do.

It is normal that the legislatures will be tempted to stretch as far as they can to find the limits the court will permit. If this House sets down objective standards, I am convinced that the courts will follow them.

The rationale has been clearly stated as to why we accept a larger variation now than we will after 1971. It is simply because the figures that we use now are stale and inaccurate. The figures we will be using then will be fresh and accurate.

As the gentleman from Minnesota [Mr. MACGREGOR] pointed out, a 30-percent variance will give a legislature that wants to respect the one-man, one-vote principle a much greater opportunity to do it than if we had tied it to a small percentage.

That might sound like an argument for doing away with percentages altogether, but, if we do not have some objective test, then we have thrown the State legislatures and the courts back into their own ill-defined standards and they must search, case by case, to find the limits permissible.

This search, this instability, does one thing. It makes it impossible for people to keep track of who is their Congressman, for whom they will vote in the next election—or against whom they will vote, as the case may be.

There are some things in addition to the one-man, one-vote principle that this legislation seeks to accomplish. For one thing, it requires districts to be contiguous. Most States require that. We require that the districts be compact. Many States require that. In that requirement we leave the interpretation of compactness to the States themselves, either to the legislatures or to the State courts.

I would call attention of the Members to the fact that there has never been any suggestion for legislation and no case requiring compactness as a Federal standard.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, is the gentleman not aware there is a case in North Carolina where they were required to redistrict because the lines were tortuous. Could that not be construed as a requirement for compactness? Would those districts not be some that were found compact as a State terms practicable?

Mr. CORMAN. They may very well not. It may well be that the language under this bill would upset that apportionment. I do not know. I believe that State legislatures and the State courts will be able to define compactness in a manner that protects the integrity of the principle of one man, one vote. If they fail, this Congress could then act.

Also, the more important reason for compactness is that it ought to be relatively easy for a person to find out what district he lives in. That is the real value of compactness.

We have mentioned the importance of stability in congressional districts. This involves the greatest frustration, in leaving with the legislatures and the courts the challenge of wondering how much they can deviate, because in some States there have been reapportionments ordered after the primary election. Aside from the panic this must cause people seeking public office, it certainly causes some confusion for the voter, and I suspect it diminishes the voter interest in congressional races, because one does not know until the eve of the election in which district he lives.

This is the greatest single value of the bill, outside of protecting the one-man, one-vote principle. It provides stability to district lines.

On the matter of the 10-percent deviation after 1971, the reasons the committee made it 10 percent from the smallest to the largest—in other words, assuming the smallest is 100, the largest can be only 110—were twofold.

First, the States may, if there is an area which is growing rapidly, make that area the smallest district, going more than 5 percent below the norm to preserve greater integrity for the one-man, one-vote principle for a longer period of time.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Michigan.

Mr. CONYERS. Could we clarify the new method involved in this bill? There are a great number of Members from New York. Is it not true that the districts in New York would be caught under the 30-percent deviation figure because, in fact, as the gentleman from Michigan [Mr. DINGELL] attempted to point out earlier, there is a deviation in population between the largest and smallest district there of 34.6 percent?

Mr. CORMAN. In answer to the gentleman's question, one would have to look at the smallest district in New York, add 30 percent to it, and then ascertain whether that figure was smaller than the largest district. If it were, then the districting would not comply with these guidelines. It might be that a new census provided for in section 2, could be used to cure the defect.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CELLER. Mr. Chairman, I yield back the remainder of my time.

Mr. McCULLOCH. Mr. Chairman, I yield my remaining time to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, I rise for the sole and exclusive purpose of explaining the motion to recommit which will be offered shortly.

The motion to recommit, which will be offered by the gentleman from Arizona [Mr. STEIGER], would recommit the bill for the sole purpose of deleting from the provisions of the bill the exception which exempts the States of Hawaii and New Mexico from any requirement to apportion into congressional districts.

Section 2 of the bill, as the Members will note, permits at-large elections in Hawaii and New Mexico. There is no basis for that provision except, I suppose, the difficulty which the Members from those States may claim in establishing congressional districts in those two States.

I might suggest that the mere fact that there is difficulty in those States because of their particular geography or because of the unusual distribution of population within those States is no reason why there should not be congressional redistricting there.

If it happens for instance that the Members from Hawaii live in close proximity to each other there is still no reason for them to feel they might be forced to run against each other. There is nothing to stop a Member from moving to another district in the State. In fact, as a result of redistricting in Illinois last year it was necessary for one Member to move from his place of residence to another place, in order to retain his congressional district.

I believe that we should apply this legislation uniformly. We should be equitable. There is no reason why we should treat two States differently from the other 48 States. This exception, I assume, was made in the interest of the incumbents. There is nothing wrong in considering the interests of the incumbents insofar as redistricting of congressional districts is concerned, but I believe the prevailing view should be—and this is the basis for the motion to recommit, by the gentleman from Arizona [Mr. STEIGER]—that there is no justifiable basis for putting the interests of the incumbents ahead of the larger and more important public interests involved in this legislation. The people of Hawaii and the people of New Mexico should be treated just as fairly and equitably, as the people of the other 48 States.

That is the basis for the motion to recommit.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to withdraw my previous yielding back of the remainder of my time.

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

There was no objection.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

I am sorry that the gentleman indicates the other side is going to offer a motion to recommit.

The motion to recommit would provide that the States of New Mexico and Hawaii would be compelled to redistrict and could not elect Congressmen at large. Those two States in their histories have never been redistricted. We have considered very maturely this question in the Committee on the Judiciary. We figured it would be unwise immediately to require them to redistrict. We say until 1972. During this interim period they need not redistrict, but after 1972 they will not be permitted to elect at large.

There is a political aspect to this situation. I hate to say this, but there is no doubt about it. I hope that the Democrats will vote against the motion to recommit. The Republicans might as well vote for the motion to recommit, because it has political implications involved there.

I am sorry that the question is raised at this very late hour, the 11th hour, at a time when we had hoped to get this bill through without too much difficulty.

The CHAIRMAN. The time of the gentleman has expired. All time has ex-

pired. Under the rule, the bill is considered as having been read for amendment. No amendment shall be in order to the bill except the amendment in the nature of a substitute printed in the reported bill. Such amendment shall not be subject to amendment. The Clerk will report the committee amendment as printed in the reported bill.

The Clerk read as follows:

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

"That section 22 of the Act of June 18, 1929, entitled 'An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives' (46 Stat. 26), as amended, is amended as follows:

"Subsection (c) is amended by striking out all of the language in that subsection and inserting in place thereof the following:

"'(c) In each State entitled in the Ninety-Third Congress or in any subsequent Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of this section, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative. Each district so established shall at all times be composed of contiguous territory, in as reasonably a compact form as the State finds practicable. The district with the largest population so established shall not exceed by more than 10 per centum the district with the smallest population in the number of persons, excluding Indians not taxed, as determined under the then most recent decennial census, with the further provision that if a State redistricts more than two years after a decennial census, the population requirements specified in this paragraph must be met under a statewide Federal special census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8); and said census must be less than two years old at the time of the next election following said redistricting. There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.'

"SEC. 2. In each State entitled in the Ninety-First Congress and the Ninety-Second Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled 'An Act to provide for apportionment of Representatives' (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative, (except that the States of Hawaii and New Mexico may continue to elect their Representatives at large). The district with the largest population so established shall not exceed by more than 30 per centum the district with the smallest population in the number of persons, excluding Indians not taxed, as determined under the eighteenth decennial census or any subsequent Federal special census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8). In the event a court of competent jurisdiction has ordered the redistricting of any State and such order has been applied in an election, the districts established by such court order or orders shall remain in full force and effect until the State shall establish valid districts in accordance with the provisions of this Act, or until superseded by a subsequent court order."

Mr. McCLORY (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as having been read and printed in the RECORD in full at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question occurs on the committee amendment to the bill.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EDMONDSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes, pursuant to House Resolution 442, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. The question is on the committee amendment.

The committee amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. STEIGER of Arizona. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. STEIGER of Arizona. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STEIGER of Arizona moves to recommit the bill, H.R. 2508, to the Committee on Judiciary with instructions to report the same back to the House forthwith, with the following amendments: On page 4, beginning on line 19 through line 21, strike out "(except that the States of Hawaii and New Mexico may continue to elect their Representative at Large)".

Mr. CELLER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 161, nays 203, not voting 69, as follows:

[Roll No. 76]

YEAS—161

Adair	Arends	Battin
Anderson, Ill.	Ashbrook	Belcher
Andrews, N. Dak.	Ayres	Betts
	Bates	Biester
Blackburn	Hall	Poff
Bolton	Halleck	Pollock
Bray	Halpern	Quie
Brock	Hammer-schmidt	Railsback
Broomfield	Hansen, Idaho	Reid, Ill.
Brown, Mich.	Harrison	Reid, N.Y.
Brown, Ohio	Harsha	Reinecke
Broyhill, Va.	Harvey	Rhodes, Ariz.
Buchanan	Heckler, Mass.	Riegle
Burke, Fla.	Horton	Robison
Bush	Hosmer	Roth
Button	Hungate	Roudebush
Cahill	Hunt	Rumsfeld
Curtis	Hutchinson	Ruppe
Cederberg	Johnson, Pa.	Sandman
Chamberlain	Jonas	Saylor
Clancy	Keith	Schadeberg
Clausen, Don H.	King, N.Y.	Scherle
Clawson, Del	Kleppe	Schneebeli
Cleveland	Kupferman	Schweiker
Collier	Kuykendall	Schwengel
Conable	Laird	Shriver
Conte	Langen	Skubitz
Corbett	Latta	Smith, Calif.
Cramer	Lipscomb	Smith, N.Y.
Carter	Lloyd	Snyder
Davis, Wis.	Lukens	Stafford
Dellenback	McClory	Steiger, Ariz.
Denney	McClure	Steiger, Wis.
Devine	McCulloch	Stratton
Dickinson	McDade	Taft
Dole	McDonald, Mich.	Talcott
Duncan	MacGregor	Teague, Calif.
Dwyer	Mathias, Md.	Thompson, Ga.
Edwards, Ala.	May	Thomson, Wis.
Erlenborn	Mayne	Utt
Esch	Meskill	Vander Jagt
Eshleman	Michel	Wampler
Findley	Miller, Ohio	Watkins
Fino	Mize	Watson
Ford, Gerald R.	Morse, Mass.	Whalen
Frelinghuysen	Morton	Whalley
Fulton, Pa.	Mosher	Widnall
Gardner	Myers	Wiggins
Goodell	O'Konski	Williams, Pa.
Goodling	O'Neill, Mass.	Winn
Gross	Pelly	Wyatt
Grover	Pettis	Wylie
Gubser	Pirnie	Wyman
Gurney		Zion
		Zwach

NAYS—203

Abbitt	Farbstein	Kelly
Abernethy	Fascell	King, Calif.
Adams	Feighan	Kyros
Addabbo	Fisher	Landrum
Albert	Flood	Leggett
Anderson, Tenn.	Foley	Lennon
Andrews, Ala.	Ford, William D.	Long, Md.
Annunzio	Fountain	McCarthy
Ashley	Fraser	McFall
Ashmore	Friedel	McMillan
Barrett	Fulton, Tenn.	Macdonald, Mass.
Bennett	Fuqua	Machen
Bevill	Galifianakis	Madden
Bingham	Gallagher	Mahon
Blanton	Garmatz	Marsh
Blatnik	Gathings	Martin
Boggs	Gettys	Matsunaga
Bolling	Giaimo	Meeds
Brademas	Gibbons	Miller, Calif.
Brasco	Gilbert	Mills
Brinkley	Gonzalez	Minish
Brooks	Gray	Mink
Brown, Calif.	Green, Oreg.	Monagan
Broyhill, N.C.	Green, Pa.	Montgomery
Burke, Mass.	Griffiths	Moorhead
Burleson	Hagan	Morgan
Burton, Utah	Haley	Morris, N. Mex.
Byrne, Pa.	Hamilton	Moss
Cabell	Hanley	Multer
Carey	Hansen, Wash.	Murphy, Ill.
Casey	Hardy	Natcher
Celler	Hathaway	Nedzi
Clark	Hawkins	Nichols
Cohelan	Hechler, W. Va.	O'Hara, Ill.
Colmer	Helstoski	O'Hara, Mich.
Conyers	Henderson	Olsen
Corman	Herlong	O'Neal, Ga.
Culver	Hicks	Ottinger
Daniels	Holland	Passman
Delaney	Howard	Patman
Dingell	Hull	Patten
Dorn	Ichord	Pepper
Dowdy	Irwin	Perkins
Downing	Jacobs	Philbin
Dulski	Jarman	Pickle
Eckhardt	Joelson	Pike
Edmondson	Jones, Mo.	Poage
Edwards, Calif.	Karsten	Price, Ill.
Edwards, La.	Karth	Pryor
Eilberg	Kastenmeier	Pucinski
Evans, Colo.	Kazen	Purcell
Fallon	Kee	Randall

Rarick	St Germain	Udall
Rees	Scheuer	Ullman
Resnick	Selden	Vanik
Reuss	Shipley	Vigorito
Rhodes, Pa.	Sikes	Waldie
Rivers	Sisk	Walker
Roberts	Slack	Watts
Rodino	Smith, Iowa	White
Rogers, Fla.	Staggers	Whitener
Ronan	Steed	Whitten
Rooney, N.Y.	Stubblefield	Wolff
Rooney, Pa.	Taylor	Wright
Rosenthal	Tenzer	Yates
Rostenkowski	Thompson, N.J.	Young
Roush	Tiernan	Zablocki
Ryan	Tuck	

NOT VOTING—69

Aspinall	Hanna	Rogers, Colo.
Baring	Hays	Roybal
Bell	Hébert	Satterfield
Berry	Holifield	St. Onge
Boland	Johnson, Calif.	Scott
Bow	Jones, Ala.	Smith, Okla.
Brotzman	Jones, N.C.	Springer
Burton, Calif.	Kirwan	Stanton
Byrnes, Wis.	Kluczynski	Stephens
Cowger	Kornegay	Stuckey
Cunningham	Kyl	Sullivan
Daddario	Long, La.	Teague, Tex.
Davis, Ga.	McEwen	Tunney
Dawson	Mailliard	Van Deerlin
de la Garza	Mathias, Calif.	Waggonner
Dent	Minshall	Williams, Miss.
Derwinski	Moore	Willis
Diggs	Murphy, N.Y.	Wilson, Bob
Donohue	Nelsen	Wilson, Charles H.
Dow	Nix	Wydler
Everett	Pool	Younger
Evins, Tenn.	Price, Tex.	
Flynt	Quillen	
Gude	Reifel	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bow.
Mr. St. Onge with Mr. Springer.
Mr. Evins of Tennessee with Mr. Quillen.
Mr. Waggonner with Mr. Price of Texas.
Mr. Johnson of California with Mr. Mailliard.
Mr. Hays with Mr. Cowger.
Mr. Kornegay with Mr. Scott.
Mr. Dent with Mr. Stanton.
Mr. Donahue with Mr. Moore.
Mr. Dow with Mr. Brotzman.
Mr. Murphy of New York with Mr. Wydler.
Mr. Kirwan with Mr. Bob Wilson.
Mr. Jones of North Carolina with Mr. Younger.
Mr. Charles H. Wilson with Mr. Bell.
Mr. Holifield with Mr. Cunningham.
Mr. Teague of Texas with Mr. Byrnes of Wisconsin.
Mr. Aspinall with Mr. Berry.
Mr. Rogers of Colorado with Mr. Kyl.
Mrs. Sullivan with Mr. McEwen.
Mr. Daddario with Mr. Smith of Oklahoma.
Mr. Kluczynski with Mr. Reifel.
Mr. Stephens with Mr. Minshall.
Mr. Burton of California with Mr. Mathias of California.
Mr. Williams of Mississippi with Mr. Derwinski.
Mr. Long of Louisiana with Mr. Gude.
Mr. Jones of Alabama with Mr. Nelsen.
Mr. Baring with Mr. de la Garza.
Mr. Pool with Mr. Flynt.
Mr. Hanna with Mr. Diggs.
Mr. Tunney with Mr. Satterfield.
Mr. Van Deerlin with Mr. Willis.
Mr. Roybal with Mr. Nix.
Mr. Stuckey with Mr. Boland.
Mr. Davis of Georgia with Mr. Everett.

Mr. OLSEN and Mr. LONG of Maryland changed their votes from "yea" to "nay."

Mrs. DWYER, Mrs. HECKLER of Massachusetts, and Mr. BUTTON changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 289, nays 63, answered "present" 1, not voting 86, as follows:

[Roll No. 77]

YEAS—289

Abbitt	Fulton, Tenn.	Morris, N. Mex.
Abernethy	Gardner	Morse, Mass.
Adair	Gathings	Morton
Addabbo	Gettys	Mosher
Albert	Giaimo	Multer
Anderson, Tenn.	Gibbons	Murphy, Ill.
Andrews, Ala.	Goodell	Myers
Annunzio	Goodling	Natcher
Arends	Green, Oreg.	Nichols
Ashbrook	Gross	O'Hara, Ill.
Ashley	Grover	Olsen
Ashmore	Gubser	O'Neal, Ga.
Ayres	Gurney	Passman
Barrett	Hagan	Patman
Bates	Haley	Patten
Battin	Hall	Pelly
Belcher	Halleck	Pepper
Bennett	Hamilton	Perkins
Betts	Hammer-schmidt	Pettis
Bevill	Hanley	Philbin
Biester	Hansen, Idaho	Pike
Blackburn	Hansen, Wash.	Pirnie
Blanton	Hardy	Poage
Blatnik	Harrison	Poff
Boggs	Harsha	Pollock
Bolton	Harvey	Price, Ill.
Brademas	Hathaway	Pryor
Brasco	Hays	Pucinski
Bray	Hechler, W. Va.	Purcell
Brooks	Heckler, Mass.	Quie
Broomfield	Henderson	Railsback
Brown, Mich.	Herlong	Randall
Brown, Ohio	Holland	Rarick
Broyhill, N.C.	Hosmer	Rees
Broyhill, Va.	Hull	Reid, Ill.
Buchanan	Hunt	Reinecke
Burke, Fla.	Hutchinson	Resnick
Burke, Mass.	Ichord	Rhodes, Ariz.
Burleson	Irwin	Rhodes, Pa.
Burton, Utah	Jacobs	Riegle
Bush	Jarman	Rivers
Button	Johnson, Pa.	Roberts
Byrne, Pa.	Jonas	Robison
Cabell	Jones, Mo.	Rodino
Carter	Karsten	Rogers, Fla.
Casey	Kastenmeier	Ronan
Celler	Kazen	Rooney, N.Y.
Chamberlain	Keith	Rooney, Pa.
Clancy	Kelly	Rosenthal
Clark	King, Calif.	Rostenkowski
Clausen, Don H.	King, N.Y.	Roth
Clawson, Del	Kleppe	Roudebush
Cleveland	Kupferman	Roush
Collier	Kuykendall	Ruppe
Colmer	Kyros	Ryan
Conable	Laird	Sandman
Conte	Landrum	St Germain
Corbett	Langen	Saylor
Corman	Latta	Schadeberg
Cramer	Leggett	Scherle
Curtis	Lennon	Schneebeli
Davis, Wis.	Lipscomb	Schweiker
Delaney	Lloyd	Schwengel
Devine	Lukens	Selden
Dickinson	McClory	Shipley
Dole	McCulloch	Shriver
Dorn	McDade	Sikes
Dowdy	McDonald, Mich.	Sisk
Downing	McFall	Skubitz
Dulski	McMillan	Smith, Calif.
Duncan	Macdonald, Mass.	Smith, Iowa
Edmondson	MacGregor	Smith, N.Y.
Edwards, Ala.	Madden	Snyder
Edwards, Calif.	Mahon	Stafford
Eilberg	Marsh	Steed
Erlenborn	Martin	Stratton
Esch	Mathias, Md.	Stubblefield
Eshleman	May	Taft
Evans, Colo.	Mayne	Talcott
Fascell	Meeds	Taylor
Feighan	Meskill	Teague, Calif.
Findley	Michel	Tenzer
Fino	Miller, Calif.	Thompson, Ga.
Fisher	Miller, Ohio	Thomson, Wis.
Flood	Mills	Tiernan
Foley	Mize	Tuck
Ford, Gerald R.	Monagan	Ullman
Fountain	Montgomery	Utt
Frelinghuysen	Morgan	Vanik
Fulton, Pa.		Vigorito
		Waldie
		Walker
		Wampler
		Watson
		Watts
		Whalen
		Whalley
		White
		Whitener
		Whitten
		Widnall
		Wiggins
		Williams, Pa.
		Winn
		Wolff
		Wylie
		Wyman
		Young
		Zablocki
		Zwach

NAYS—63

Adams	Gallagher	Minish
Anderson, Ill.	Garmatz	Mink
Bingham	Gilbert	Moorhead
Bolling	Gonzalez	Moss
Brinkley	Green, Pa.	Nedzi
Brock	Griffiths	O'Hara, Mich.
Brown, Calif.	Gude	O'Konski
Cahill	Halpern	O'Neill, Mass.
Carey	Hawkins	Ottinger
Conyers	Helstoski	Reid, N.Y.
Culver	Hicks	Reuss
Daniels	Horton	Scheuer
Dellenback	Howard	Slack
Denney	Hungate	Staggers
Dwyer	Joelson	Steiger, Ariz.
Eckhardt	Karth	Steiger, Wis.
Fallon	Kee	Thompson, N.J.
Farbstein	Long, Md.	Udall
Ford, William D.	McCarthy	Watkins
Friedel	McClure	Yates
Galifianakis	Machen	
	Matsunaga	

ANSWERED "PRESENT"—1

Dingell

NOT VOTING—86

Andrews, N. Dak.	Fraser	Roybal
Aspinall	Fuqua	Rumsfeld
Baring	Gray	Satterfield
Bell	Hanna	St. Onge
Berry	Hébert	Scott
Boland	Holifield	Smith, Okla.
Bow	Johnson, Calif.	Springer
Brotzman	Jones, Ala.	Stanton
Burton, Calif.	Jones, N.C.	Stephens
Byrnes, Wis.	Kirwan	Stuckey
Cederberg	Kluczynski	Sullivan
Cohelan	Kornegay	Teague, Tex.
Cowger	Kyl	Tunney
Cunningham	Long, La.	Van Deerlin
Daddario	McEwen	Vander Jagt
Davis, Ga.	Mailliard	Waggonner
Dawson	Mathias, Calif.	Williams, Miss.
de la Garza	Minshall	Willis
Dent	Moore	Wilson, Bob
Derwinski	Murphy, N.Y.	Wilson, Charles H.
Diggs	Nelsen	Wright
Donohue	Nix	Wyatt
Dow	Pickle	Wydler
Edwards, La.	Pool	Younger
Everett	Price, Tex.	Zion
Evins, Tenn.	Quillen	
Flynt	Reifel	
	Rogers, Colo.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Dingell against.

Until further notice:

Mr. Hébert with Mr. Fraser.
Mr. St. Onge with Mr. Andrews of North Dakota.
Mr. Waggonner with Mr. Cederberg.
Mr. Edwards of Louisiana with Mr. McEwen.
Mr. Kirwan with Mr. Mailliard.
Mr. Aspinall with Mr. Berry.
Mr. Rogers of Colorado with Mr. Derwinski.
Mr. Wright with Mr. Kyl.
Mr. Holifield with Mr. Byrnes of Wisconsin.
Mr. Cohelan with Mr. Bell.
Mr. Daddario with Mr. Cunningham.
Mr. Dent with Mr. Brotzman.
Mr. Evins of Tennessee with Mr. Bow.
Mr. Roybal with Mr. Rumsfeld.
Mr. Van Deerlin with Mr. Bob Wilson.
Mr. Teague of Texas with Mr. Reifel.
Mrs. Sullivan with Mr. Price of Texas.
Mr. Johnson of California with Mr. Younger.
Mr. Jones of Alabama with Mr. Cowger.
Mr. Kornegay with Mr. Scott.
Mr. Kluczynski with Mr. Springer.
Mr. Long of Louisiana with Mr. Smith of Oklahoma.
Mr. Murphy of New York with Mr. de la Garza.

Mr. Donohue with Mr. Stanton.
Mr. Burton of California with Mr. Wydler.
Mr. Flynt with Mr. Vander Jagt.
Mr. Davis of Georgia with Mr. Quillen.
Mr. Fuqua with Mr. Minshall.
Mr. Gray with Mr. Moore.
Mr. Hanna with Mr. Diggs.
Mr. Dow with Mr. Wyatt.
Mr. Satterfield with Mr. Zion.
Mr. Williams of Mississippi with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Mathias of California.
Mr. Tunney with Mr. Nix.
Mr. Boland with Mr. Baring.
Mr. Pool with Mr. Willis.
Mr. Stephens with Mr. Jones of North Carolina.
Mr. Stuckey with Mr. Everett.

Mr. DINGELL. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. PICKLE]. If he has been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRAGIC DEATH AND STAGGERING DESTRUCTION IN CHICAGO AND OAKLAWN PARK LAST WEEK

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, everyone is aware, I know, of the tragic death and staggering destruction in Chicago and Oaklawn Park last week, resulting from tornadoes. It is impossible to describe the character and extent of the damage, even when you have seen it as I have. The specific areas have been declared disaster areas by our Government, and I am grateful for that, but I want to take this opportunity to express my gratitude and the gratitude of our people for the sympathetic generosity and help of nongovernment people as well. Yesterday I received a telegram, for example, from the president of Smith Kline & French Laboratories, and I would like to read it:

Hon. JOHN C. KLUCZYNSKI,
House Office Building,
Washington, D.C.:

Smith Kline & French Laboratories expresses deep sympathy for the citizens of your district whose lives have been disrupted by the recent tornado. My company stands ready to help as best it can the difficult process of return to normal conditions. We have made arrangements through drug trade channels to replace at no cost all uninsured stocks of medical products produced by Smith, Kline & French and our subsidiary, Menley & James, which have been damaged or destroyed. Please accept for the people of your district our hope for an early and complete recovery.

F. MARKOE RIVINUS,
President, Smith Kline & French Laboratories.
PHILADELPHIA, PA.

We sometimes forget, in the pressures and urgencies of everyday living, what high levels of kindness exist all around us. I am personally thankful to Smith, Kline & French, and express as well the appreciation of my people, to them and to everyone who has come to our assistance in this sudden and overwhelming disaster.

THE RIGHT OF DISSENT IS WHAT THE FIGHTING IN VIETNAM IS ALL ABOUT

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, in his address in this Chamber tomorrow our persevering and able commander in Vietnam, General Westmoreland, whom we all admire, may well repeat a thought he expressed in his speech at New York: that opposition to the Vietnam war tends to prolong the conflict and increase casualties. It would be entirely proper for him to repeat it because a strong argument could be made for such a conclusion.

If he does, I hope he will add a thought that was missing in his New York speech—namely, that dissent and protest is a precious right that must be jealously guarded even though it may prolong a military conflict and cause extra hardship.

In a sense, the right of dissent is what the fighting in Vietnam is all about. It is the hallmark of our free society that sets it apart from communism. If, in defeating communism, we should stifle free expression by branding it unpatriotic, the victory would be Pyrrhic. What a tragic commentary if we should adopt a harsh technique of the police state in order to achieve military defeat of the police state.

I do not agree with what the peaceniks say and do, but I defend their right lawfully to dissent and protest. Voltaire's famous proclamation is appropriate:

I disagree completely with what you say, but I will defend to the death your right to say it.

Those who enjoy putting bird labels on Congressmen probably classify me as a hawk, but I believe nonetheless that birds of all feathers must respect and defend the right of the doves to loft their sentiments. In this respect President Johnson might well emulate Abraham Lincoln.

As Congressman and as President he guarded jealously the right of dissent—even in time of war. He both practiced it and protected it.

As Congressman he brought upon his own head national scorn by criticizing America's role in the war with Mexico which was then in progress. He questioned whether Mexico was guilty of any aggression and put the blame instead on the United States. For it he was editorially labeled a traitor, a second Benedict Arnold.

As President he protected the right of free expression even in the darkest hours of the war. He himself was much abused and villified by cartoonists, writers and speakers, but he protected the right of free expression and the right to criticize nonetheless.

Lincoln's belief that the right of dissent should be protected seems especially appropriate today.

The protesters and dissenters are not the only ones whose statements may prolong the war and cause extra hardship. General Westmoreland might properly have mentioned others. For example, the prediction by Secretary McNamara on October 2, 1963, that our boys would be coming home in 1965 from Vietnam may well have given the Communists renewed reason to believe that time was on their side. A French military expert, Pierre Gallois, observed at the time that his announcement was like killing our own men.

The announcement by Ambassador Goldberg on December 22, 1965, that it was "not conceivable" that the United States would use nuclear weapons in Vietnam was credited by an eminent foreign policy observer, the late Constantine Brown, with causing Moscow and Peking to drop their effort to bring Hanoi to the peace table. According to Brown, the Communist capitals had been working seriously to end the war, because they feared the U.S. military buildup might quickly reach the nuclear stage. Goldberg's announcement eliminated that fear and the peace offensive collapsed.

In the 1964 presidential campaign, President Johnson played the nuclear scare to the hilt and ridiculed those who, as he put it, wanted American boys to do the fighting that Asians should do for themselves.

In my view, President Johnson, Secretary McNamara, and Ambassador Goldberg were very unwise and shortsighted to speak as they did. Their statements may well have caused the enemy to miscalculate. The statements may well have prolonged the war and caused extra hardship to our forces.

These statements were unfortunate but much as I regret them I do not call these men unpatriotic for speaking as they did.

And today we must all fight off the temptation, strong as it is, to scorn the demonstrators and dissenters as lacking in patriotism.

ADMINISTRATION PROPAGANDA MISLEADING

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, it is time Congress takes a long, hard look at some of the questionable activities of the administration in using taxpayers' money for propaganda to enlist support for its own programs.

The misuse of public money and the manipulation of facts by administration supporters has been brought forcibly home to me this past week by the deluge of telegrams and wires I have received from parents of schoolchildren attending private and parochial schools. These people have been told that enactment of the Quie amendment to the elementary and secondary education bill would eliminate their schools from participation in the Federal program. Our colleague, the gentleman from Minnesota, Congressman QUIE, has ably defended his amendment and has made clear that it in no way deprives private schools from participation. In fact, enactment of the Quie amendment would give greater safeguards to private schools and would make more money available for educational purposes by cutting down on heavy and wasteful administrative costs.

What concerns me is the spreading of misinformation to cause fear and discontent among the people by spokesmen for the administration programs. I would like to include, as a part of these remarks a sample of the propaganda that is being sent out in my State of Tennessee. The letter has gone to thousands of parents of private school children. It is an unsigned piece of propaganda, full of distortions and misstatements. I think the administration should be called to account for encouraging this type of brain washing. If necessary, Congress must enact stronger legislation to prevent the executive branch from manipulating the actions of Congress through public pressure engineered by the use of false propaganda.

The unsigned letter attacking the Quie amendment follows:

URGENT!! ACTION NEEDED!! IMMEDIATELY!!

Unless immediate and united efforts are made, nonpublic school children are about to be eliminated from all future federal aid to education programs.

Republican leadership (Albert H. Quie of Minnesota) in the U.S. House of Representatives will very soon offer an amendment to the Elementary and Secondary Education Act which will eliminate a portion of that act and substitute a provision for across-the-board grants to the individual states—with no strings attached. Thus, General Federal Aid to education without participation by nonpublic school children will be achieved. There will be no guarantee for nonpublic school children to participate in education programs provided by federal aid, as they are now enjoying.

WHAT'S WRONG WITH THE "QUIE" AMENDMENT?

I. Procedurally, not considered by the Committee. No hearings. Don't know what's in the bill. Unlike present ESEA, it is not supported by the world of education.

II. Administratively, it would throw American education into chaos. Overnight it would change all the ground rules and upset the patterns of successful innovation and service begun in the past two years (and even nine years in the case of certain NDEA titles which would be repealed).

III. Disadvantaged private school students, now enjoying the benefit of participation in public school programs, would be excluded by every State under the Quie plan.

IV. Formula of Quie bill takes from the poorer States and gives to the wealthier. Proposed formula change is contradictory to last year's Quie amendment (½ the national average per pupil expenditure) which was designed to help poorer States.

V. States not yet ready to handle the entire job. State departments of education are being strengthened, but only gradually.

VI. No guarantees in Quie bill that the educationally deprived will be served; that the handicapped will be aided; that the cities will not suffer from discrimination in the distribution of funds. The beauty of the present ESEA is that the Congress, not the State Departments, guarantee that certain essential jobs will be done which were formerly neglected by the States.

VII. No school district would know their entitlement under the Quie bill, unlike ESEA which establishes definite entitlements for each county, and, through the States, for each local school district.

ACTION

1. Place an immediate phone call to your Congressman (House).

2. Follow up with a telegram to confirm or explain further.

3. Enlist your friends and other interested persons in this vital project.

Tennessee Congressmen:

The Honorable Dan H. Kuykendall, Representative, Ninth District, Memphis.

The Honorable Ray Blanton, Representative, Seventh District, Adamsville.

The Honorable Robert A. Everett, Representative, Eighth District, Union City.

All may be addressed to House Office Building, Washington, D.C. 20515. N.B. unless the "Quie amendment" to "ESEA" (H.R. 7819) is defeated, all Federal aid to all private schools will be discontinued.

BIBLE TRANSLATION DAY

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REIFEL. Mr. Speaker, today I have introduced a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1967, as Bible Translation Day.

Speaking from a personal standpoint I would like to give my views on the importance of Bible translations. In 1879 the Bible was translated into the Sioux language by two missionaries, Thomas S. Williamson and Stephen R. Riggs. My mother of the Rosebud Sioux Indian Reservation, became an Episcopalian 76 years ago and while my brothers and I were growing up she saw to it that we would never miss school or church. Her own only reading material was an Indian monthly printed by a mission and the Sioux language translation of the Bible. It is not too much to say that I owe my presence in this august Chamber at this moment to influence exerted on my mother by the Sioux language Bible.

Only three other Indian tribes in all North America had the entirety of the Bible translated into their tongues. These translations have exerted immeasurable influence for good not only on many individual families but also on entire communities and tribes.

In this day and age of accelerating technological change the translation of the Bible into Indian languages becomes evermore feasible and more rewarding in its results.

The common ground on which many nations and tribes stand today is furnished by the Bible translation into many tongues. It is now possible to communicate through Scriptural texts in over 1,232 tongues. Compared with the mere 30 or more U.S. Indian tongues into which Scriptural materials have been translated, this looms very large. There is great need to have work on translation as there are approximately 180 Indian tongues currently spoken in the United States.

One solution for the problem of reaching Indians today by Biblical translation may lie in the "diglot," which is simply a version of the old-fashioned "pony" "crib" or "trot" by the help of which some of us may have learned our Caesar, Cicero, or Virgil in our Latin courses. Those who learn to read their own language soon learn to read the second language and are assisted in their understanding of the relations between the two. Such devices may provide for the more rapid adoption of English by the Indian tribe than would be the case if the native language were never used for publication.

The final point that I would like to make is the enormous debt which we owe to the missionary translators of the Scriptures into American Indian languages. I can think only of the highest words of praise for their efforts and for their choice of life tasks in their endeavor to be of service to God and humanity. These men and women sacrificed the comforts of fireside and home to go out to undeveloped, preliterate peoples, seeking to carry the light to all men.

A TRIBUTE TO A GREAT AMERICAN

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DOLE. Mr. Speaker, I am certain it will be of interest to my colleagues who served during the time the Honorable Clifford R. Hope was a Member of the House, that this distinguished American is being especially honored today at the Triple I Show, an annual convention of the Western Kansas Manufacturers, Inc., at Liberal, Kans.

My colleagues, who had the opportunity to be associated with "Cliff," will know of his tireless work in the field of agriculture throughout his 30 years in the House. During this time he served as Chairman of the House Committee on Agriculture of which I am now privileged to be a member.

After "Cliff's" retirement from the congressional scene at the end of 1956, he has continued an active interest in agriculture, having served as president of Great Plains Wheat, Inc., an organization to encourage increased wheat exports and consumption of this crop both domestically and abroad.

Today this distinguished American continues an active interest in not only agriculture, but projects of community and State improvement. In addition, he does extensive writing; so it is clear he has neither the desire nor time to retire.

I am sure his many friends in the House will be interested in learning of this richly deserved tribute by his host of friends.

Our senior Senator from Kansas, the Honorable FRANK CARLSON, a close personal friend of Mr. Hope, is to be present for the ceremonies today and will represent the Kansas congressional delegation on this occasion.

FOUR-H CLUBS PREPARE YOUNG AMERICANS FOR RESPONSIBLE ADULTHOOD

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, in these times when nonconforming behavior by a vociferous minority of America's youth often receives front page notoriety, it is reassuring, and indeed, refreshing, to note that the majority of our young people are engaged in more productive pursuits. I have in mind especially our young men and women who are busy learning to adapt to the scientific age and to prepare themselves adequately for their future role as the adult citizens of the United States. In this connection, I would like to invite the attention of my colleagues to an organization, which, because of its wide range of creative activities and its international dimensions, is probably the most important vehicle in preparing our young people for their future role as informed and conscientious citizens. I refer, of course, to the 4-H club.

Today, millions of young Americans ranging in age from 9 to 19, participate in the 4-H youth education program of the Cooperative Extension Service which is conducted through the joint efforts of the U.S. Department of Agriculture, the land-grant universities, county governments and volunteer leaders. Additional support is also provided by business, industry, agricultural and civic groups throughout the Nation.

If we add to our national 4-H membership the youth in 4-H-type organizations in 75 countries to which the 4-H concept of "learn by doing" has been exported, we have an impressive total of almost 8 million young people. It is not surprising therefore, that this sharing in international development and understanding among the youth of so many nations is regarded as a potent force in achieving a lasting peace.

In my own State of Hawaii, because of dedicated and exceptional leaders, like James Shigeta, we are able to count a solid 6,000 4-H members. I am pleased to point out that because 70 percent of 4-H'ers in Hawaii reenroll annually, the 50th State tops all of the Western States in reenrollments.

The highlight of the 4-H Club year is the visit of outstanding 4-H'ers to the Nation's Capital, and the 37th Annual National 4-H Conference is presently in session in Washington. The conference is attended by members who have been named by their States for exceptional personal development, and for major achievement in community service, leadership, and citizenship. Two or more girls and two or more boys have come from each of the 50 States and Puerto Rico, and I extend a warm welcome to these 4-H'ers and especially to the four members from the State of Hawaii, Cheryl Warashina, Rose Wong, John Sullivan, and Roy Kaneshiro. Credit too should be extended to Miss Elizabeth Speckels, their able and congenial adviser and escort.

Mr. Speaker, the 4-H pledge, which signifies the aims of each member of this tremendous organization, is one which all Americans, young and old, might do well to note and follow. I repeat the 4-H pledge for this reason:

I pledge—
My head to clearer thinking;
My heart to greater loyalty;
My hands to larger service; and,
My health to better living;
For my club, my community and my country.

VENEZUELA AND RESPONSIBILITY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HALL. Mr. Speaker, I have said in reciprocal trade relations, and regards our balance-of-payment problem, and the outflow of gold, many times, that "responsibility" is the key word in our dealings, and that it takes "two to tango."

The same is true in our foreign aid programs, whether they be military or economic, to say nothing of our military assistance program. It has been brought to my attention that we at one time provided military assistance in the form of destroyers, and even proposed the lending of an obsolescent submarine to the sovereign nation of Venezuela in South America. I opposed same on the basis of expropriation. Herewith, is an excerpt from Benjamin S. Dowd, president, Venezuelan Sulphur Corp., C.A. and Chemical Natural Resources, Inc., at the Latin American Conference at Princeton University, Princeton, N.Y., April 21 and 22, 1967. It exemplifies the need for responsibility before determining foreign relations and/or investments. The extract follows:

To obtain private investments a nation must have proved itself and have developed sufficient confidence in foreign capital markets.

We come to Latin American countries on this qualification. Recently (New York Times, March 28, 1967), "the United States representative to the Organization of American States said that United States should make clear its preference for progressive, democratic governments over military regimes in Latin America through acts of "special friendship." This United States representative of the OAS, who reportedly is President Johnson's chief spokesman on Latin American affairs, mentioned Venezuela and Colombia as countries whose progressive political leadership calls for particularly friendly United States attention"—end of New York Times quote.

Therefore, Venezuela will be reviewed, and it will be most difficult to reconcile the preceding quotation. The New York Times, January 23, 1967 reported Flight of Capital interrupts Venezuela's impressive record of economic progress. Capital always seeks a haven of security. This same matter of capital's lack of confidence concerning Venezuela was fully discussed at the Latin American Affairs Conference at Princeton University on April 10, 11, and 12, 1964, and the same problem continues to exist regarding Venezuela.

In 1952, 10 years before the Alliance of Progress, investors of the United States acquired large mineral concessions for the search of sulphur and other minerals. When the results, created by these investments and through the findings of world renowned geologists, geophysiscists and mining engineers, appeared to be very promising, the properties in Venezuela of these American investors to which they had valid titles for 100 years, were seized in 1959 by a Decree of Expropriation without Compensation, and subsequently confiscated. The decree was made retroactive for 5 years, both such illegal acts violated Venezuela's own constitution, as well as being in violation of international law. These illegal acts were during the first year of the administration of Romulo Betancourt, then president of Venezuela. The Minister of Mines was Juan Pablo Perez Alfonzo under whom the confiscation of these properties was finally accomplished in 1962. The industrial potentials of these properties were tremendous, being the source of unlimited amounts of the world's critically short minerals, such as sulphur; geothermal energy to create cheap electricity, and the means of the cheapest known method of desalinization of sea water by an inexhaustible supply of superheated natural steam.

In 1965, while litigation of a $116,000,000 damages suit against Venezuela was still in the courts, and by direction of the Ministry of Mines the company's buildings were stripped of all equipment and furnishings and shipped to a Venezuelan government installation. The present Venezuelan permanent delegate to the United Nations, Manual Perez Guerrero, was Minister of Mines at the time of these wanton acts of vandalism. The Department of State made inquiry at the time regarding these acts of vandalism against these American properties and was advised by the Venezuelan Director of Mines that these properties had been "abandoned" by the company, whereas, these were the same properties that Venezuela had confiscated.

Venezuela was denounced in the United States Senate. One Senator remarked during the discussion that American investors should not have their pockets picked by a foreign government, which at the same time is filling its pockets with United States aid money.

This is just one instance cited from the record as an aid to future planning, and may also be an aid toward creating a more fa-

vorable investment climate for Venezuela to again attract private investment funds.

As stated in the 1964 Princeton paper "One must try to reach and study the conscience of each nation. The fundamental principle of the sanctity of the contract must again be emphasized, as well as other principles of fair dealing, and these should be practiced."

Attracting investment funds will always be a matter of moral conduct. It depends entirely on the conscience of the government involved.

SECRETARY FOWLER'S REMARKS TO THE EIGHTH ANNUAL MEETING OF THE BOARD OF GOVERNORS OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the Inter-American Development Bank is holding the eighth annual meeting of its Board of Governors here in Washington during the week of April 24. The Honorable Henry H. Fowler, Governor for the United States and Secretary of the Treasury, addressed the opening session, as Chairman of the Board of Governors, to welcome the delegates to the meeting.

As the Secretary's remarks aptly summarize the goals stated at the historic meeting of Presidents at Punte del Este, as well as indicating the significant role the Inter-American Development Bank will play in the accomplishment of these goals, I am including a copy of the Secretary's remarks in the RECORD for the consideration of my colleagues. I should like particularly to bring to your attention the commendation the Secretary has bestowed on our colleague, the gentleman from Wisconsin, HENRY S. REUSS, chairman of the International Finance Subcommittee of your House Banking and Currency Committee. This well-deserved praise was extended with regard to work that Mr. REUSS has done in bringing to the attention of the House problems involved in agricultural development in Latin America. These reports have been printed by your committee as international subcommittee prints under the titles "Inter-American Development Bank's Role in Agricultural Development" and "Food for Progress in Latin America."

I urge all Members of the House to study the remarks of Secretary Fowler to the Board of Governors of the Inter-American Development Bank:

ADDRESS BY THE CHAIRMAN OF THE BOARD OF GOVERNORS, MR. HENRY H. FOWLER, GOVERNOR FOR THE UNITED STATES AND SECRETARY OF THE TREASURY, AT THE INAUGURAL SESSION

On behalf of the Government and the people of the United States, it is an honor to welcome this highly distinguished assemblage attending the Eighth Meeting of the Board of Governors of the Inter-American Development Bank. It is a great personal honor that has been given to me to preside at this first meeting in Washington, the seat of the Bank. I know that the heavy and extensive program of work laid out for us this week will contribute to the continued success and growth of this great institution.

As in all years, we are meeting to further a great common cause—the well-being and improvement of our hemisphere and the world. This year our meeting has a special significance in the light of the just completed historic session of our Presidents at Punta del Este, Uruguay, where our Inter-American Development Bank has been given major assignments in agriculture, education and health activities, and in furthering multinational projects. These efforts are not only important in and of themselves, but they are a basic prerequisite to success in achieving meaningful economic integration and the development of a great Latin American common market.

The Presidents of our countries already have set the theme for this meeting when they recognized the benefits of joint action to accomplish the goals of integration and development, and stated:

"Latin America will create a common market.

"We will lay the physical foundations for Latin American economic integration through multinational projects.

"We will join in efforts to increase substantially Latin American foreign trade earnings.

"We will modernize the living conditions of our rural populations, raise agricultural productivity in general and increase food production for the benefit of both Latin America and the rest of the world.

"We will vigorously promote education for development.

"We will harness science and technology for the service of our peoples.

"We will expand programs for improving the health of the American peoples.

"Latin America will eliminate unnecessary military expenditures."

A great deal has transpired since we met in Mexico City a year ago. There has been progress in the Hemisphere under our Alliance for Progress, and the Bank has continued to make its important contribution to that progress. We have increased flows of external assistance. Further, we have increased self-help performance in mobilizing domestic resources and in carrying out necessary reforms. We will hear further during the next few days how this institution of ours, the "Bank of the Alliance," the "Bank of Integration," the Inter-American Development Bank, has led the way in this hemispheric war against special privilege and poverty. We have come a long way since 1960, for we no longer have to hold out hope with mere words. There are activities in operation which further the economic and social being of the peoples in the member countries. Our Bank, which has passed the $2 billion mark for loan commitments, has touched almost every facet of the economic and social fabric in this Hemisphere.

We truly have an historic meeting in front of us. The Board of Executive Directors and the Management of the Bank, under the outstanding leadership of President Felipe Herrera, has had a record year and has developed a full tentative agenda for our consideration to set the stage for the future. We are called upon to respond to the needs and aspirations of the peoples in this Hemisphere by requesting our governments to expand the resources of the Bank, both in the Ordinary Capital and the Fund for Special Operations. We have had submitted to us a recommendation on the admission of the first new member to this young institution. We are asked to consider the steps which need to be taken to accelerate resources from non-member countries to the Bank. Finally, we will need to act on a new procedure for the election of Executive Directors.

This is indeed a large task, but I am sure that when the week ends we will have carried out our responsibilities and will be able to present to our governments successful fruits of our labors.

The wide representation at this meeting from every part of the world, covering both public and private institutions, is another sign of the importance of our institutions and these deliberations. These organizations and governments have an important role to play in the development of the Hemisphere. One of the reports placed before us by the Board of Directors clearly sets forth the positive role many of the industrialized countries of the world have played in the development of the Hemisphere through the provisions of resources to the Bank. On the other hand, it also reports conditions that call for correction where non-member countries are benefiting from Bank resources without any commensurate recognition of the Bank's capital needs and requirements.

It is significant that we have present here representatives of the foreign and domestic private sector. We welcome them—representatives of business, labor and cooperatives—and I am sure we do not have to stress before this audience the truism that the free private sector in each of the countries is the key to a successful development effort. The flow of private investment, which has improved recently, has not yet achieved the necessary level to accomplish our broad objectives. It is important that all of our governments take all possible steps to accelerate and facilitate that flow. I hope that the Bank may be able to play a more significant role in this area.

We should congratulate the Bank Management on selecting as the topic for the deliberations of the Round Table this year, "Latin American Agricultural Development in the Next Decade". There is no more crucial facet of the development of the Hemisphere facing us today than the problems of rural development.

We have been indeed fortunate in the United States to have available an up-to-date penetrating survey and analysis conducted in the U.S. Congress on the problems of agricultural development in Latin America and of the Bank's role. I commend to the Governors two extremely valuable reports of the Sub-committee on International Finance of the House Banking and Currency Committee, under the able and inspired leadership of Representative Henry S. Reuss. These reports conclude that the emerging world food crisis can be avoided in Latin America, where indeed the prospects for expanded food production are far more favorable than in other developing areas of the world. What is needed is additional capital both from domestic and external sources, additional investments and—crucially—more adequate and purposeful comprehensive plannning for agricultural development. The Bank, too, has taken exceptional intellectual leadership in dealing with this problem by undertaking a challenging study entitled, "Agricultural Development in Latin America: Current Status and Prospects", and has carried this forward by continuing here at the Shoreham Hotel for the rest of the week the Round-Table Discussions.

This year will be an historic year for our Hemisphere. We have had the Meeting of the Presidents. We are inaugurating here today our Eighth Annual Meeting of the Inter-American Development Bank here in Washington. In September, our sister institutions, the International Monetary Fund and the International Bank for Reconstruction and Development will meet in Rio de Janeiro, Brazil, to face some major international financial issues.

In inaugurating our deliberations I believe we have a responsibility to take into account the arena of international financial problems in order to place our discussions in the proper context. We are actively engaged in negotiations on the future of the

international monetary system and new arrangements to assure the continued and adequate growth of international liquidity. This is a matter of vital interest to us all, and to the future of the Bank, which I am confident will culminate in historic decisions in Rio de Janeiro.

Another financial problem of hemispheric concern is the problem of the United States balance of payments. The termination of the persistent deficit in the United States balance of payments and the continued strength of the dollar as the keystone of the international monetary and trading system remain objectives of the highest national priority to the United States. The report of the Executive Directors before us at this meeting provides recognition that these objectives are also of interest to the Bank, and I am sure that my fellow Governors will agree that these objectives are of critical interest for each of their nations individually as well as for the Hemisphere as a whole. What is required is a continuing cooperative effort, taking account of the role and responsibilities of the United States throughout the free world, and designed to avoid actions which by threatening the United States balance of payments would also endanger continued assistance to free world development and the search for growth with stability.

I am pleased to note, as Governor for the United States, the cooperative measures adopted in the Bank and the further measures proposed by the Directors for our consideration during the coming week in conjunction with redoubled self-help and mutual assistance efforts. The United States, for its part, takes its responsibility very seriously—both toward the Bank, in which it is the major stockholder, and toward the Hemisphere. By its actions in the past, and, I can assure you, today, the United States strongly supports the concepts of multilateral assistance embodied in the Charter, and the important place of Latin America in the world.

As an introduction to a most significant week I have only sketched for you the high points. I am sure there will be opportunity for all delegations, including the United States, to comment on these and other important matters.

In addressing ourselves to the task before us in the coming week, let us bear in mind the words which President Johnson at Punta del Este addressed to the youth of our nations:

The time is now. The responsibility is ours. Let us declare the next 10 years the Decade of Urgency. Let us match our resolve and our resources to the common tasks until the dream of a new America is accomplished in the lives of all our people.

I again welcome all the delegations to my country and dedicate ourselves to the task at hand which will influence the future course of this institution.

I hereby declare the Eighth Meeting of the Board of Governors of the Inter-American Development Bank inaugurated.

CHAMPION OF THE MILITARY

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HARDY. Mr. Speaker, I was deeply impressed by a splendid editorial in the San Diego Union of April 24. It is a well written, concise and well-deserved tribute to our friend and colleague, the gentleman from South Carolina [Mr. RIVERS].

Throughout the length and breadth of our land Mr. RIVERS is being recognized for the outstanding leadership he is providing our committee and the Nation's military forces. Because I am sure my colleagues will want to read this tribute, I am quoting it below:

CHAMPION OF THE MILITARY: REPRESENTATIVE RIVERS BULWARK IN DEFENSE

Future historians looking at the United States of America in the decade of the 1960s may well be confused by the strange dilemma of our military men in this period.

Throughout our nation are far too many detractors of the military men and their valiant effort to defend all rights, including those of their detractors.

On the other hand are far too many men who profess to be a friend to the military man and defense, but weaken both in the name of "good" or "economy." Even the age of computerization has become the tool of some of these "friends" who seek to substitute electronics for the vast reservoir of tradition and experience.

Even as these forces interplay, the nation's military forces are engaged in one of America's major wars, defending our foreign policy of self determination for all people.

Historians will find a beacon in these trying times when they study Rep. L. Mendel Rivers, Democrat of South Carolina, who often stands in splendid isolation as chairman of the House Armed Services Committee.

He pleads for and defends a strong military establishment, knowing it is inseparable from freedom. He pleads for fair pay and benefits for men in uniform—at least equal to the persons they defend. He battles the inflexible, transistorized thinking of a computerized Pentagon.

Many who have sought to weaken the military can testify that Mr. Rivers' South Carolina voice can cut like a razor. And it is inevitable that he should draw the full wrath of those who seek to decimate American military might, often on an unfortunately personal basis.

Fortunately, Rep. Rivers' peers hold him in high regard. House Speaker John McCormack said, "Rep. L. Mendel Rivers is one of the great Americans of our times." The sentiment was endorsed by Rep. Gerald Ford, House Republican leader; members of Congress, the Joint Chiefs of Staff and many others.

Career military people can second the recent public tribute paid Mr. Rivers by a retired Navy officer who has watched the congressman for many years.

"Mendel Rivers, the civilian," he said, "knows more about the military, its needs and its responsibilities than many who wear the uniforms or are charged with a strong national defense. He knows also where to place responsibilities for discharging military duties—in the hands of men in uniform."

Rep. Rivers could avoid criticism and strong personal attacks if he retreated into obscurity. Fortunately for the nation he does not, but fights for its cause and in so doing draws lightning.

All Americans have a high stake in this fight, and should consider the source and purpose when they hear attacks on Rep. Rivers.

SOCIAL SECURITY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, in an article appearing in the Pittsburgh Post-Gazette of March 27, 1967, Mr. George Zielke, of that newspaper's Washington bureau, recalls this sentence in a report he contributed to that publication on May 7, 1950:

Prevailing congressional philosophy on the subject of federal social security is to promise increased benefits, keep the taxes down—and leave the future problems of the system to the lawmakers of the future.

Over the years, it would appear that Congress has followed Mr. Zeilke's prediction, and it is past time that a measure of responsibility be assumed without delay. Further procrastination will be inimical to the general welfare. Today Congress must face up to the social security program's deficits, its weaknesses, its inequities. The President has asked for some sweeping changes, and Congress should respond by getting a firm hold on the broom and hiding nothing under the rug.

At the conclusion of my remarks I shall ask that an article by Milton Friedman in Newsweek of April 3 be inserted in the RECORD. It refers to a proposal calling for open recognition of the abysmal debt into which social security has plummeted, with a businesslike approach to its extrication and reformation.

To place the program on a straight and level track will require considerable amending, including attention to the plight of young people who begin making contributions in their youth and will come to find that they have been shortchanged at retirement age. Many Americans were startled to read this disclosure in a Lyle Wilson column in a recent issue of the Washington Daily News and other newspapers:

The Tax Foundation explained that a 21-year-old putting in 44 years of work at present tax level will have contributed $32,496 in taxes and accumulated interest to the social security fund. Based on a life expectancy of 13 years after retirement at age 65, this man would collect only $19,704 in benefits.

The present method of computing social security benefits fails to give any recognition to the length of time a person may have paid into the fund. The benefits are based on average monthly earnings so that a person who pays taxes for 10 years can get as large a benefit as one who pays for 50 years. To correct this injustice, I am introducing a bill that will provide increased benefits for everyone who pays into social security for more than 10 years. I hope that it will be included in the changes that are now contemplated.

This bill is long overdue. Until 1950 the Social Security Act provided an increment for every year that a person paid social security taxes. This provision was justified then and a similar provision is justified now as a matter of fairness to those who have paid longer and greater amounts.

The act needs to be changed so that every person who has contributed for at least 40 quarters will have his benefit increased by $2 for each four quarters above the 40 that he pays. And if the maximum amount is being paid, the fam-

ily maximum ought to be raised. I am, therefore, proposing also that the family maximum be raised by $4 for each $2 increase in the worker's benefit.

Now, Mr. Speaker, there is another newspaper item that belongs in any discussion about social security. The Johnstown Tribune-Democrat of February 14, 1967, contained an editorial that puts the spotlight on how everyone receiving social security payments can benefit to the maximum degree: by reduced Federal spending.

Each year that Federal outgo exceeds intake and a further increase in the national debt takes place, every person depending upon social security or any other fixed income is robbed of a percentage of his buying power. While we are recognizing that a number of alterations must be made in the Social Security Act, Congress should have the courage to declare emphatically that it will no longer tolerate excessive spending or additional hikes in the national debt.

Only through this position can we reverse the profligacy of the administration and give those receiving social security benefits—and everyone else—any semblance of the value of the dollar earned and saved.

The articles from Newsweek and the Tribune-Democrat appear below:

SOCIAL SECURITY

(By Milton Friedman)

Social security has become a sacred cow that no politician can afford to criticize—as the reaction by Republicans and Democrats alike to President Johnson's proposed rise in benefits has again made clear. Yet there is much to criticize.

1—In the past fifteen years, maximum old-age benefits have doubled. *But* the maximum tax assessed on a worker's wages has quintupled.

2—Retired persons currently enjoy a bonanza. *But* youngsters currently entering the system are getting a raw deal.

3—The benefit scale in the law is designed to favor the relatively poor. *But* the law has important indirect effects that favor the well-to-do.

The first two facts have a common origin: the aging of the social-security program. At its start in 1937, many workers became taxpayers, no one a beneficiary. It was all intake, no outgo. As time passed, workers who retired began to qualify for benefits. But for some time, the number was so small that outgo still fell far short of intake, even though retired workers received benefits that were many times as large as the equivalent of the taxes once paid on their wages. This situation has been changing rapidly. From 1950 to 1965, the number of retired workers receiving benefits grew more than sixfold, while the number of taxpayers less than doubled.

BENEFITS AND TAXES

To finance the excess payments to the growing number of retired, taxes assessed on wages have had to be raised repeatedly. As a result, the benefits promised younger workers are much smaller than the equivalent of the taxes paid on their wages.

The third fact—that social security has indirect effects that discriminate against the poor—is much more subtle. Note a few.

1—The poor generally begin working earlier than the well-to-do. So, on this score, they pay taxes for more years. Yet benefits, once eligibility is established, do not depend on number of years for which taxes are paid.

2—The well-to-do tend to live longer than the poor. They are therefore more likely to survive to receive benefits and also to receive benefits for more years. (This effect is partly offset by the greater value of survivors' benefits to the poor.)

3—Working wives get little for their taxes.

4—Men or women who do not pay taxes for enough quarters to qualify for benefits get nothing whatsoever in return for their taxes.

5—A man between 65 and 72 who works and earns more than a small amount per month loses part or all of his social-security benefits. To add insult to injury, taxes are still assessed on his wages! Property income, on the other hand, whatever its amount, does not affect benefits received.

CLEVER PACKAGING

Though labeled "insurance," the system of old-age benefits is no such thing. It is a welfare program that transfers income from some to others—notably from the young, rich and poor, to the old, rich and poor. Few of those who support the present system would favor either the structure of taxes by itself—a flat percentage tax on the first $6,600 of earnings and a zero tax on higher earnings—or the structure of benefits by itself—indiscriminate benefits based on age, sex, marital status and previous employment, with no attention to need. Tying the two together and labeling the combination insurance was a masterpiece of clever packaging.

In a recent article (The Wall Street Journal, Dec. 20, 1966), Prof. James Buchanan and Colin Campbell propose a sensible and ingenious method for converting present arrangements into a true insurance system—which could be voluntary—while at the same time fully honoring existing commitments. They propose that current liabilities—which they estimate at the staggering total of $400 billion—be openly recognized, funded and made an explicit charge on general tax funds and that the taxes imposed on younger workers be reduced to the level required solely to pay for the benefits they are being promised. The workers could then be permitted to purchase equivalent retirement benefits elsewhere if they so chose, without endangering the financial soundness of the government system. Their plan—and others for achieving the same objective—deserves prompt and serious consideration.

[From the Johnstown Tribune-Democrat, Feb. 14, 1967]

PROBLEMS OF SOCIAL SECURITY

Because people living on Social Security's fixed incomes are among those hardest hit when the American dollar suffers a reduction in its purchasing power, something must be done to help them.

One way that the federal government can lend a hand is by increasing Social Security payments. President Johnson has made such a recommendation. Of course, to do that there will have to be an accompanying increase in revenue. In turn, that must come from increased taxation on wage earners and on those who pay the wages.

On the surface, that seems fair enough. The only trouble is determining how much the wage earner can stand. And from the looks of things he may have to stand for a lot.

As proposed by President Johnson, by 1974 some wage earners could be paying double what they are paying now to finance Social Security coverage, including the amount needed for health care services.

Again, it may seem fair enough that the wage earners should help, for from where else shall the money come? But there is no guarantee that a man's wages will be increased sufficiently to cover the proposed added price of Social Security. Nevertheless, the fact remains that millions on Social Security need higher pensions.

There is another way that government could help the fixed-income members of the population—by restoring some sort of sanity to its fiscal policies so that the dollar could assume a healthier state of being.

In that way, the immediate need for Social Security increases would not be so pressing. Granted, as the number of retired people grows, the Social Security trust funds will need bolstering. It would, though, be a relatively gradual process.

There is only so much that the nation's wage earners (and employers, for that matter) can bear. We have been advocating a hike in the federal income taxes as a means of financing needed federal programs and of banking a red-hot economy that has shown only slight signs of cooling.

However, along with that tax-increase recommendation we have stressed the need for a cutback in federal spending on all manner of programs, many of which are almost total failures and others of which are of only questionable value to the people they are designed to help.

The record budget suggested by President Johnson hardly indicates an inclination to cut back on such programs.

Up, up, up and up is the best way to describe almost everything the Johnson administration proposes.

Some of the ups are necessary—defense spending, for example—but many of the others are not.

Taken individually, many of the other ups are not very alarming, but when they are placed one upon another the taxpayer is left at a dizzying height.

Although it is the responsibility of the taxpayer to help keep his government operating effectively, he has every right to question the policies of those in charge of running the government. The taxpayer expects, while meeting his responsibilities, that government officials meet theirs—of providing efficient *and economical* government.

Economy in government will allow the taxpayer to loosen his belt a trifle so that when the time comes to pay for a better life for the nation's elderly he can tighten it a few notches without fear of cutting off his own economic circulation.

TOGO INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the West African nation of Togo today marks its seventh year of independence. It is a small country—one of the smallest in Africa—with a population of 1½ million people. Until recently its economy was almost entirely dependent upon agriculture but the discovery of large deposits of phosphates has given the small nation a new lease on the future and hopes for economic and social progress for its inhabitants.

Togo has had an interesting and varied history. Before 1884 the area had long served as a kind of buffer zone between the militaristic states of Ashanti and Dahomey. In that year a representative of the German Government signed a series of treaties with the Ewe and other tribes making the area a German protectorate. Thus it remained until British and French soldiers invaded and took over the administration in the early days of World War I. Togoland was

divided between the British who ruled the neighboring Gold Coast and the French who ruled Dahomey. In 1922 the two divisions of Togoland were made class B mandated areas under the League of Nations.

With the advent of the United Nations the mandated areas became trust territories under the continued tutelage of France and Britain. At that time the Ewe Tribe—the largest ethnic group in the area—asked that the territories be brought under common administration, but this problem—the division of the Ewe Tribe—could not be resolved at the time and in fact has not been resolved to this day. In 1956 the British-administered territory became part of the Gold Coast which in 1957 became independent as Ghana. On April 27, 1960, the French-administered territory gained its own independence as Togo, and it is that country which we salute today. It faces what might seem to be unsurmountable problems as its leaders attempt to secure the benefits of modernization for its peoples but it faces these problems with determination and with courage. In the future of West Africa, where regional cooperation among African nations will come to play an increasingly important role, Togo will certainly be able to contribute a great deal.

My heartiest congratulations to the fine people of Togo and their distinguished President, His Excellency Kleber Dadjo, and Togo's Ambassador to the United States, His Excellency Dr. Robert Ajavon.

CONDEMN DISCRIMINATORY ACTS AGAINST RUSSIAN JEWS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. TAFT. Mr. Speaker, as Americans who cherish religious freedom and seek to preserve it, we are greatly disturbed by daily evidences of discrimination against Jewish citizens in the Soviet Union. The suppression of Judaism is the suppression of all religions. For this reason, I am reintroducing a resolution I introduced during the 88th Congress in which the House would condemn discriminatory acts against Russian Jews.

As we all know, the Soviet Constitution is superficially a democratic document purporting to give full and equal citizenship to the Jews. It is no secret, however, that from the outset Russian rulers have ignored and still ignore today those provisions as they have ignored so many others. Their Constitution's safeguards of religious freedom have become a mockery in the light of actual experience.

When the Soviet era began, there were more than 3 million Jews in Russia. They attended their own theaters, they ran their own printing shops, they published their own newspapers. These institutions had kept alive their ties to a historic heritage.

Now, during the Passover season, it is doubly important to recognize and to condemn the Soviet Union's systematic persecution of the Jews. Today, in the Soviet Union, there is not a single Jewish daily newspaper, nor a Jewish theater. Jews must identify themselves as Jews on their internal passports.

I ask all of my distinguished colleagues to join with me in condemning the persecution of any person because of his religion by the Soviet Union and to urge Russia, in the name of decency and humanity, to cease persecuting persons for alleged economic offenses, and to permit fully the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

OIL POLLUTION OF THE SEAS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KEITH. Mr. Speaker, next week I will attend an international conference in London to discuss the danger of oil pollution in the seas. The IMCO—Intergovernmental Maritime Consultative Organization—meeting was called in order to find a solution to problems posed by such maritime disasters as the *Torrey Canyon*, the oil tanker which recently flooded the beaches of England with tons of oil, causing widespread damage and death to wildlife.

The oil slick which affected nearly 40 miles of beach on Cape Cod points out more clearly than ever the need to amend international agreements dealing with oil pollution. For this reason, I am grateful for the opportunity to attend the IMCO Conference as a member of the U.S. delegation.

At this time, Mr. Speaker, I should like to include three editorials in the RECORD which are pertinent to the IMCO Conference on May 4: "It Has Happened Here," from the April 18 New Bedford Standard-Times; "The Black Tide," from the April 20 Cape Codder; and "Death by Oil," from the April 21 New York Times:

[From the New Bedford (Mass.) Standard-Times, Apr. 18, 1967]

IT HAS HAPPENED HERE

When the supertanker Torrey Canyon went to pieces on Seven Stones Reef off the English coast, spewing crude oil by the thousands of tons on both sides of the Channel, there were those who wondered what it would be like if the New England coast faced a similar problem.

Now, we know, although the dimensions of our disaster are more modest than those of either France or England.

Yet relatively modest or not, we are suffering a tragic loss of wildlife; a serious threat to marine flora and fauna, especially in the inshore areas, and costly damage to important resort areas.

Nor do we know, at this point, how extensive the problem will be before it is over. An extensive oil slick is moving off the Massachusetts coast; as long as it is in the area, wind shifts make it a potential threat. Further, until we know where it came from—if we ever find out—we must entertain the possibility that it can recur.

The cleanup job will be long, hard, expensive and, in the case of the helpless sea fowl, heartbreaking. Yet even as it is accomplishd, we must turn to the task of prevention, the scope of which is both state and national.

In Washington, the House Merchant Marine and Fisheries Committee ought to push consideration of this type of water pollution, incuding specifically a bill by Rep. Keith, R-Mass., to set up responsibility and fast-action procedures in the event of Torrey Canyon-type disasters.

The whole question of bilge-pumping by tankers and other vessels ought to be reviewed at the federal level. In the present instance, we do not know whether the oil-fouling of Cape waters and beaches resulted from a damaged vesel or offshore pumping, complicated by an easterly wind that blew the slick toward the land.

Both state and national officials ought to set up a detailed procedure for handling this kind of prolem once it occurs.

The total effort ought to be in two parts: (1) Do everything possible by means of regulations and punishments to see that this kind of pollution does not occur; (2) If it does occur, have an established blueprint that makes it clear who does what and when to confine the damage.

[From the Cape Codder, Apr. 20, 1967]

THE BLACK TIDE

We did not think when we wrote an editorial two weeks ago entitled "Oil and Cape Cod Don't Mix", and another last week on the need for the purest water standards being applied to the Cape, that the lesson would be brought home so soon.

But last Sunday morning the Outer Beach of Cape Cod had a black tide, with a considerable quantity of tar-like bunker oil being cast up on the shore from Herring Cove in Provincetown to the tip of Monomoy. The intensity of befouling was more extensive in some areas than in other but evidence of the oil was there along the whole beach.

At this writing, and unless there is more to come, a combination of manual labor, money and nature will likely clean up the mess before the summer season. Nothing, of course, can replace the seabirds and marine life which have been the victims of mass death. And who is to know when the black tide will come again?

There has been much speculation about where the oil came from which has plagued us this week. But the speculation is irrelevant, if interesting. The relevant fact is that there is oil on the beach and that the prime natural resource of the Outer Cape has been damaged. It make little difference whether the oil came from the ruptured plates of a tanker sunk during World War II or from a careless man-made happening out at sea somewhere. The result is what counts; and the result is disaster.

The by-product of our increasingly technological age is the manner in which man, with his eye high on the dollar, fouls the nest of his own environment. Oil is money and has been lusted after for decades. But so is a broad, pure, white beach money—an economic asset almost impossible to measure. The difference is that one is private, the other public.

It is an old story and an old conflict. Countless mills and factories diverted public rivers for power and made profits. But they were subsidized profits, the subsidy being the resulting costly pollution of rivers which belonged to the public. Our government subsidizes the oil industry through

depletion allowances; and it was publicly subsidized oil which ended up on publicly-owned beaches this week. Is there not some irony here?

The golden age of the hydrocarbon fuels is petering out and it is only a matter of time before atomic power takes over. Land resources have been exploited to the point where the end is in sight and the oil industry is shifting to off-shore resources to eke out the last dollar. The latest coveted area is right off our own Cape Cod. Once again the issue is between the private good and the public good.

If there is any good in this week's black tide it is to emphasize which side Cape Codders must be on in a fight which already has had its preliminary skirmishes. Despite all the rationalizations to be offered, we can't have it both ways. We can't tap in to any peripheral benefits to be had from exploiting for private gain the oil resources off our shores and at the same time keep intact the public natural resource of pure air, water and beaches on which our tourist economy is based.

We say it again: Oil and Cape Cod don't mix!

[From the New York Times, Apr. 21, 1967]

DEATH BY OIL

Along the coasts of Massachusetts and New Jersey thousands of sea birds are dead and dying. They are probably victims of unknown oil tankers which somewhere at sea dumped quantities of heavy black crude oil. As winds and currents carried this oil toward shore, it engulfed the birds, coating their feathers and making it impossible for them to fly. Many vanished in the sea and others were washed ashore, barely alive.

This man-made disaster repeats on a smaller scale the tragedy of the Torrey Canyon, the huge oil tanker which went aground off the English coast last month and spewed its oil into the sea. The breakup of the Torrey Canyon was an accident; but it has long been the practice of tanker crews to wash out their tanks at sea and pump the contaminated waste overboard before calling at the next loading port with clean tanks. About three-tenths of 1 per cent of a tanker's cargo is routinely wasted through such cleaning operations on each voyage.

The practice has been going on for a long time and its effects were so damaging to wildlife and beaches that some years ago an international convention on prevention of oil pollution of the sea set limits on these cleaning operations. They are now forbidden within fifty miles of the United States coastline and prohibited entirely in the North Sea, the Baltic Sea and a large area of the northeast Atlantic surrounding the British Isles. But these regulations are frequently ignored, and as in the present depredation of the Eastern coast, the oil may be dumped at a legal distance but carried shoreward by the currents.

The World Wildlife Fund of Washington, D.C., is making an emergency appeal for funds to try to rescue as many birds as can be saved in the wake of the Torrey Canyon. But beyond emergency rescue work, the maritime nations have an obligation to stop fouling the waters of the world. The cleaning of tankers without polluting the ocean is a technical and economic problem that can be managed if the will exists to do so.

The United States might well call a technical conference of the signatories of the international convention to consider improved methods of cleaning tankers. The U.S. Government can intensify enforcement off its own coasts when the existing fifty-mile limit is widened next month to 100 miles.

Congress, moreover, has an urgent responsibility to rectify a proviso slipped into last year's Clean Water Act at the behest of the oil industry. Previously, a shipowner was subject to fines if his vessel was guilty of emitting oil within the three-mile limit, unless he could prove that a serious emergency or unavoidable accident had taken place. Now, however, the burden of proof has been shifted to the Government to prove that the shipowner was "grossly negligent." Congress should not only remove this ripper provision from the law but also considerably stiffen the schedule of fines.

The dead birds and oily beaches along the Atlantic Coast are a silent reproach to man's waste and criminal recklessness in the care of his natural heritage.

FEDERAL INTERROGATION ACT OF 1967

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I am sure many of my colleagues share my own concern, and that of my constituents, with the alarming increase in criminal activity in this Nation.

I have found that one of the causes of this increase is growing uncertainty among law enforcement officials as to just how far they can go in interrogating persons accused of criminal activity. Some of the problems in this area have been created by recent U.S. Supreme Court decisions, such as in the decision in the case of *Miranda* v. *Arizona* (384 U.S. 436, 1966).

The situation has reached the point where one police chief in a small northern New England city tells me:

Small boys who are involved in petty larcenies now insist on having an attorney present or they refuse to even give their name or their parents' name and address.

To help fill this growing breech, my distinguished colleague, the gentleman from Ohio [Mr. TAFT] has introduced legislation known as the Federal Interrogation Act of 1967, in which introduction I have joined. Our bills, currently before the House Judiciary Committee, are H.R. 7384 and H.R. 7829, respectively.

Yesterday, the gentleman from Ohio [Mr. TAFT], who in only his second term in this body is already one of its most respected voices, presented his views to the Judiciary Committee's Subcommittee No. 5. In both his formal presentation and his further explanation to the members, he again showed the depth of thought and study that has gone into the preparation of this vital legislation.

So that my colleagues may be privileged to share his views on the subject, I present here my colleague's statement:

TESTIMONY OF ROBERT TAFT, JR., FIRST DISTRICT, OHIO, BEFORE SUBCOMMITTEE NO. 5 OF HOUSE JUDICIARY COMMITTEE

I need not tell the Committee that crime and the problems of crime are intertwined with many other pressing needs. The figures merit facing crime head-on. In the last five years the national figures show a 49% increase with crime up 11% in the last year alone. In towns under 10,000 there was an increase of 14%, in suburbs of 13%; for those under age 18 the rate was up 9%. *It will not be enough to lay bare and to try to attack basic sociological causes and explanations of crime.* Only 25% of serious crimes are now solved by law enforcement officers; only 20% of offenses against property are solved; only 35% of robberies are solved.

In this vein, I have suggested two approaches that are by no means exclusive. One is favored tax treatment for law enforcement personnel to attract more to the profession, and even more, *to give public recognition, awareness, and sense of participation in their effort.*

A number of other proposals make general or specific attacks on the problem such as the "Safe Streets" bill, "Revenue Sharing," the Javits "Police Communications" bill and the Griffin "Information Center" bill. All should be sifted and the best of them enacted.

A further equally pressing approach *I will develop in detail today would establish workable and understandable procedural rules in connection with some phases of citizen cooperation, "Stop" interrogation and protection of constitutional rights. If we fail to act on these areas we will further undermine the growing loss of respect for procedures of law in enactment as well as execution.* The proposed bill is not an omnibus one. The complexities of the area and its importance are too great to use such a vehicle. Rather, I have tried to deal only with the problems of interrogation. There is no "Frisk" provision, and I have stayed within the "Mallory" rule.

FEDERAL INTERROGATION ACT OF 1967

H.R. 7384, my bill, deals only with the problems of initial stop and questioning in connection with a crime and later interrogation of the criminally accused. It would regulate only criminal interrogation in *federal* law enforcement.

However, if the proposal is accepted by Congress and found by the courts to be within the Constitution, it would doubtless serve as a model for state enactment and practice. Should it fail to be enacted by the Congress or the States, the forces of public opinion may force constitutional change or federal statutory compulsion within the new expanded concepts of the 14th Amendment (see Nov. 1966 Harvard Law Review Vol. 80 No. 1, Professor Archibald Cox.)

PROBLEMS OF MIRANDA

This bill is addressed to problems of law enforcement and individual rights raised by the case of *Miranda vs Arizona* 384 U.S. 436 (1966). The net effect of that and other recent decisions has been to exclude statements of an accused in a criminal case unless a pat formula of warnings has been used. These warnings are that he has the right to remain silent, that anything he says may be used against him, and that he has a right to an attorney, retained or appointed. The court added a sure-fire "reverser-on-appeal" to these by saying further by way of dictum that interrogation must cease if the prisoner in any way, at any stage states that he wishes to consult an attorney. We may find differences in the President's Commission and elsewhere as to how possible deterrent effects on crime can be achieved best. But even Chairman Katzenbach has agreed that such decisions as *Miranda* "have made police work more difficult." In proposing a legislative approach to these problems, it is not my intention either to throw down any gauntlet to the Supreme Court.

There were seven members of the President's Commission on Crime who criticized the report's failure to face up to this problem. There has been a host of testimony before this Committee and before the Senate (see Congressional Record, 90th Congress, March 3, 1967, pp. 5345–5355). I propose that we establish clearer standards than the flat flats of *Miranda*. Yet I am convinced they are ones which will better protect the rights

of the criminally accused, while reducing the possible deleterious effects that some interpretations of *Miranda* are having on effective law enforcement and the morale of our law enforcement officers.

My concern with the need for a comprehensive interrogation law stems from the conviction that the language in *Miranda* is inadequate to protect either society or the criminally accused. It is a matter of common belief that police investigations are presently hampered by the vague rules of *Miranda*. There are even those who believe that, out of frustration, they might have the eventual effect of outlawing the use of all confessions unless Congress and the States act to rectify the situation.

Many of you may have seen the Washington Star report of last Thursday on the testimony of Baltimore States Attorney to the effect that 72 self confessed felons are free in Baltimore because of *Miranda*.

MIRANDA MISSES OWN GOAL

The irony of it is that *Miranda* does not even accomplish its major goal, which is to assure that the ordinary criminally accused (not the Mafia, or the wealthy criminal) is interrogated in an atmosphere free from coercion as compared to "alone, in custody, in a police dominated atmosphere". *Miranda*, in practice, does not help these people, because it continues "even in such an atmosphere" to permit the waiver of all rights, both as to stops and questioning as well as when held in custody alone, without the assistance of any neutral or friendly third person.

It was in light of these considerations that H.R. 7384 was prepared. I will summarize briefly the salient provisions of the bill.

In the first phase of criminal investigation, the federal law enforcement officer is granted express authority to request voluntary cooperation and information from any person in connection with the prevention or investigation of a crime. He may have this anyway but Congress should recognize it. This request need not be preceded by any explanation or warning, but any refusal to cooperate may not be used later in court against the individual. (Section 3(a)). Secondly, if the officer has "reasonable cause" to believe there has been a crime committed and that the person has knowledge which may be of material aid, he may *direct* that person to remain in his presence for a period of not more than twenty minutes. (Section 3(b))

On this area *Miranda* states as follows: "Generally, on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens in the fact-finding process is not affected by our holding. It is an act of responsible citizenship to give whatever information they may have to aid law enforcement." In such "situations the compelling atmosphere inherent in the process of in custody interrogation is not necessarily present". In other words we have tried to define the rules for an area where *Miranda* has no application. The individual is not in custody, alone, or in a dominated atmosphere.

The same would be true in any situation where the officer observed a person in circumstances which "suggest" that the person has committed or is about to commit a crime. The officer is given the power to impose the temporary minimal restraint without the "mechanical" warning provided in *Miranda*. But there are strict limits on the purposes for which the "stop" may be used. It can only be used: (1) to identify the person by readily available information; (2) to request his cooperation in the investigation of a crime; or (3) to ascertain his explanation for his presence or conduct by readily available information. Section 3(b) (3)

Thus, if an officer observes a man running down a dark alley behind a series of stores, he can be stopped and asked to explain his presence without going through the warnings set up by *Miranda*. If any voluntary, but incriminating, statements are elicited during this period, they would be admissible.

LIMITS PROTECT RIGHTS OF ALL

In carving out this specific area for on-the-street police investigation, I have proposed to limit it to a twenty minute period to minimize possibilities of abuse. This is in accordance with a tentative draft of an American Law Institute committee that has done careful work in this field. In more cases this period should be sufficient to enable the officer to find out quickly what is needed so that he may respond to the situation.

Thereafter, however, the officer must decide if he is going to make an arrest. If not, the individual must be informed he is free to go. If arrested, the officer must give the arrested person a statement of all his rights under *Miranda*, including the right to remain silent, the fact that the accused has a right to communicate with counsel retained or appointed, relatives or friends, and that anything he says can be used against him at trial. The second phase of the proposed bill comes into effect upon reaching the police station. The arrested person must be transported immediately and directly to the police station if any further interrogation is desired. During the trip, interrogation may continue without the presence of counsel, but any statement, to be admissible later, must be shown to have been wholly voluntary.

MASTER OF EXAMINATION

Thereafter, any further interrogation must take place before a court appointed official known as a Master of Examination.

The master of examination is an officer of the court and not a part of the law enforcement agency involved. He is charged with recording or transcribing and filing a report on the interrogation with supervising and limiting the questions and the manner in which the interrogation continues, and with carrying out the responsibility for securing counsel for the arrested person and seeing to it that his family is put into communication with him.

However, because of the sweeping powers and rights given the Master of Examination, powers which insure that a person's privilege against self-incrimination will not be dispelled by a "compelling atmosphere" interrogation before the Master can continue for only three hours without the presence or specific waiver of an attorney. If the attorney, or any friend or relation is available, they may be present during the interrogation. Furthermore, if the arrested person desires to assert his right to remain silent pending the arrival of the attorney or a relative or friend, the Master of Examination will insure the free exercise of such right. However, a mere indication that the accused desires not to be questioned will not terminate interrogation as it would under the *Miranda* dictum. And, if the arrested person is willing to talk, his statements would be admissible even though previously or simultaneously he has asked for and will receive the services of an attorney at the earliest availability.

SAFEGUARDS AGAINST POLICE ABUSE

The final provision of my proposal is a very explicit provision making it a misdemeanor for a police officer to use coercion, threats, or promises of leniency to elicit a confession. This provides a safeguard against police abuse that does not exist today.

I firmly believe that the proposal satisfies the Fifth Amendment's command that no person shall be compelled in any criminal case to be a witness against himself and the Sixth Amendment guarantee of effective assistance of counsel. No problem would seem to arise under the Fourth Amendment.

We have taken a comprehensive approach to the problem of out of court statements and provided appropriate safeguards for each of the situations.

CONGRESS HAS RIGHT TO ACT

It is proper for the Congress, as a coordinate equal of the Supreme Court, to make rational distinctions in determining the requirements of the Fifth Amendment, and the *Miranda* decision is replete with recognition of this fact. For example, the *Miranda* decision held that, for purpose of preventing a compulsive atmosphere, the safeguards must apply when one is deprived of his freedom of action "in any significant way". I can foresee that the application of this test creates many problems and have thus attempted to provide some specificity. My proposal provides that the twenty-minute stop for preliminary exploratory questioning is *not* custody nor such a significant restriction of liberty as to require a warning or the presence of neutral observers or attorneys. However, once the investigation shifts from a general exploration of what has happened to a focusing in on a particular individual, the interrogation changes from non-custodial to custodial and the accused is guaranteed his warning rights. This point is reached when questioning goes beyond the limited objects permitted during a "stop".

On the other hand, we have provided that once a person is arrested and taken into police custody, substantial safeguards—which include the introduction of elements of neutrality—must be provided. This removes the need for the absolute right to an attorney. As is pointed out in the Harvard Law Review, November, 1966 (80 Harvard Law Review 125, 207 "The Supreme Court, 1965 Term"):

"If appraisal of right to counsel and the right itself, are necessary only to insure that the subject fully understands his right to remain silent, they may be replaced by some equally effective way of delivering the admonition—perhaps by a magistrate. Even if the right to counsel during interrogation is granted to protect against abuses not easily proven, it would be unnecessary if the accused could be protected by a sound recording or a neutral observer."

The Supreme Court in *Miranda* stated clearly that the Constitution did not "require adherence to any particular solution", and the decision was not intended to create a "constitutional strait jacket" to handicap efforts at reform.

There are, naturally some minimal technical differences in the proposals I have made from the literal rules laid down in *Miranda* to govern post-custody interrogation. The most significant difference is that under my proposal the mere indication by an accused that he does not wish to answer or that he wishes to have an attorney present does not necessarily require a halt to further interrogation if the Master believes it proper to proceed.

While the Supreme Court in *Miranda* did expound exact conditions for calling a halt to interrogation where an accused indicates a desire to remain silent or retain counsel, I do not think that my proposed legislative reversal of such rules would be unconstitutional.

For one thing, these particular requirements of cessation of questioning were not necessary to reach the decisions on the facts in *Miranda* and its related cases. Hence, these supposed conflicts are based on no more dictum which the Court may follow or not as it sees fit. While I do not criticize the Court for its desire to provide rules in this troublesome area, its approach is severely limited.

The Court should recognize that while it fashioned rules to prohibit prolonged questioning in a police dominated atmosphere, under my proposal such questioning would be limited to a specific period (of which the accused should be informed before it com-

menced) in a judicially controlled atmosphere of neutrality. The Court would be faced with a situation where the accused would be guaranteed the right immediately to contact family, friends or an attorney and such persons would have immediate access to the accused. The Court would see that instead of the so-called manipulated coercive atmosphere with which it was concerned, there would be a controlled atmosphere, under the Master's supervision guaranteed to prevent psychological coercion. The Court would also find a new criminal sanction in addition to the exclusionary rule to enforce the voluntariness of all proceedings.

In other words, the very premises and assumptions upon which the Court acted when it enunciated the *Miranda* rules would have been removed. I think the Court might then recognize society's interest in being able to continue questioning without the fear that a request by the accused to stop the questioning or for the presence of counsel might throw out an otherwise voluntary confession.

In making this proposal, I am relying upon the Court itself when it said in *Miranda:*

"It is impossible for us to foresee the potential alternatives for protecting the privilege which might be devised by Congress or the States in the exercise of their creative rule-making capacities. Therefore, we cannot say that the Constitution necessarily requires adherence to any particular solution for the inherent compulsions of the interrogation process as it is presently conducted. Our decision in no way creates a constitutional strait jacket which will handicap sound efforts at reform, nor is it intended to have this effect. We encourage Congress and the States to continue their laudable search for increasingly effective ways of protecting the rights of the individual while promoting efficient enforcement of our criminal laws. However, unless we are shown other procedures which are at least as effective in apprising accused persons of their right of silence and in assuring a continuous opportunity to exercise it, the following safeguards must be observed."

This legislation is an attempt to provide effective safeguards for our people without unduly diminishing the effectiveness of our law enforcement agencies. It involves the traditional American approach of balancing important interests to advance the public good.

TITLE: BUILDING BRIDGES TO THE EXECUTIONER

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, although the field of foreign policy can be a complex one, the final custodians of this policy are, in the final analysis, the American voters, who, every 4 years can change their national leaders. There are those who hold that the average citizen is not equipped to evaluate or judge the merits of foreign intricacies; nevertheless, the American people still have the final say through the ballot box. And it is fortunate that this is so, for our national leaders have made tragic mistakes in the field of foreign policy in the past. One need only remember the comment of Congressman John F. Kennedy, later amply substantiated by extensive Senatorial hearings, concerning the downfall of China in 1949 that "what our young men had saved, our diplomats and our President have frittered away."

One need only recall our no-win policy in Korea in the 1950's which was extensively explored and exposed by Senate investigation.

One could cite other examples—the blatant and brutal violation of the 1954 Geneva Agreement by Ho Chi Minh who prevented thousands of North Vietnamese from relocating in the South and which was, in effect, ignored by the United States; our tragic inaction in Hungary during the revolt in 1956; this Nation's tacit approval of the enslavement of the peoples behind the Iron Curtain to date, as evidenced by our silence and inaction in the United Nations on behalf of their freedom.

In viewing our past record, I think it is safe to say that Divine Providence has not endowed our policymakers with the gift of infallibility.

It is with this perspective that American citizens must view our present policy toward the Soviet Union, the main enemy in Vietnam. A serviceman in Vietnam, in a letter which I inserted in the RECORD on February 27, cut through to the heart of the matter when he asked in exasperation:

How can we trade with a country which aids the soldier who tries to kill me?

This is the type of hardnosed logic every citizen must employ in evaluating our policies toward the Communist countries:

How can we trade with a brutal international movement which seeks slavery for all free men, and to gain it will, if necessary try to kill me?

This is the basic logic used by Father Daniel Lyons, S.J., in an excellent article regarding trade with Communist countries. Reverend Lyons is a noted author and lecturer and has visited Vietnam twice as an adviser at the request of the Defense Department. He has coauthored, with Dr. Stephen Pan, the comprehensive study of the situation in Vietnam entitled, "Vietnam Crisis." In addition, he has appeared before the House Foreign Affairs Committee to give testimony regarding southeast Asia. In contrast to many of the signers of "stop-the-bombing" petitions, Father Lyons' views are buttressed with impressive credentials.

I insert the article, "Building Bridges to the Executioner," by Father Daniel Lyons, S.J., who is now associated with the Asian Speakers Bureau in New York City, in the RECORD at this point:

BUILDING BRIDGES TO THE EXECUTIONER

There is a strange relationship being built up by the United States toward Russia. Until a year ago, Soviet Russia was visibly worried that her military aid to North Vietnam would be resented by the United States. But she soon came to realize that the administration had no objection to her furnishing guns and missiles to Hanoi. So Russia began complaining about our helping the South.

The more Russia complains, the more U.S. officials do everything they can to help the Russian economy. Walt Rostow, the greatest bridge builder of them all, was made chief White House advisor on Soviet relations. Zbigniew Brzezinski, who also strongly favors building up Russia, recently became a top Presidential advisor, at Rostow's insistence. Brzezinski not only wants to do everything we can to help Russia, he wants us to persuade the rest of the free world to do the same.

Rostow and Brzezinski have convinced the President that he should go all out to build up Russia. The President recently arranged for the Export-Import Bank to use Federal financing for increasing trade with the Russian bloc, saying that it is "in the national interest" to extend credit to the Union of Soviet Socialist Republics.

Why it is in America's interest to finance the very country that is supplying guns, Migs and missiles to North Vietnam at the current rate of $800 million a year is difficult to understand. Yet the Administration has already arranged for shipping such strategic items to Russia and her satellites as a ball-bearing factory, radiation instruments, railway equipment, combustion engines, rocket engines, generators, chemical factories, a huge hydrogen plant, synthetic rubber, copper mills, steel mills, turbines, electronic computers, nuclear radiation and detection instruments, and navigational equipment for Russan planes.

The President recently listed more U.S. measures for building up the U.S.S.R. In doing so he used Brzezinski's phrase, "peaceful engagement". The cold facts, however, are that Soviet Russia and the United States have very few common interests. Those who think otherwise are indulging in wishful thinking. America has been talking a lot lately about a detente with the Soviet Union, but there is no justification for it.

A striking example of our sad mistakes in this regard was the wire recently sent by President Johnson congratulating the Soviet Union on the 49th anniversary of the Communist Revolution. He sent the wire "on behalf of the people of the United States," despite the fact that most Americans resent the Communist takeover in Russia. That takeover meant the suppression of religion and human rights, the murder of millions of people, the occupation of all of Central Europe. Without the Communist revolt in Russia there would have been no Red China, no Korean War, no Cuban takeover, no war in Vietnam today.

Bridges should be built to our friends, not to our enemies. But we build bridges to our enemies and antagonize our friends. Russia's whole purpose in the non-proliferation pact is to keep our allies, and particularly West Germany, from getting the atomic bomb. But Germany, Spain, Japan and Free China are the countries we should be building up and arming.

Germany fears that any rapproachment between the United States and Russia will be at her expense. Germany is the heart of our NATO defense. She needs nuclear arms to defend herself against the Warsaw Pact nations. Yet Germany has been unsuccessful in her efforts to obtain such arms from us. It is foolish for us to risk the relationship we have so laboriously built up with her. Nor should we risk severing the bonds of friendship we have established with other nations of the free world. But that is just what we are doing, in exchange for an illusory bond with leaders of the Communist world whose number one goal is to bury us.

RESOLUTIONS OF THE FARMERS COOPERATIVE COMMISSION CO. AT 52D ANNUAL MEETING IN WICHITA, KANS.

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman

from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SHRIVER. Mr. Speaker, the Farmers Cooperative Commission Co. recently held its 52d annual meeting in Wichita, Kans. During its deliberations the commission company adopted a number of resolutions which are related to agricultural and farm matters and concern the membership of this large organization. I have been advised that these resolutions are the result of careful and intensive study by the resolutions committee; and the views of many farmers were invited in the drafting of the resolutions.

They are deserving of the attention of Members of Congress who recognize the importance of a strong agricultural economy. The resolutions follow:

RESOLUTION NO. 1—FARM PROGRAMS

The marketing of wheat and feed grains has become a complex combination of domestic and export transactions. Grain producers are becoming more affected by International trade agreements, Government aid programs and barters.

Even with these complexities, farmers have accomplished much with their general farm, commodity and cooperative organizations. A Government farm program is an additional means available at present to gain the desired end in many commodities, especially wheat and feed grains.

We urge the continuance of price supports and a loan program. We further recommend the continuance of the present domestic wheat certificate programs. We also recommend the use of export wheat certificates or a similar devise to improve farmers income.

We favor the continuance of the P.L. 480 Food for Peace program and the expansion of Section 32 purchases, expansion of the food stamp program and reduction of imports where they affect prices and income to producers.

RESOLUTION NO. 2—FOREIGN AID PROGRAMS AND THE AGRICULTURAL BUDGET

The cost of the current government Foreign Aid programs are now charged to the agricultural budget. These shipments do much to aid our foreign policy efforts. We recommend that the cost of the foreign aid programs be charged to the State Department or a similar interested department and not to USDA. We recommend that a concerted effort be made to help the general public recognize that a major portion of the money spent by USDA benefits all people, not just the farmer.

RESOLUTION NO. 3—NATIONAL GRAIN RESERVE

We strongly urge that a so-called strategic or minimum wheat reserve be established during this session of Congress. This reserve to be set aside solely as a means of protection against crop failure or in cases of extreme national emergency. Such a reserve should be sufficient to meet these extreme conditions.

We strongly urge that these reserves should be completely isolated from the market and at no time should they be used in influencing the market. Further, the cost of carrying such reserve should be borne by the Department of Defense, State, or a like or proper department.

RESOLUTION NO. 4—TRANSPORTATION

The very large investments by farmers in facilities which are rail connected and which were built in good faith in the expectation of the continuance of transit can be destroyed in short order by the elimination of transit privileges.

We vigorously oppose any changes in the present regulations pertaining to transit. We further oppose multiple car freight rates, non-transit rates, or rates based on mileage.

We further recommend that flour rates be lowered to allow the flour mills of Kansas to compete with mills in other sections of the United States.

RESOLUTION NO. 5—GRAIN GRADING STANDARDS

The present Federal Grain Grading Standards are unnecessarily strict, severe, and unduly expensive. We are convinced that the present grading standards have not resulted in any significant increase in exports or domestic sales of wheat. Since the wheat producer is the one who pays the discounts that are created by these stricter standards, we recommend that a reexamination of the Federal Grain Grading Standards be made for the purpose of making necessary changes, taking into account the financial effect on wheat producers.

RESOLUTION NO. 6—EMPLOYEE TRAINING

The operation of all cooperatives is becoming more and more complex each year. It is becoming more important to have competent, qualified personnel to manage and operate an efficient and effective cooperative business.

We recommend a vocational training program that will teach young men and women the necessary skills to fill the many areas of employment vital to the successful operation of our businesses.

We further recommend Co-op employee training wherever possible through short courses and institutes sponsored by Kansas State University, Wichita Bank for Cooperatives, Farmers Cooperative Commission Company, Farmland Industries, and other regional cooperatives.

RESOLUTION NO. 7—RESEARCH AND MARKET DEVELOPMENT

The directors and management of the Farmers Cooperative Commission Company are supporting market research and development that promises economic improvement to the membership and the area it serves.

We encourage continued research and the employment of qualified personnel to find additional grain products for sale in the domestic and foreign markets. We recommend that an adequate promotional budget be maintained to support these products.

We commend the directors, the management, and the employees of the Farmers Cooperative Commission Company for their diligence in developing new products and markets for Kansas wheat.

RESOLUTION NO. 8—CONSOLIDATION AND COMPETITION

Many cooperatives are still duplicating services to members of a general area. There are many cooperatives in the area served by the Farmers Cooperative Commission Company that could better serve the membership by being merged into a more efficient business. In most areas services could be expanded, improved and even established.

It is desirable that managers and directors study the possibilities of mergers both on the local and regional levels.

We encourage the Farmers Cooperative Commission Company to continue working on the possibility of a merger of regional cooperative grain marketing associations, keeping in mind the best interests of the general membership of Farmers Cooperative Commission Company.

Every cooperative should review its grain pricing structure and grain handling procedure with the aim of increasing grain margins to a level consistent with good business management and the lasting welfare of its members.

RESOLUTION NO. 9—YOUTH AND FARM COOPERATIVE MOVEMENT

Cooperative organizations are established as permanent institutions, bridging over the generations. It is very desirable that all age levels be represented, that a certain number of board members, for example, be training to take over the functions and responsibilities of older board members with the passing of the years.

It has been found very desirable also, from the standpoint of insuring the interest and participation of the younger farmers, that positions on the boards of cooperatives, local and regional, be filled by young farmers so they may be thus encouraged to take a more active role in the government of their cooperative institutions and their talent and ideas best utilized.

RESOLUTION NO. 10—PRODUCERS EXPORT COMPANY

Producers Export Company is making headway in the field of increasing export sales of wheat and other grains marketed by farmers through their own cooperatives. It is yet a modest effort compared with some of the international export companies.

It is the desire of the members of the Farmers Cooperative Commission Company to make the maximum use of the Producers Export Company whenever possible.

RESOLUTION NO. 11—NATIONAL FEDERATION OF GRAIN COOPERATIVES

We are proud of our association with other cooperative marketing associations in the National Federation of Grain Cooperatives, and with its Executive Secretary, Roy F. Hendrickson.

The federation is devoted to the expansion of cooperative activity by farmers throughout the nation and the world. In this effort, our association is anxious to participate and to forward the program of cooperative marketing development which is the surest road to improving the bargaining ability of producers.

RESOLUTION NO. 12—KANSAS COOPERATIVE COUNCIL

The Kansas Cooperative Council is organized for the purpose of representing the cooperatives of Kansas in many areas and is continually serving its cooperative members both in information and representation, especially in the Kansas Legislature. The Council is also active in the development of new ideas in the orderly marketing of wheat.

Continued support of the Kansas Cooperative Council is urged so that their important work can be continued and expanded.

RESOLUTION NO. 13—KANSAS FARMERS SERVICE ASSOCIATION

We commend the Kansas Farmers Service Association and the C. R. Rock Company for their continued excellent service. These organizations are alert to the needs of their members in providing auditing and insurance services.

RESOLUTION NO. 14—IN APPRECIATION

The Farmers Cooperative Commission Company enjoys an extremely high level of membership loyalty and support and is an outstanding example of teamwork in the cooperative field today. We commend the

directors and managers of local cooperatives for their loyalty and support.

CADET KNOCKS TOPLESS IDEA

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, recently I placed my views on a proposed topless go-go discotheque in Vietnam before the House and, generally, reaction to this was favorable to my stand that this idea was ridiculous, detrimental to our Nation's basic God-fearing philosophies, hurtful to our national image, and helpful to those seeking areas of damaging propaganda. That the newspaper account would reach young men either serving or preparing to serve our country did not seem to be real to me at that time but I have heard many reports of reaction and have seen one reaction in writing which I present here for my colleagues to read at their leisure. It is written by a West Point cadet, Philip D. Reifenberg, and was printed in the March 30, 1967, issue of the Milwaukee Sentinel. In it, Cadet Reifenberg points to the above arguments and does it in a resourceful and freshly invigorating style which reflects the fine, moral tendencies of this young man and the many like him who rebel at the thought that topless women are what will "boost the morale" of the soldier in Vietnam.

I believe the observations of this young man are worthy of reading and I present them to you, as follows:

ABOMINABLE

To the SENTINEL:

I would like to "compliment" Richard L. Bast and Redex-Vietnam, Inc., on their patriotic effort to "bring America to our boys overseas" by exporting topless "go-go" girls to Saigon (Sentinel, Mar. 2). This is "surely" a move that will "boost the morale" of the soldiers in Vietnam.

What does Mr. Bast think our soldiers are, a bunch of sex craving fiends? That patriotic effort of his is the most absurd thing I've ever heard, not to mention being an insult to the armed forces and to our fine nation. Why doesn't he go one step further—let him send LSD and marijuana with his girls; this would be an even greater "boost" to their "morale"!

Mr. Bast's proposal is pathetically ironical. He plans to hire 10 to 25 "girls of high caliber . . . nice, wholesome American girls" to send to Vietnam to excite our soldiers' sexual desires. But he doesn't want any "hard bitten strippers"! Naturally Redex-Vietnam, Inc., will have to pay its employes for their "services"; pay them with American currency, of which every denomination without exception bears the inscription, "In God We Trust." I wonder if our "patriotic" friend trusts in the same God the rest of us believe in, a God Who abhors sin and loves purity. If so, he is the best example of hyprocrisy I have ever seen.

Of course, Mr. Bast may be correct in his assumption that exporting these girls to Vietnam would be "bringing America to our boys overseas." Maybe topless "go-go" girls are the symbol of the American republic today. I could be wrong in believing that the United States is still the God fearing nation of high ideals that our forefathers founded. It might be that I've never seen America in its real form—since I am Catholic, and have great parents who taught me the difference between right and wrong, attended a fine high school, and am now "sheltered" by the walls of the United States military academy at West Point, my eyes may have been blinded to the true symbols of the American way of life. But I refuse to believe that the moral standards of America have decayed to such a degree that raw sex is now indicative of cultural entertainment in this nation.

But let's look at this from other angles, too:

Just think how our national image would suffer! To the rest of the world we would no longer be a great nation full of integrity and honor, but a nation of pagans, running around half nude, exporting our vices to other countries around the world. (This would be a wonderful source of propaganda material for our enemies!)

How about the poor girl whose husband is over in Vietnam? How long could she keep her faith in him, thinking that he might be replacing her with a "girlie show"?

If Mr. Bast succeeds in putting his suggestion into practice, I will personally be greatly affected. In three years, I will no longer be a West Point cadet, but a second lieutenant in the army. Upon graduation, I will promptly be assigned as a platoon leader, probably stationed in Vietnam, or wherever the trouble spot happens to be at that time. I'll have 42 men to look after in my platoon, physically and spiritually. I doubt if I would be able to take much pride in myself as a man, an officer or a Christian, knowing that those under my authority, who are supposedly fighting for the noble cause of peace and freedom, were in actuality wasting what little time and money they have for themselves to see an exhibition of "Bast's Hussies."

To me, Mr. Bast's plan is nothing more than abominable. I hope that all of you have this feeling, too. If so, do something, anything about it. Write your representative, your senator, even Mr. Bast himself. But please don't sit back and be content to merely think about the folly of the Redex-Vietnam, Inc. Remember the words printed at the top of the Sentinel's editorial page—

"The only thing necessary for the triumph of evil is that good men do nothing."

CADET PHILIP D. REIFENBERG,
Company F–4, U.S.C.C.
WEST POINT, N.Y.

FUNDS FOR EDUCATIONAL ASSISTANCE PROGRAMS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REID of New York. Mr. Speaker, I am happy to join with my colleagues on the Special Subcommittee on Education in introducing today a concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs.

Mr. Speaker, hearings, studies, and surveys conducted by the subcommittee, under the able chairmanship of the gentlewoman from Oregon [Mrs. GREEN], indicate that late funding is wreaking serious havoc with educational programing at both the elementary and higher education levels. Needless to say, this works a serious hardship on a number of students. It is high time that the Congress define ways to act with reasonable dispatch so that the educational community of the Nation will not suffer due to our inability to make thoughtful decisions.

The academic calendar and the Federal fiscal calendar move in different cycles. Planning for the next academic year must be done during the spring of the preceding year while appropriations for educational assistance programs are rarely made before late summer or early fall—when the school year has already begun. School officials from a number of States have testified to the difficulties created by this disparity, and the National Advisory Council on the Education of Disadvantaged Children stated that:

> There is no doubt that implementation of Title I was greatly hampered this year by the nonavailability of funds until after the school year began.

An official of a large university wrote simply:

> How do you establish matching funds for an unknown budget?

Finally, Commissioner Howe indicated the concern of the Office of Education:

> It seems to me essential to look for appropriations practices which would prevent relationships with States and communities from being regularly conducted on a crisis basis.

As an immediate step toward the solution of this problem, we are recommending by the introduction of this resolution that the problem of late funding be subjected to a thorough and concerted study by a joint committee to be composed of Members of the House Committee on Education and Labor, the Senate Committee on Labor and Public Welfare, and both Committees on Appropriations. The joint committee would be required to submit its recommendations within 3 months.

Mr. Speaker, the Congress must act now if the far-reaching legislation we have passed in recent sessions is to be of maximum assistance to those young people who most need its help.

TO REMOVE THE PROHIBITION ON THE ATTENDANCE OF INDIAN SCHOLARSHIP STUDENTS AT SECTARIAN COLLEGES AND UNIVERSITIES

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. POLLOCK. Mr. Speaker, I have today introduced a bill to correct an inequity existing in our laws relating to the education of Indian students. At the present time the Bureau of Indian Affairs is prohibited by statute from using Federal funds for scholarships at sec-

tarian schools including, of course, institutions of higher learning. Other Government scholarship funds can be used for this purpose but scholarships for Indians cannot. Certainly this is discriminatory.

In my own State of Alaska there are three institutions of higher learning—one, the University of Alaska, is public while the other two, Alaska Methodist University and Sheldon Jackson Junior College, are sponsored by churches. All are accredited. Thus a native student desiring to attend college in his own State with a scholarship is given no choice of schools.

My bill removes this prohibition for institutions of higher education. Similar legislation has been introduced in the other body with 11 sponsors—S. 876. I am hopeful that the Congress will consider correcting this discriminatory situation this session.

The text of the bill follows:

H.R. 9397

A bill to remove the prohibition on the attendance of Indian scholarship students at sectarian colleges and universities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph following the heading "SUPPORT OF SCHOOLS" in the first section of the Act of June 10, 1896 (29 Stat. 345), is amended by striking out the second sentence thereof.

SEC. 2. The first paragraph following the heading "SUPPORT OF SCHOOLS" in the first section of the Act of June 7, 1897 (30 Stat. 79; 25 U.S.C. 278), is amended by striking out the second sentence thereof.

SEC. 3. The second sentence of the sixth paragraph of section 21 of the Act of March 2, 1917 (39 Stat. 988; 25 U.S.C. 278), is amended by inserting before the period at the end thereof the following: ", except that this sentence shall not apply in the case of accredited institutions of higher education".

LODGE'S RETURN

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, this week a distinguished son of Massachusetts came home after completing a second tour of duty as U.S. Ambassador to South Vietnam. Henry Cabot Lodge fulfilled this public service with the same competence, good judgment, and devotion to duty that he exhibited as a U.S. Senator from Massachusetts and as U.S. representative in the United Nations. This morning the Washington Post saluted Ambassador Lodge for handling "every assignment with tact and skill." I include this editorial in the RECORD at this point:

LODGE'S RETURN

Ambassador Henry Cabot Lodge has served his country well in a difficult and dangerous post and is entitled to the praise of his countrymen and the gratitude of his country upon his return home.

It would be hard to imagine a more troublesome assignment. An Ambassador's role is arduous enough under normal circumstances; but the Ambassador to South Vietnam functions in circumstances far from normal. The necessity of maintaining the freest channels of communications with the friendly government to which he is accredited is only the beginning of the matter. Ambassador Lodge has had to be not only a diplomat but an administrator and a coordinator and an advisor. He has conducted himself with courage and with tact. He has furnished his own government reliable and intelligent estimates of the situation in that country. He has handled every assignment with tact and skill. He has been conscientious in the performance of a task that no man but a patriot would willingly have undertaken.

TURNING POINT IN LIFE RESOURCE PLANNING

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, our distinguished colleague, the gentleman from Ohio [Mr. BROWN] recently delivered an excellent address before the Ohio Planning Conference, in Dayton, Ohio.

The gentleman's concern was the preservation of our natural resources, and the urgent need for comprehensive planning and understanding of our goals. He pointed out how many seemingly extraneous factors must be included in any of the decisions about planning for growth and conservation in the years to come.

Because of the gentleman's cosponsorship of legislation to create a National Commission on Public Management, and because of his interest in the use of modern management techniques to help us solve our public problems, I include the text of his remarks in the RECORD:

TURNING POINT IN LIFE RESOURCE PLANNING

The civilized man's occupancy of this continent with its particular set of resources began 350 years ago, but the idea of conserving our resources did not begin until the mid-nineteenth century, when we began to think of our vast natural resources in terms of their wisest use.

A century later, we have been forced to abandon our previous narrow concept of conservation in the isolated categories of forests, wildlife, minerals and water. We have been forced to recognize the interdependency of all resources, and have found that we cannot divide them into separate definable units or keep conservation problems within state borders or city limits.

Social scientists today are emphasizing that we live in a dual world of two external environments: one the world of nature; and the other the world man has built within and around and on top of the world of nature. This man-built world has been described as including all our technologies from the axe and the hair shirt to electric power and atomic fission—and all our media from the alphabet to telstar television.

One of conservation's most urgent tasks today is to create a general awareness of man's relationship to his environments in both the biological and sociological senses. Public expectation must be elevated to require a more responsible performance from everyone—individual, citizens, corporate industry and the agencies of government. The new conservation also requires a more effective political machinery for formulating public policy—a task which often involves a difficult choice between conflicting public interest and private demands.

When concerned people—leaders of the community (or merely citizens interested in a certain project)—get together and work out ways of accommodating the interests of the various "publics" involved, so that the greatest good is wrought with the total environment in mind, then the politics of conservation is working at its best.

Our resources include: *Renewable resources,* on which we depend for life itself—fresh water and clean air—resources which when properly managed are self-replenishing;

Non-Renewable resources such as ores, minerals, coal, and so on. Open or green space might also be considered a non-renewable resource, rather than a renewable one.

Resources which we, at present, consider inexhaustible—the sun and the sea.

New and to-be developed resource of which we do not realize the value today—nuclear power, outer space.

The United States is now using up natural resources faster than man, science and nature, together, are creating them. The most economical and most sensible use of resources requires not only the skill of the trained scientist and technician, but the understanding and interest of the ordinary citizen upon whom rests the ultimate political responsibility for action. It also requires the proper political procedures and the power of funds (tax resources) which government needs to effect its decisions.

Perhaps our first good example of regional planning was the Miami Conservancy District of fifty years ago, in which the single entity of the watershed of the Miami River was taken into account with regard to community planning, flood control water resources, soil conservation, grass, forest and other crops, animal life, water and recreational interests in connection with one watershed. The Miami Conservancy District was given not only the legal and political power with which to operate, but also the taxing authority and therefore the financial resources needed to do the job required.

In the last half century, we have learned, in the Dayton community, that the community of interest of the Miami Conservancy District is only one of the communities of interest, or watersheds, we have to consider.

There are economic watersheds, educational watersheds, watersheds of retail commerce, of employment interests, of residential needs and many more. For instance, there is the consideration of medical services. Since most of us these days are born in hospitals and die there, regional hospital planning ought to be given consideration. Barney Children's Hospital is an example of planning for community need. Formerly, Dayton had to use pediatric facilities in general hospitals in the Dayton area, or the children's hospitals in Columbus or Cincinnati. There obviously should be some geographic coordination, however, in this area of specialized service. For instance, if Children's Hospital in Columbus decides to specialize in hematology, and Children's in Cincinnati is concentrating on orthopedic surgery, but there is no area hospital doing top notch children's heart or chest surgery, then Barney could aim to meet this regional need. I am not suggesting that this be the specific case, of course, but only citing an example of regional planning.

When we think of young people, we obviously get very quickly to the school problem. School locations have to be planned in such a way that transportation is both convenient and practical.

People do not live in a location where they can't find work. Therefore, arrangements for industrial development obviously ought to be planned into the community. People also tend to develop commercial activities convenient to where they live. Transportation plays a big part here—both locally and regionally. Ask the Dayton merchants south of Third and Main—and ask those of us who wanted to go through Dayton quickly before I–75 was finished.

We should also include athletics and recreational activities and consider the construction of swimming pools and YMCA/YWCAs at the same time we talk about auditoriums and drive-in movies. Perhaps the purchasers of the Cincinnati Redlegs ignored Dayton in their considerations, but the Governor of Ohio sure got in the act.

And, of course, we must consider green spaces and perhaps should even consider zoning, for the protection of fast vanishing rural areas, where agriculture can function as one of the industries necessary to the sustenance of life. Each of these interest areas may encompass another area or portion of another area, and each has to be given special consideration, but consideration tied in with the others. The municipal government system obviously has to tie in with other political subdivisions, just as the school systems must integrate with each other.

Planning green spaces into an area may even be more complex. The space will likely have to come from existing rural areas in order to serve people residing in metropolitan areas—people not directly involved in the local government of these green-space areas. Champaign Countians are not the chief users of the facilities of Kaiser Lake in Champaign County. On any weekend you can count more Dayton cars there than Champaign County cars. These regional interests, therefore, overlap and, not infrequently, conflict. In order to resolve the conflicts, there must be free and easy flow of discussion between governmental units and organizational units, whether it be a private organization running a private industry or a ball club, or a Chamber of Commerce expressing community interest, or a School Board, or a commercial enterprise. It is simply impossible to set up governmental boundaries which can encompass all the problems of our environment.

Obviously, the one organization which does cut across all boundaries is the Federal government. But this tends to ignore vital local interests and eliminate completely the various local options. Any system which is set up should permit local determination as to which regional interests should dominate when they are in conflict. But, of course, there ought to be more cooperation than Court action. I serve on the Government Operations Committee's Subcommittee on Intergovernmental Relations, and this whole field is one which has not been extremely well-defined in legislation. But, it will be the subject for future hearings or studies for legislation.

Another piece of Federal legislation which should be mentioned is the so-called Intergovernmental Cooperation Act, which has been re-introduced in both the House and Senate by members of both parties. In the House, the measure will be considered by the Government Operations Committee's Subcommittee on Executive and Legislative Reorganization, on which I also serve. This legislation, as you know, is designed to achieve the fullest cooperation and coordination of activities among all levels of government in order to improve the operation of our Federal system in our increasingly complex society.

A classic example of the need to give serious consideration to some legislation of this type can be cited in the case of the City of Philadelphia, where the Federal government literally ran into itself due to lack of coordinated planning. Involved, is one of the most historic tracts of land in the United States, that part of Philadelphia where the Constitution and the Declaration of Independence were drafted and adopted. First of all, the Congress agreed to create a national historical park extending from Independence Hall to the Delaware River. Within this area are many buildings of critical historic value because of their part in the birth of our Republic. At the same time, the Commonwealth of Pennsylvania agreed to clear six city blocks north of Independence Hall to make a great mall. Adjacent to this area, a private, nonprofit organization launched a rehabilitation and renewal program restoring older houses and building new apartments to replace the slums. All of this was done according to a city plan.

In another phase of Philadelphia's renewal plan on the banks of the Delaware, a mile of waterfront is being demolished to create a waterfront park containing museums and marinas. Approximately $407.4 million has been put into these projects by private agencies, the City of Philadelphia and the Federal government. However, the whole thing is now being jeopardized by the construction of Interstate 95 through the ara. The highway engineers want to build a 12-lane expressway which would rise up 23 feet, severing Independence National Park from the river, blocking the view of the waterfront, and making the waterfront park project practically untenable. Nine out of ten dollars of the cost of the Federal highway will be paid for by the U.S. Government. However, the Pennsylvania State Highway Department has the job of designing it. In so doing, the State engineers have ignored long years of work and millions of dollars of investment put into the area by fellow State agencies. The City of Philadelphia street department has ignored the long labors and investments of the city planning commission, the Philadelphia Redevelopment Authority and the private rehabilitation agency. The Federal Bureau of Public Roads seems oblivious to the huge sums invested by its fellow Federal agencies—the Department of Interior and the Urban Renewal Administration. They are interested only in costs insofar as they affect their trust funds financed out of gasoline taxes. The matter is still unresolved. Obviously, what is needed here is some supervision, some coordination, before the Liberty Bell, itself, is buried under concrete.

We must recognize the interlocking character of all resources and the mounting pressures against them in our present-day society. Among these are: population explosion; pressure against the land itself caused by our mushrooming urbanization, highway construction, defense establishments, airports, and building development; and the insatiable appetite for raw materials of our vast and expanding industrial plant, spurred on by the demands of Americans for an ever-higher standard of living.

To meet these pressures, we need to study methods of re-using more and more of the materials our economy uses. In fact, some experts call pollution "resources out of place." The principle of re-use is already firmly established: Half of our steel, 56% of our copper, 12% of our rubber and 21% of our paper are presently derived from scrap or reprocessed material. We need to have recreation lands and to preserve our wilderness areas.

We will need people trained in the sciences dealing with the air, the sea, the earth, the inter-relationships of living things and their environment, pollution of air, water and food, new energy sources and synthetic substitution products. To make the best use of our human resources, we must see that all of our people are educated according to their individual abilities. We must nurture our country's human potential and provide them with the opportunities for personal regeneration through recreation. In order to include all these things in just the consideration of the water needs alone in a certain area—that is to say water resources for industrial and human consumption and recreational use, agricultural development, flood control, pollution control, etc.—one is tempted to yearn for a computer into which all the facts might be put and an answer arrived at to determine how all the needs for water in an area can most efficiently be balanced.

Well, that is exactly what many experts want to do. Many of them believe that the efficient and, in the long run, essential approach to managing our resources, handling pollution problems, etc., will be the new science of systems analysis both for regions and for individual projects. The State of California has already contracted with aerospace companies who have considerable know-how in systems work, for analyses of preventing and managing waste and other community problems.

Republican-sponsored legislation pending in the Congress, which I have joined in introducing, provides for the creation of a National Commission on Public Management to study the applicability of the systems management approach to public problems such as water and air pollution, the growing crime rate, traffic congestion, slum housing, health services, education, law enforcement and distribution of public welfare. The Commission would examine the techniques developed by the defense and aerospace industries for complex problem-solving, and recommend how best they might be applied to equally critical domestic problems. This would engage the free enterprise system in the solution of public problems.

Let me digress for just a moment to pursue in detail a specialized interest—how to handle industrial pollution.

As many of you no doubt know, I have reintroduced a bill I sponsored last year to allow an incentive tax credit to industries which install facilities for abatement of air and water pollution. This measure has strong support in both the House and Senate. Twenty-two Republicans and 8 Democrats joined me in introducing my bill in the House on January 31, and several other Members have introduced identical or similar bills since that time.

If this country is to maintain and improve the quality of its environment, it will cost money, lots of it. This covers the whole gamut from appropriations, recreation user fees, tax policy, financial incentives to private industry, competition for the dollar with other activities of the Government, cost sharing between levels of government, subsidies of various sorts, etc.

There must be acceptance of responsibility by State and local governments and the business community. This need is not different than that faced in many other public actions. But the centralization of power and financing still tends toward the Federal Government with its 50–50 grants and outright grants for a multitude of programs. And with the Federal money, comes local irresponsibility and Federal authority. There also comes Bureaucratic red-tape and delay.

Local initiative and local funds reverse this trend. The GOP proposal to share Federal tax revenues with the States, if enacted into law, could have far-reaching effects in helping to find solutions to the complex problems we are facing. A good regional planning system must have at its base some consideration of financing methods. We must be able to create taxing authorities and levy taxes. The cost, as I have mentioned, may be great for all concerned; and ultimately, as Malcolm Forbes has stated: "We who live long enough to survive in our present environment will pay for it in the price of what we buy. But what's wrong with that?"

Secretary of Interior Udall has stated our dilemma very well, I think, in his book, *The*

Quiet Crisis: "We have built, but in most places not with distinction. Ours is a powerful nation, but the question is do we have a civilization of distinction? This Nation leads the world in wealth and power, but also leads in the degradation of the human habitat. We have the most automobiles and worst junkyards. We are the most mobile people on earth and we endure the most congestion. We produce the most energy and have the foulest air. Our factories pour out more products and our rivers carry the heaviest loads of pollution. We have rich cities, but few handsome ones. We excel as developers but not as conservers of order and beauty. We will not restore balance and harmony that we once had in the best American cities unless we act with new respect for the land—and for ourselves. Can we bring the conservation idea in from the countryside to the city? Can we build with true distinction? We can, I believe, if we develop a new scheme of values and a new politics as well. Henceforth, all of us must participate in the decisions that determine the face and character of tomorrow's America: the design of a bridge, the location of highways, the expansion of cities, the cleansing of air and water, the saving of open space, the preserving of wildlife and wild lands—rest on our involvement in the decision-making process."

This is why I feel we are at the turning point in life resource planning. If we take advantage of the opportunities available to us—through governmental cooperation, through the utilization of modern techniques to get proper resource management and through methods of adequate financing, as well as education, objective pre-planning of our requirements and effective utilization of our resources—we do have the opportunity to overcome the dilemma which faces not only the United States of America, but the entire world.

Future generations will not be building on the rubbish heap of a past civilization, but, rather, will be living in a well-maintained civilization, which has retained the best of the past and ordered the present, so that it can achieve the best of the future.

If we are not at a turning point toward accomplishment of this end, in the final analysis, we will be at a turning point toward ultimate failure in managing our own world audits resources. Then, it may not be the threat of nuclear war which mankind has most to fear, but his waste and pollution of his present resources and environment.

ADDRESS BY AMBASSADOR SOL M. LINOWITZ

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, last Friday, Ambassador Sol M. Linowitz, the U.S. representative to the Organization of American States, spoke before the National Press Club on the meaning of the recent Hemispheric Summit Conference. While Ambassador Linowitz was heartened by the commitment and dedication of the American Presidents, he was also disturbed by the failure of the Alliance thus far to ignite the spark of commitment in the youth of the Latin American nations.

This kind of balanced thinking is essential to any effective attack on the massive problems that remain throughout the hemisphere. Progress has been made to be sure, but we cannot rest content with its pace. Far more must be done to involve the people, all of all ages, in their own development process, and the first step toward the accomplishment of this task is the recognition of its importance. This the Ambassador has done, and I include the text of his remarks in the RECORD:

EXCERPTS FROM ADDRESS BY AMBASSADOR SOL M. LINOWITZ, U.S. REPRESENTATIVE TO THE ORGANIZATION OF AMERICAN STATES, BEFORE THE NATIONAL PRESS CLUB, WASHINGTON, D.C., ON THE SUMMIT CONFERENCE

What were the expectations with reference to the Summit Conference at Punta del Este and how well were they realized?

In launching and moving forward the Conference, the Latin American Presidents anticipated that the Presidents of this Hemisphere might come together, recognizing their common problems, and talk together frankly, freely, and with mutual respect about how to reach answers on the fundamental issues. The hope was that they might then undertake important commitments affecting the future of the Hemisphere. The Conference would be a Latin American Conference, organized and led by the Latin American leaders; and President Johnson would be present as a cooperating partner assuring the Latin Americans of our support and understanding and following their lead in hemispheric progress and unity.

What happened at Punta del Este was precisely that: eighteen Presidents, one Presidential representative, and the Prime Minister of Trinidad and Tobago met, spoke frankly, and (with one exception) reached agreement on issues of profound significance to the future of Latin America. *The Conference was a Latin American conference, led by the Latin American Presidents and involving fundamental commitments on their part more far-reaching than any since these countries achieved their independence. President Johnson was there as a helpful junior partner in the effort, making clear our own involvement and support and our willingness to walk at their side as they proceed along the bold path before them.*

The relationships established, the understandings reached among the Presidents and the spirit in which discussions were conducted, all give promise of a new era in Inter-American relationships.

It may be that the greatest contribution of this Summit Conference will have been not the decisions to move forward boldly along specific lines—fundamental as these decisions are—but rather its impact on the minds of men. The millions of the Hemisphere were watching as their top political leaders looked at their common problems, discussed their differences and chose the difficult way of peaceful revolution and development. *This was a dramatic demonstration of a dominant fact of Latin America today: that the Alliance for Progress represents the mainstream of political, social and economic thought and action . . .*

ON THE LATIN AMERICAN COMMON MARKET

Is a Latin American Common Market really a feasible objective? Taking into account the disparity of development among the countries of Latin America, is it reasonable to expect that there can indeed be fashioned a common market for the continent overriding political, economic and social barriers?

I believe that it is. *And my belief is grounded in the knowledge that many of the leaders of Latin America today are men of vision, men who know how to dream and how to achieve; men who know that what is needed most for that break-through is a unified assault by their nations against their common problems—an assault that will launch both new life into the Alliance for Progres and a new era of common understanding in the Americas.*

They also understand that nowhere is that unified assault more important than in this complex problem of Latin American economic integration. For success here truly could result in an upheaval of a continent that would cast out the ills now paralyzing so much of its potential.

And there is evidence that, vast though the undertaking may be, and potentially difficult though it admittedly is, it can be done. The first steps have already been taken through the organization of the Central American Common Market and the Latin American Free Trade Association. The countries of Central America, for example, have expanded intrazonal exports from $33 million in 1960 to $155 million in 1966. Upwards of 90 percent of all trade among the five countries of Central America is now restriction-free and the proportion of their intra-regional trade has more than doubled.

It is true that in the larger Latin American Free Trade Association—which includes Mexico and all of South America—progress has been slower. But even there, intra-zonal trade jumped from $775 million in 1962 to an estimated $1.5 billion in 1966. In addition, some 9,000 tariff concessions have been negotiated since LAFTA was organized.

Will the development of a Latin American Common Market provide increased competition for some of our own export markets? Probably. The same was also true of the European Common Market. Yet the growth of the European market has not affected our industrial growth adversely; quite the contrary. For whether it be Europe or Latin America—or any region, for that matter—our prosperity is bound up with the world's.

We will have to make some adjustments and there may be some short-term losses, but these cannot be compared to our—and their—long-term gains as we engage in a mutually profitable trade. And the story does not end with economics. *There is a political moral too: An economically viable Latin America will have an even greater stake than it does today in a free, stable and secure world.*

In conjunction with steps toward economic integration, the Presidents agreed that there will have to be action to overcome physical obstacles to the regional flow of goods and services: this will mean continental *road* projects, interconnection of *electric power systems* and *telecommunications*, and joint investment in *air transport, railroads* and *steamship lines*, as well as in such basic industries as *fertilizers, pulp and paper, iron and steel* and *petro-chemicals*. These and more are now grist for the Alliance mill as approved by the Presidents, and each project offers vast possibilities for transforming the map of Latin America.

I believe that much of this imagination and vision can be provided by private enterprise. Certainly it has both the technical know-how and the capital which are sorely needed.

Considerable misunderstanding still exists about the purposes and value of U.S. private investment in Latin American countries. Some of the blame for this may fall squarely on business, but less than popular conception has it.

Today, many of the Latin American countries are indeed making efforts to create a better environment for private investment; and United States businesses already supply one-tenth of the continent's production, pay one-fifth of all taxes, account for a third of all export earnings, and provide jobs for an estimated *1,500,000 Latin Americans*. I hope it will continue to participate to an even greater degree, recognizing always the great role it can and must play in meeting the needs of the people of the continent.

ON THE HUMAN FACTOR

In concluding his address at the Latin American Summit Conference in Punta del Este, Uruguay, earlier this month, President Johnson spoke directly to the youth of the Americas. To them he said:

"All that has been dreamed in the years since the Alliance started can only come to pass if your hearts and minds become committed to it. . . . Here in the countries of the Alliance, a peaceful revolution has affirmed man's ability to change the conditions of his life through the institutions of democracy. In your hands is the task of carrying it forward."

Behind these words was the recognition that the people of Latin America today are basically a young people, younger than we. Three-fifths of the Latin American population are under twenty-four years of age, compared with two-fifths for the United States and Canada. These young people now constitute the bulk of the electorate in Latin America—the people the Governments must answer to and heed—the people who, in a few years' time, will be the leaders of the continent.

It is the young people who must be convinced that the Alliance for Progress holds out a true promise for their future. It is they who must understand that while the Alliance for Progress can be their revolution, all of us in both North and South America share its ideals and its aspirations for something better; for hope, for dignity, for democratic institutions under law to carry on the fight in the only way it must be carried on—constructively, compassionately, and concerned with the right of the individual.

In my visits to Latin America, I've talked to university students about the Alliance and the relations between the United States and Latin America. I've been disappointed in their lack of awareness of how much the Alliance has been and is doing, and their lack of excitement about its potential. *Yet unless we can arouse that sense of excitement, that feeling of enthusiasm and loyalty among the masses of people of Latin America, neither the Presidents' program nor the Alliance can succeed.*

There are, of course, some who are afraid of change, who fear that rocking the boat can only lead to Communism in a region so scarred with misery, poverty and special interests. I think that the reverse is true—that the sure way to Communism or to any other extreme, right or left—is not the change, not to understand the needs of the people, not to give them the opportunity to attain the economic mastery of their lives and, perhaps even more important, social justice. The United States must, of course, deeply concern itself with methods of opposing any overt or covert Communism attempts to infiltrate this Hemisphere. But in doing so we must also remember that anti-Communism as such will not automatically command the attention of the average Latin American, who is steeped in his own personal struggle to keep his head above water. We must show that we stand for something better.

City slum dwellers denied hope and illiterate rural Indians denied even a glimpse of the Twentieth Century cannot offer a foundation to sustain or nurture democracy. A demagogue who elbows his way upward through the masses and who offers them protection and food will have their sullen support or mute acquiescence. For these are the staple commodities they desperately want and need. No promise or vision can vie with that.

And that is the meaning of the program undertaken at Punta del Este which must become known to the people in human terms. They must recognize that the Alliance for Progress is their charter, that the commitments at Punta del Este are their promise; and that even though "social justice" was not listed on the formal Summit Agenda, it was never absent from the Presidents' Conference table. As President Johnson said in his address:

"Our discussions here are couched in the technical terms of trade and development policies. But beyond these impersonal terms stands the reality of individual men, women and children. It is for them—not the statisticians and economists—that we work. It is for them—and especially for the young—that the hope and the challenge of the Alliance exists."

The promise of Latin America will be a difficult one to fulfill. We will incur many disappointments and encounter many frustrations. We shall probably become discouraged from time to time, and then there will be voices raised urging us either to withdraw or to turn our backs on Latin America. Yet this is a risk which we do not dare take. If we lose heart in Latin America now there may never be another place nor another day anywhere or anytime. For the stakes there are high—just about the highest for which we have ever played, and we cannot afford to lose.

PAYING TRIBUTE TO OUR CONGRESSIONAL SECRETARIES

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GOODELL. Mr. Speaker, for 16 years the United States has been observing National Secretaries Week, noting for a brief time the dedicated and effective work of the secretaries of this country.

The theme suggested by the National Secretaries Association for this year is "Better Secretaries Mean Better Business."

I might suggest a variation on that theme by stating that "Better Secretaries Mean Better Government."

It can be said that there would be no service to any constituent, there would be no historic debate on the national issues preserved for posterity, and indeed there would be little government at all today in the United States, without the secretary.

It is a pleasure, therefore, to join my colleagues in paying tribute to our secretaries. Without them the Congress could not function. They are most important cogs in the Federal machinery, without which, we would all fall short of our goals.

I urge the Members to join in this observance.

GENERAL DE GAULLE'S REPLY TO JEAN-PAUL SARTRE CONCERNING THE RUSSELL TRIBUNAL

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, despite the fact that France is our oldest ally, there continues to be those in this country—some of them in positions of great influence—who believe President de Gaulle is hostile to the United States and seeks ways to frustrate or embarrass our policies. In my judgment, these opinions are unjustified. This position was substantiated by President de Gaulle's letter to Jean-Paul Sartre, dated April 13, concerning the "Tribunal" proposed by Lord Russell.

Lord Russell and Mr. Sartre had requested President de Gaulle to permit the "tribunal" to meet in Paris. This gathering was for the purpose of putting President Johnson on "trial" for his "crimes in Vietnam." Since France is not only a member of NATO, but SEATO as well, Sartre believed he would score a propaganda coup if President de Gaulle would permit this event to occur on French soil. President de Gaulle's letter must have been a bitter disappointment to Sartre, because he refused permission for the undertaking in France.

In concluding his letter to Mr. Sartre, the French President pointed out that the execution of justice belongs to the state alone and that Lord Russell's group "are invested with no power nor do they have international mandate . . . they do not give more weight to their warnings by wearing robes borrowed for the occasion."

Mr. Speaker, I ask that the text of the De Gaulle letter be inserted in the RECORD at this point:

GENERAL DE GAULLE'S REPLY OF APRIL 19, 1967, TO THE LETTER FROM MR. JEAN-PAUL SARTRE, DATED APRIL 13, CONCERNING THE BERTRAND RUSSELL TRIBUNAL

In your letter of April 13, you asked me to examine the case of Mr. Vladimir Dedijer and, more generally, that of the persons called on to take part, in one or other capacity, in the work of the Russell Tribunal.

The sponsors of this tribunal propose to criticize the United State's Vietnam policy. There is nothing in this to cause the Government to restrict their normal freedom of assembly and of expression. Besides, you know what the Government thinks of the Vietnam war and what I myself have said about it publicly and unequivocally. Regardless of the fact that, in our country, freedom of the pen and of expression exist, it would, therefore, not be a question of restricting private individuals whose theses on this subject are, moreover, close to the French Republic's official position.

In any case, it is a question neither of the right to assemble nor of the freedom of expression but of the duty—all the more binding on France since she has taken the stand she has on the substance of the matter—to make sure that a State with which she has relations and which, despite all their differences, remains her traditional friend, be not the subject on her territory of proceedings that greatly oversteps international law and customs.

Now, this would seem to be the case of the action being undertaken by Lord Russell and his friends, since they intend to give a legal appearance to their investigations and the semblance of a verdict to their conclusions. You are well aware that all justice, in its principle as in its execution, belongs to the State alone. Without questioning the motives that inspire Lord Russell and his friends, I must note that they are invested with no power nor do they have any

international mandate and that, therefore, they could not carry out any act of justice.

That is why the Government is bound to oppose the holding on our territory of a meeting which, by the form it would take, would be contrary to that very thing for which the Government is bound to enforce respect.

I will add that, to the extent that some of the people gathered around Lord Russell may have moral credit, lacking a public jurisdiction it does not seem to me that they give more weight to their warnings by wearing robes borrowed for the occasion.

BOY SCOUTS 12TH WORLD JAMBOREE "FOR FRIENDSHIP"

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McCLURE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. McCLURE. Mr. Speaker, if Congress decides to recess each August, I would suggest that my colleagues consider a vacation this year on Lake Pend Oreille in Idaho's First District. Here, at Farragut State Park, over 8,000 Boy Scouts and their leaders from all over the world will join our Scouts in a mammoth encampment—the 12th World Jamboree "For Friendship," August 1 through 9.

We must acknowledge that the Scouts of today will be the leaders of tomorrow. Therefore, this meeting has an important bearing on world peace and international understanding.

The President has indicated that he will attend. I take this opportunity to invite all Members of Congress to be there as well. Not only will this meeting be an opportunity to see the seldom-publicized constructive side of today's youth, but an opportunity to see Idaho at its loveliest.

Because the jamboree is to be held in Idaho, the officials of my State have worked endlessly for the authorization of a commemorative stamp. Governor Samuelson, Louise Shadduck, the State director of the department of commerce, and the Idaho congressional delegation have seen their requests fall on deaf ears.

But this is not the only or even the best reason to support recognition of this event. This kind of face-to-face contact among young persons of demonstrated good character holds much more promise for the future than most of the dubious "bridge building" efforts being proposed today. It is this example of international goodwill which we seek to recognize. The fact that the Boy Scouts are the instrument of contact and will share in that recognition, merely adds another reason for this action.

This will be the first world jamboree to be held in the United States. It also appears that we are to be the first host country in the last 30 years which has failed to issue a special stamp. Certainly, we do not want to do less to support this event than other countries have done.

And so, today I am offering two bills. One, as you might suspect, directs the Postmaster General to issue a commemorative stamp. The other calls upon the President to proclaim the first week of August as Boy Scouts World Jamboree "For Friendship" Week.

Since 328 Members of Congress have participated in the scouting movement at one time or another, I know there is a great deal of sympathy within this body for what these bills would do. I hope that many of you will see fit to support in this manner, the Boy Scouts and their contribution toward a peaceful world.

CRAMER CALLS FOR ACTION ON ANTICRIME AND ANTIRIOT BILLS TO ASSURE SAFE STREETS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, I had the privilege today of appearing before the Committee on the Judiciary hearing evidence relating to anticrime proposals.

Because I believe that the combating of the ever-increasing rate of crime in the United States is one of the most critical problems facing the Nation and believing that this matter must be dealt with by the Congress this session and dealt with effectively, I am incorporating in the RECORD a copy of my testimony before the committee calling for enactment of my bills on the subjects of establishing: H.R. 421, antiriot bill; H.R. 6051, obstruction of justice; H.R. 6052, National Institute of Law Enforcement and Crime; H.R. 6053, immunity of witnesses; and H.R. 6054, Joint Committee on Organized Crime.

In addition, I asked the committee to consider "clear and precise laws which spell out the conditions under which the police may interrogate a suspect, how long the suspect may be retained, when a confession is 'voluntary,' and when the right to counsel begins."

TESTIMONY BY CONGRESSMAN WILLIAM C. CRAMER BEFORE THE HOUSE JUDICIARY COMMITTEE ON HIS BILLS, H.R. 6051 AND H.R. 6053, APRIL 27, 1967

Mr. CRAMER. Mr. Chairman, may I preface my testimony today by expressing to this Committee my pleasure in having an opportunity to appear here today. Having had the privilege of serving as a member of this Committee for twelve years, it is with a sense of nostalgia that I return.

As a former member of this Committee, I developed a strong interest in anti-crime legislation. Much of my time over the past twelve years was devoted to this serious problem. And, because I was a member of this Committee and participated in its considerations, I can fully appreciate the heavy responsibility you have in recommending legislation that toes that oftentime narrow lines between Constitutional permissiveness and social necessity. It is never an easy matter to adjust the delicate balance between the protection of the accused on the one side and the rights of society to be safe from criminals on the other. Nevertheless, when the scales get out of kilter, it is this Committee's duty in the first instance to recommend ways to adjust them. In my judgment, the heavy thumb of Supreme Court decisions has placed the scales of justice out of kilter and weighted them—indeed, overweighted them—in favor of the accused. I might add that when law-abiding, taxpaying American citizens appear before a Committee of the United States Congress with their heads masked in sack cloth, for fear of crimnal reprisal, then it's rather obvious crime in America is out of hand. It is nigh time that this Congress accept the challenge and give serious consideration to the enactment of laws which will really make our streets safe and our persons and property secure.

In this connection, I am amazed that the Administration would recommend a bill which it calls the Safe Streets and Crime Control Act which doesn't include a provision for keeping the streets safe from rioters and rabble-rousers. The crying need in America today is for a strong anti-riot law which will give the Federal Government authority to apprehend those who would incite others to violence and then escape the jurisdiction of local law enforcement authorities by crossing state lines. I urge this Committee to consider my anti-riot bill, H.R. 421, which passed the House last session as an amendment to the Civil Rights Bill of 1966, by a vote of 387 to 25. Such people as Stokely Carmichael, George Lincoln Rockwell, and Ku Klux Klanners, must be put out of business and enactment of my anti-riot bill and vigorous enforcement thereof would accomplish this goal.

I would also hope this Committee would lend its support to the establishment of a Joint Commission on Crime, a bill I introduced and which is pending before the Rules Committee. Surely, if we can support a Joint Economic Committee which looks after the economic health of the nation, we should be able to support a Joint Committee on Crime to look after the moral health of the nation. Crime is constantly on the move and yet from my past experience on this Committee, the only time it considers anti-crime legislation is when it's told to do so by the President. A Joint Committee on Crime would have constant over-sight responsibility, would be able to keep pace with the growing rate of crime, and hopefully would be able to come forth with timely legislative recommendations to deal with the growing criminal octopus.

I emphasize that these bills are only a first step on what is a long journey towards making it easier for law enforcement authorities to secure criminal convictions. Congress also has the responsibility to cast light on the dark cave in which the Supreme Court has, through ill-considered decisions, thrust the field of law enforcement. This it must do by setting forth clear and precise laws which spell out the conditions under which the police may interrogate a suspect, how long the suspect may be retained, when a confession is "voluntary," and when the right to counsel begins.

Likewise, Congress must consider laws which assist State and local law enforcement agencies in improving their capabilities, techniques, and practices in the prevention and control of crime and juvenile delinquency. In this connection, I have introduced a bill, H.R. 6052, which would establish a National Institute of Law Enforcement and Crime within the Department of Justice. Patterned after the National Institutes of Health, which looks after the Nation's physical and mental health, my bill would create an agency to assist in the preservation of the nation's moral health.

Unlike the Administration's Safe Streets and Crime Control Act, which this Committee is presently considering, my bill would eliminate the extreme and complex requirements and Federal controls which would be thrust upon State and local law

enforcement agencies in complying with the criteria established by the President's proposal. I am hopeful this Committee will give serious consideration to a bill patterned along the lines of my legislation. Clearly, assistance in the form of education, research and training for local law enforcement authorities is needed and I mention this at this point to indicate my interest in and support for this needed approach to fighting crime. I am also requesting at this point that I be permitted to place in the record of these hearings, following my testimony, an explanation of this particular bill.

Specifically, I am testifying in behalf of my bills, H.R. 6051 and H.R. 6053.

The first of my bills, H.R. 6051, amends Title 18 by adding a new section prohibiting the obstruction of Federal criminal investigations. At the present time, attempts to influence, intimidate, impede or injure a witness or juror in a judicial proceeding, a proceeding before a Federal agency, or an inquiry of investigation by the Congress or a Committee of Congress, are prohibited. (Sec. 1503 and 1505, Ch. 73, Title 18). In the case of United States v. Scoratow, the court construed these laws to *not* apply to attempts to obstruct a criminal investigation or inquiry before such a proceeding has been initiated. My bill would remedy this deficiency by providing penalties for attempting to obstruct communications to a Federal criminal investigator or information relating to a violation of a Federal criminal law. In short, the measure would extend to informants and potential witnesses the protections now afforded witnesses and jurors in judicial, administrative and Congressional proceedings.

The types of intimidation this bill is designed to make unlawful is well illustrated by the *Scoratow* case wherein the defendant threatened the life of a husband and his wife if the husband volunteered any information to the FBI. The court held that such intimidation was not made unlawful by existing obstruction of justice statutes because a complaint had not yet been filed in the case. Clearly, it is as essential to protect witnesses from threats of violence during an investigation as it is during the trial itself, and for this reason, I am hopeful this Committee will cure this glaring defect in the law.

My second bill, H.R. 6053, provides a statutory method for compelling witnesses to testify or produce documentary evidence concerning violations of certain sections and chapters of Title 18 offenses. Under this proposal, a witness would be compelled to testify or produce documentary evidence notwithstanding a witness' objection that such testimony might be self-incriminating under the Fifth Amendment of the Constitution.

Specifically, the bill would amend Section 1952 (interstate travel in aid of racketeering), Section 1503 (obstruction of justice by injury or threat to a witness or juror), Chapter 9 (bankruptcy frauds), and Chapter 11 (bribery, graft, conflicts of interest) of Title 18 of the United States Code. It extends immunity authority only to those areas of law enforcement where a critical need has been demonstrated, i.e., the investigation and prosecution of organized crime, with respect to which evidence is often unattainable where accomplices and co-conspirators cannot be compelled to testify.

The bill authorizes Federal prosecutors to confer immunity from prosecution, in appropriate cases, in exchange for testimony or evidence relating to violation of the criminal statutes which cover the principal organized crime offenses; interstate gambling, prostitution, bootlegging, bribery, graft, bankruptcy, fraud, jury tampering and schemes for the obstruction of justice.

The purpose of this bill is to compel the underlings to give evidence so that the barons of organized, syndicated crime can be prosecuted. If we want to stamp out the crimelords it is essential that we allow prosecutors to grant immunity to their underlings and for this reason, I strongly urge enactment of this bill. It might be pointed out that since the 1895 case of *Brown* v. *Walker* the Court has upheld the Constitutionality of immunity statutes.

In summation, Mr. Chairman, this Committee is vested with a serious responsibility. Congress must enact laws to get at the sources of the ever-increasing crime rate in America. Sometimes the sources are loopholes in the law. These we must close. My bill prohibiting the obstruction of Federal criminal investigations closes just such a loophole. At other times, entirely new avenues must be explored and my bill calling for the establishment of a National Institute of Law Enforcement and Crime within the Department of Justice provides such an avenue. Another such avenue is my bill providing immunity for certain witnesses so that the masterminds of organized crime can be prosecuted. These bills comprise a part of an anti-crime package which, if enacted, would go a long way towards assisting law enforcement authorities in apprehending and prosecuting criminals.

FEDERAL REDTAPE POLLUTES WATER POLLUTION CONTROL PROGRAM AS GREAT SOCIETY CUTS CLEAN WATER ACT OF 1966 AUTHORIZATIONS FROM $450 TO $350 MILLION

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, during this week the Subcommittee on Rivers and Harbors of the Committee on Public Works heard testimony on the progress—or lack of it—under the Clean Water Act of 1966, and it was repeatedly stated by many witnesses, and the evidence pretty clearly established, that this program is bogged down or polluted with, if you please, governmental redtape.

A 20-page State application form in small print came to light during the hearings, as did the issuance of three lengthy pamphlets containing Federal guidelines, the loss of nearly 50 percent of the 328 Public Health Service officers and personnel which were supposed to transfer to the Interior Department from Health, Education, and Welfare under the reorganization plan of the President, and numerous complaints of lengthy redtape which has resulted in too much inaction.

This coupled with a refusal of the Great Society to set proper priorities for all programs and thus giving water pollution control its deserved high priority as a much-needed and ongoing program has resulted in its being downgraded apparently not only in interest but in money as well.

The administration recommended only $203 million of the $450 million authorized for 1968. While this was being recommended the Demonstration Cities or Model Cities Act, a new program, was being increased many hundredfold to $612 million; the Highway Beautification Act—again a new program—was being increased 100-fold from $80 million to $160 million; and, of course, Teacher Corps and antipoverty were being substantially increased. This is in comparison to a mere $53 million increase recommended in water pollution control. This is one of the most vivid examples of the refusal to properly set priorities by the Great Society. The administration having failed to do this, then the Congress must accept the responsibility. It is obvious that all Great Society programs enacted in the last few years and all ongoing programs already in existence and expanded in many instances in recent years, cannot go forward with full force moneywise without risking fiscal chaos when we are fighting a war in South Vietnam and when to do so will lead to a $23 to $30 billion deficit in 1968.

This downgrading of the water pollution control program plus polluting the program with redtape is resulting in a substantial slowdown in cleaning up the waters of America. Congress acted unanimously in passing the Clean Water Act in 1966. It is unfortunate that the Great Society has assigned it to only partial success and to low priority while at the same time bogging it down in redtape.

I trust the hearings held before the Public Works Committee will cause the Great Society to mend its way and reevaluate the effort to clean up America's streams immediately.

For the information of my colleagues I am submitting for the RECORD a copy of an article entitled "Water and Sewer Plans Red Taped" published in the December 8, 1966, issue of Engineering News-Record, with a subheading entitled "Water Applications Pile Up."

APPLICATIONS PILE UP WITH WATER AND SEWER PLANS RED TAPED

Top lobbyists for some 25 organizations met in Washington this week to vent their wrath over red-tape delays in federal assistance for water and sewer projects, and to draw up a program of action for Congress next year.

Brought together by the Consulting Engineers Council, the various association executives have drawn case histories from their memberships that illustrate the difficulty of obtaining water and sewer money under four basic federal-aid programs.

These four programs are authorized to commit nearly $500 million in this fiscal year for water and sewer projects. But some $3 billion worth of applications are piled up in front of Washington's payout windows. Federal officials whittle down these requests by finding technical flaws, incomplete answers and inadequate responses—many of them are valid objections, but all of them result in processing delays.

Three basic proposals were discussed by the association executives at their closed-door meeting:

Impose a specific time limit on the various bureaus for processing water and sewer applications.

Organize a concerted assault on Congress to get more money appropriated for the water and sewer programs.

Draw up some kind of a list for Congress giving priority to water and sewer projects. This maneuver, however, would pit some of the groups against each other, school construction advocates versus water treatment boosters, for example.

RED TAPE SPAWNS MORE

The four separate federal-aid programs for local communities wishing to build water or sewer works are: the water and sewer line program administered by the Housing and Urban Development Department (HUD); the waste treatment plant program run by the Interior Department; rural community assistance for water and sewer programs from the Farmers Home Administration of the Department of Agriculture; and water and sewer construction assistance under the Economic Development Administration of the Commerce Department.

The four programs became so entangled last year that a separate, special form was devised just to direct a prospective client, usually a local public works director, to the appropriate federal office.

Sen. Edmund Muskie (D., Me.), chairman of a subcommitte on executive reorganization, recently cited the form as a prime example of unneeded and ridiculous red tape. While the form itself consists of only one page, it has four pages of instructions.

The comments at the hearing are indicative of the situation:

"Well, this is a rather devastating presentation, Senator," said Interior Secretary Stewart L. Udall when confronted by the instructions.

"A rather ludicrous example of the patchwork method of coordination," Muskie said.

POLITICAL GRAB BAG

Even more remarkable was Secretary Udall's admission that politics determines the fate of a grant request.

"Let's be candid about it," he testified. "We are sort of scattering a little grant here and there across the countryside, depending on the readiness of communities or the type of pressure that comes from the Hill."

And the words of the Secretary are mild compared with comments elicited by CEC in a membership survey. A partner in one large engineering firm pointed to the absolute lack of cash. This "automatically puts grants in the political grab bag."

The delays and postponements by federal officials have a far wider effect than just slowing a particular project. Attracted by the idea of the federal government picking up the bill, city officials postpone all or most projects hoping for payment by the federal government. As a result, the entire public works master plan of some cities is disrupted.

As one consultant said: "If a city cannot get a federal grant or loan it is inclined to postpone the improvement until more federal funds are appropriated, or city officials get a sympathetic ear from one of our congressional delegations."

INTERLOCKING FOULUPS

One consulting engineer pointed to another type of delay. The most common red-tape maneuver used by HUD officials is to declare the master comprehensive plan inadequate. One prerequisite is that an up-to-date comprehensive plan of the area exist. Often these plans are not within the control of the smaller jurisdiction applying for the federal grant.

No one is quite sure just how much money actually is involved in the four federal-aid programs, thanks to the intricate systems by which government calculations are made.

The Federal Water Pollution Control Administration, now part of the Interior Department, funnels its money through state public health agencies. Most consulting firms have established good working relationships with these state officials and wish that other federal programs would follow FWPCA's example.

But one of the problems in calculating funds arises here. Just how much money is allocated to the various state agencies, but not yet spent, is all but impossible to determine on a national basis. According to the four-year act authorizing waste treatment plant expenditures, the level of spending could rise to $1 billion a year for this program alone. But how much of these authorized funds will be appropriated by Congress in coming years is uncertain.

The program administered by the Farmers Home Administration is a little clearer, although its statistics are clouded by the fact that its water and sewer money can be used for other purposes. Basically, however, FHA is thought to have some $26 million in grants and some $85 million in loans to make this fiscal year. Reportedly, "little FHA" has on file some 4,000 applications requesting $1 billion for water and sewer projects.

The Economic Development Administration, of the Commerce Department, has virtually closed down its operations in the last few months. It received about $170 million and has an authorization for $500 million, but is believed to have pending applications asking for $1.3 billion.

The HUD program of 50% federal financing received $100 million in spending authority this year in the face of 4,700 applications seeking $2.7 billion.

The dollar figures in pending applications must be regarded with skepticism. A letter of inquiry from a mayor actually can't be considered a bona fide application. There also may be some duplication in requests to the agencies.

STRANGE ALLIES

CEC finds itself in a new role. Suddenly, legions of special interest groups, some previously unknown to engineering circles, have fallen in behind CEC's banner.

CEC with only three staffmen and six secretaries fully occupied by the task of marshaling opinion into a major pressure group, is now searching around for someone to take over the cause.

Yet to give someone else the problem will be difficult, since engineers play such a vital role in the whole process. Few of the other interested groups know the problems so well.

Only city officials, who dare not arouse the wrath of federal officials, and the consulting engineers know all of the details of the red-tape pile up.

THE NEED FOR A NATIONAL COMMISSION ON LABOR RELATIONS

Mr. BUTTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROBISON. Mr. Speaker, the Nation is apparently only days away from a paralyzing shutdown of its railroads—if the present course of events remains unchanged.

And, sad to relate, there is comparable paralysis already existing at both ends of Pennsylvania Avenue—at the White House and in the Congress—over what to do about this developing crisis.

There has been enough handwriting on the wall to have long since alerted everybody about the need for a review of the operations and adequacy of the emergency labor disputes provisions of the Railway Labor Act and the Labor-Management Relations Act, but apparently both the President and the Congress have forgotten how to read.

Instead, both seem content to abide by the forlorn hope that "something will turn up"—or that some sort of consensus will develop overnight for just the right kind of legislative changes needed to protect the national interest in situations such as we are again drifting into; changes that, magically, would be embraced by the administration, the Congress, and by labor and management.

In the absence of that consensus—and unless the President can somehow still manage to get the present disputants together—Congress appears likely to be asked, next week, to either consider governmental seizure of the railroads or to enact legislation requiring the parties to submit the dispute to binding arbitration.

In light of the urgency, and the overriding public interest, one or the other of these actions will probably be taken, unsatisfactory though either may be. But, in the end, we will merely have reacted to another in a lengthening series of crises—and succeeded in solving nothing.

Right now, the responsibility for drafting the long-range legislative proposals that everyone admits are needed in this difficult and complex area seems to have been accepted by no one—and I, personally, have no confidence that this Congress, with all its previously demonstrated desire to avoid the controversial and the self-evident malaise from which it seems to suffer, will rise to the level of its clear duty to get to work on this problem, with or without the President's approval and consent.

Only we can legislate in this area. Before attempting to do so, however, we ought to have the advantage of the best guidance and suggestions as to how to proceed that we can find. In the continuing absence of any Presidential advice, we must look elsewhere for that guidance, and this is why I am, today, reintroducing a bill which I sponsored in the 89th Congress for the creation of a national Commission on Labor Relations, to be composed of 15 members of the academic community who are particularly qualified not only in the theory but in the practice of labor relations.

The members of the Commission—which would be a temporary body similar in nature and in power to others created to serve comparable purposes—would be chosen and appointed by the President on a nonpartisan basis, by and with the advice and consent of the Senate, and would be required to report back to both the President and the Congress with their recommendations within 6 months after creation of the Commission.

The source of this legislative idea was an editorial carried in the Christian Science Monitor on last August 1. That editorial stated, in part:

Perhaps Congress, with the help of the Department of Labor, should draft the legislation. But we wonder if a broader viewpoint might not be needed. Would it not be worthwhile for the White House to appoint a national committee of scholars on labor questions to come up with recommendations? Such a committee would, or should be free from political fear. It would, we hope, be free from either a pro-business or pro-labor bias.

What are needed are recommendations which the American people can believe are drafted without fear or favor and solely in the broad national interest. We think that a non-partisan scholars' committee might provide an answer. Politics must not be

allowed to hamper or delay early action from whatever source.

Mr. Speaker, this suggestion made good sense to me, then—and it still does. If, in our effort to obtain the help we need, we do so reach outside the confines of official, politically hamstrung Washington circles for guidance, we will find a wealth of highly qualified "scholars" in the labor relations field waiting to serve in this capacity—men, and women, such as on the faculty of the New York State School of Industrial and Labor Relations at Cornell University, in my congressional district, or on the faculties of some at least 35 other such schools across the Nation, individuals who, by virtue of their training, background, and experience, would be capable of making a valuable and objective contribution to the successful completion of such a Commission's appointed task.

I would suppose that, in a sense, this Commission would seem to duplicate the function of the already existing, top-level President's Advisory Committee on Labor-Management Policy, a council established under Executive Order 10198 by the late President Kennedy, in 1962, and which has among its concerns the question of problems involved in collective bargaining. But, so far as I can discover, this Committee has not issued a report on this subject since 1962—or, if it has, such a report has not been made public—and such Commitee remains more or less in limbo. This is why I think we—and the President—ought to look elsewhere for guidance, and the requirement that the Commission's report would come both to Congress and the President would at least mean that, upon its receipt, we would not again have to await Presidential initiative.

Mr. Speaker, this suggestion may be far from perfect—but I believe it still to be a constructive one. As others have said, it is time for action on many fronts. Our people can no longer be asked to continue to bear the burden of massive strikes. Our economy, our system of government and the private enterprise system, itself, will only suffer if we continue to drift in the fashion we have.

DAIRY IMPORT ACT OF 1967

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RANDALL. Mr. Speaker, it was my privilege today to introduce a measure which will regulate imports of milk and dairy products. I was convinced of the necessity of such a bill because recently some dairymen visited my office and asked for some time to tell me the truth about the dairy business. They pointed out there are solutions for the present plight of the dairyman that were available but never used. Their reference was to import control.

One of the startling statistics left in our office was the fact 125,000 dairymen quit in the last 2 years. It is a fact the number of firms selling milk or cream is the smallest at any time in this century. Likewise, the number of milk cows on the farms is the smallest since 1900. The exodus of farmers from dairying is by no means limited to the small, marginal, or sideline dairyman, but full-time commercial dairies as well with good equipment and with herds of 40 or more cows have discontinued their operations within the last 2 years.

In spite of this decline in the number of dairy farms, there has not been an apparent solution to the dairy situation. In comparison with 1950, annual milk production is up 4 billion pounds. Per capita milk production is down by 125 pounds annually. Per capita milk consumption is down 121 pounds annually.

Why is it the dairymen are quitting? Simply stated, the basis of return on their investment is very low. Put in other words, it is a matter of low income and high costs as the reason dairymen cannot continue. Our Nation cannot afford any more economic "dropouts" in dairies.

If the net returns to dairymen are not sufficient to make operations profitable, then dairy herd dispersal sales will increase. No one benefits from dairy decline. The business economy is hurt. There are several injurious byproducts when dairymen quit the business.

It is no secret the dairy industry has been fighting for its survival. It has been losing ground because of lower per capita consumption of dairy products and the competition of substitute products.

A loss which is not always clearly contemplated is the depletion of the tax base when a dairy goes out of business. Many dairies are the backbone of the rural community. Each is a sort of an industry in itself. Take the buildings, equipment, and cattle and there is a valuation of from $50,000 to $75,000. True, if the dairy farm ceases operation, the land may continue to be cropped, but there is certainly a diminution of the local tax base.

There are other complex interrelationships by the segments of the agricultural economy. The decline of a dairy may have an adverse effect upon beef prices. Pressures may be put upon beef prices when farmers cull the herd and sell poor producers for beef. When a dairyman quits, some of the animals may go to another dairy but many always end up in a slaughter market.

Another side effect of the decline of the dairy is the fact that each cow consumes a feed grain in hay of about 3 acres of land. If the milk cow population is reduced, this will require new outlets for the products of 3 acres per cow. Since 1950, there are 9 million fewer milk cows.

This means 27 million acres of feed grain and hay lands pushed into the surplus category.

The new Import Act would deal with the huge influx of "loophole" products which is about 10 times greater than the amount authorized under section 22 regulations.

The Dairy Import Control Act is a moderate, responsible solution. Congress must provide new tools to plug the loopholes in the wall provided by section 22 to keep out the sea of foreign dairy supplies such as Colby cheese, and Junex. If we are to save our dairymen, there must be early hearings and prompt enactment of import controls on dairy products.

NEED TO REVISE THE QUOTA CONTROL SYSTEM ON THE IMPORTATION OF CERTAIN MEAT AND MEAT PRODUCTS

The SPEAKER pro tempore (Mr. DINGELL). Under a previous order of the House, the gentleman from Texas [Mr. PRICE] is recognized for 60 minutes.

Mr. PRICE of Texas. Mr. Speaker, in introducing this bill to revise the quota control system on the importation of certain meat and meat products, I would like to summarize the bill and the reasons I believe the revision is necessary.

I was not here at the time the so-called Meat Import Act of 1964, Public Law 88–482, was passed, but as I understand it, there were many who voted for it with some reservations as to its effectiveness. Now in a period of less than 3 years, these doubts have been confirmed by harsh facts, that is, the continuing and rapidly growing rate of meat imports and their effect on the livestock market.

You who were here then could probably say, "This is where I came in." I was on the other end of the stick at that time as a rancher and well remember the beating I and other cattlemen all over the country took when prices went on the skids and stayed there.

Choice slaughter steers in Chicago were bringing $30 a hundred in the fall of 1962 but by May of 1964 the price had plunged to $20.52. These were bankruptcy prices and I know because I am also part owner of a small bank.

Admittedly, there was a domestic overproduction problem at the time but anyone knows that when imports, especially cheaply produced imports and whether it is cow meat or bull meat or whatever kind of beef reaches a figure of more than a billion pounds a year, which was more than 10 percent of domestic production, then the cattle market must suffer. And the guy who suffers most is the one on the bottom who raises this beef from calves. It is all passed down to him. You never did see any substantial drop in retail meat prices during the time the cattleman was taking actual loss prices for his cattle.

Well, the bill was passed and the quota was rolled back to a 5-year average, 1959-63 which, of course, included the highest year on record, 1963. The act established a base figure on that average of 725 million pounds which was bad enough, but better than more than a billion pounds.

The real joker in the bill, however, was the formula under which that figure was adjusted upward in two ways before the quotas can be imposed. First imports are allowed to grow at the same rate as domestic production. As of now, this growth has reached 179,200,000 pounds,

thus resulting in an adjusted base quota of 904.6 million pounds for 1967.

This provides further that quotas cannot be imposed except when imports are expected to amount to 110 percent of this adjusted base quota. This so-called trigger point amounts to 995 million pounds for 1967.

But, finally, the quotas are imposed on the basis of an advance estimate by the Secretary of Agriculture as to the level that imports are expected to reach for the year. The law says that at the beginning of each year and quarterly thereafter, the Secretary of Agriculture is to estimate the quantities of the specified types of meat that will come into the country and quotas will be imposed only if his estimates of expected imports exceeds the trigger point.

This bill would, essentially, do six things.

First, it would eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota.

Second, it would relieve the Secretary of Agriculture of the duty of estimating in advance the level of imports to determine whether they might be greater than the allowable. Instead, the quota would be imposed by the law itself such as now provided under the Sugar Act which governs sugar imports from various countries.

Third, the bill would change the period under which total quotas would be based. This bill would use the average of the 5-year period 1958–62, thereby eliminating the highest year on record, 1963, and establish the base at 585,500,000 pounds, a more representative base period.

Fourth, the bill proposes that quotas be imposed quarterly instead of annually at present and thereby smooth out the flow of imports throughout the year and prevent seasonal surges.

Fifth, the bill would give the executive branch authority to impose quotas on the importation of other meat products if necessary to prevent a damaging flood of other products such as canned and cured beef, fresh lamb, and pork. Last year imports of lamb were higher than in any year since 1963 as well as prepared and preserved beef—neither included in quotas under the present law.

This authority would be necessary in case the quotas on fresh, chilled, and frozen beef and mutton were filled and there should be an effort to get around those quotas by importing beef in other forms. This, in fact, is exactly what has happened in the case of dairy imports which increased by more than 300 percent last year. The formulas and percentages of butterfat were varied to skirt limitations on a specific product by coming up with a so-called new product.

Sixth, the bill provides that offshore purchases of meat by the Department of Defense for the use of our troops abroad or otherwise shall be charged against the quota applicable to such meat. As an example, the Department recently negotiated the procurement of 10 million pounds of lamb from New Zealand and Australia for use in Vietnam. Both of these countries are, of course, standing beside us in Vietnam but 10 million pounds is a very large chunk in terms of domestic lamb production.

I need not, I am sure, remind you of the serious and worsening condition of the entire agricultural economy. Farm parity ratio for the past two months at 74 is the lowest level since 1934. Per capita farm income is less than two-thirds the national average. Farm debt went up 10 percent last year.

Since last year, the price of cattle has declined sharply. Choice steers on the Chicago market in March averaged $24.67 a hundred pounds compared with an average of $29.22 for March a year ago. Cattlemen are facing—if not already in—a repetition of the conditions of 1963–64 when imports were finally rolled back, but not nearly enough.

This time an effective bill which would be fair to both domestic and foreign producers could and should be passed. I am a firm believer in reciprocal trade but agriculture cannot be sold down the river in the interest of industrial exports and a favorable balance of trade without further serious injury to the farmer and rancher and his ability to supply this country with the abundance to which we have become accustomed.

Mr. BELCHER. Mr. Speaker, I appreciate this opportunity granted my able colleague from Texas to express my grave concern about this whole problem of agricultural imports. Today, the dairy industry faces a serious threat from imports. Our textile industry and our sheep growers are likewise threatened; indeed, the threat seems nearly to run the gamut of agricultural commodities. In my opinion, and certainly from the standpoint of folks in my area, one of the most serious import threats is that posed to beef.

As the gentleman from Texas has pointed out, the price of cattle has declined sharply since last year. Choice steers which were averaging $29.22 a hundred in March a year ago were down to $24.67 on the Chicago market last month. In only 5 out of the 20 years since the removal of price controls in 1946 have cattle prices been below $24 a hundred for choice fed cattle in Chicago. Prices of feeder cattle have declined too. Good feeder steers in Kansas City, weighing 550 to 750 pounds, averaged $26.57 a hundred in March of 1966 and $23.08 a hundred in March of this year. With the decline in the price of fed cattle, it is not unlikely that the price of feeders may fall even further.

This whole agriculture import situation is one which, if allowed to continue unabated, is going to wreck untold havoc upon the entire economy.

It has been my hope that the administration, using the authorities which it already has under the law, would move to halt the excessive flow of agricultural commodities into our markets. But what do we find? The Secretary of Agriculture clearly has the authority to precipitate a section 22 action to reduce dairy imports and the President has authority to act immediately in that regard. What has happened? The Secretary asked the President, the President asked the Tariff Commission, the Tariff Commission is supposedly investigating the situation and meanwhile back on the farm hundreds of dairymen are going out of business.

My friends, the farmer has long been getting the short end of the deal from Washington. But, I submit that it is going too far when an administration which only last year used the emergency power under section 22 to increase import quotas on cheddar-type cheeses cannot find its way clear to use that same authority to reduce dairy quotas. When farmers are in such bad shape that they will resort to destroying their product in an effort to gain some kind of recognition of their plight by their own Government, we are in trouble.

The USDA has admitted to having erroneously estimated the number of cattle in the country early this year by 2.3 million. That was probably a legitimate error. But it is serious; and it is peculiar, when it fits so well into the pattern of forcing down the price of beef and other agriculture commodities through a policy of expanded imports justified in the name of reciprocal trade. No wonder the farm income situation, as published today by the USDA, predicts a 5-percent or more drop in realized net farm income for 1967.

If the administration is not going to deal effectively and promptly with this serious problem—and so far the signs are certainly not encouraging that it is—then I believe we in Congress should certainly give serious consideration to the bill my colleague from Texas has introduced to curb beef imports and to the various other legislative remedies in regard to imports of other commodities now pending in the Committee on Ways and Means.

Mr. McCLURE. Mr. Speaker, one sometimes gets the impression that this administration is determined to find out how far it can push the farmer before he hollers, "Uncle." This is particularly true of our meat producers.

Livestock prices have dropped drastically in the past year. Choice steers, for example, are down $3 to $5 per hundredweight. Choice and prime wooled lambs are down $4.75 to $5.25 per hundredweight. Butcher hog prices have dropped $4.75 to $5 per hundredweight since a year ago. And the farm parity ratio stands at the depression-day level of 74 percent.

It is not hard to find the reason why. The Department of Agriculture says that total imports of red meats in 1966 was 1,273,000,000 pounds. That is 26 percent higher than the year before. The fact that the trend is continuing is indicated in figures released for the first 2 months of 1967. Particularly disturbing is the fact that beef and veal imports increased 20 percent over January and February of last year.

When Congress passed the Meat Import Act of 1964, it was in response to the administration's refusal to act even in the face of near disaster for domestic meat producers. As is usual with measures where anything is an improvement, the provisions of that act were much too little and far too late.

The base quota is 725.4 million pounds. Since average domestic production during the years 1965 through 1967 is estimated at 24.7 percent above the 5-year average of the base period—1959 to

1963—the quotas for the current year are 904.6 million pounds. But imports must reach 110 percent of that figure—in other words, 995 million pounds—before quotas can be instituted.

Countries importing to the United States are well aware of how far they can go to get the maximum share of the choice American market without being placed under quotas. One would assume that the Johnson administration is aware of this also. If it is, it is mighty hard to tell, in view of the fact that the President has not even submitted a farm message yet.

It is hardly encouraging for farmers to review the actions of this administration when other segments of the economy were threatened by imports in the past. In this regard, I recall the situation involving the National Tile & Manufacturing Co., of Anderson, Ind. It was a thriving business for more than a half century. But in 1951 tariffs on tile were cut.

In subsequent years, foreign tile flooded the market. Sales of Japanese tile in the United States went from 2,700,000 square feet in 1952, to 54,000,000 square feet in 1963. During that period, National's sales were cut in half.

Following the Trade Expansion Act of 1963, the company appealed to the Tariff Commission for help and was turned down. In October of 1966 the company folded and 525 employees were thrown out of work. I would hope that the administration treats the American farmer more kindly.

I am at a loss as to how to bring this matter to the President's attention. If I write the President, the letter is referred to the Secretary of Agriculture. If I write the Secretary of Agriculture, the letter is referred to the head of an interdepartmental agency. If I write the agency head, the letter is referred to "congressional liaison." Perhaps, if we could interest the junior Senator from New York in the meat import problem, the President might suddenly come up with a proposal of his own.

Among other things, this bill leaves out the disastrous year of 1963 in figuring permitted imports. Quotas would be based on actual meat import figures rather than Secretary Freeman's estimates. The bill abolishes the 10-percent overflow figure that triggers the quotas.

I am also pleased that the bill includes offshore purchases of meat as imports. This would certainly discourage the administration from such actions as purchasing 10 million pounds of meat from Australia and New Zealand for our servicemen in Vietnam. And, in this connection, I find it difficult to believe that with our facilities for getting all other supplies to the troops in southeast Asia, it is impossible to ship U.S.-produced meat there.

It is regrettable that the callous disregard for the agricultural community by this administration has been responsible for the current crisis. But I am also aware that in the final analysis, it is the Congress that writes the laws. Should we fail them, also, the farmers of this Nation will have no one left to turn to.

Mr. SMITH of Oklahoma. Mr. Speaker, I wanted to take this opportunity to congratuate my colleague from the neighboring 18th District of Texas, BOB PRICE, and other colleagues upon his introduction of a bill to revise the quota control system on the importation of certain meat and meat products. The Meat Import Act of 1964, Public Law 88–482, in my opinion has been completely inept in bringing about any real relief for the meat producers of this country.

I am sure that I need not remind any of the distinguished gentlemen on this floor today of the serious and worsening condition of the entire agricultural economy of the United States. Farm parity ratio for the past 2 months at 74, is the lowest level since 1934. Per capita farm income is less than two-thirds the national average. Farm debts went up by at least 10 percent last year.

As a part of all this, since last year the price of cattle has kept pace with declining farm prices generally. For instance, beef on the Chicago market in March averaged $24.67 per 100 pounds compared with an average of $29.22 for March, 1 year ago. The bill introduced by my distinguished colleague, the gentleman from Texas [Mr. PRICE], would essentially do six things. First, it would eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota. Second, it would relieve the Secretary of Agriculture of the duty of estimating in advance the level of imports to determine whether they might be greater than the allowable. Instead the quota would be imposed by the law itself such as now provided under the Sugar Act to govern sugar imports from various countries.

Third, this bill would change the quota under which total quotas would be based. The bill would use the average of the 5-year period 1958–1962, thereby eliminating the highest year on record, 1963, and establish the base at a more representative base period. Fourth, my distinguished colleague proposes that quotas be established quarterly instead of annually, and thereby smooth out the flow of imports throughout the year and would therefore prevent seasonal surges. This bill would also grant to the executive branch the authority to impose quotas on importation of other meat products if necessary, to prevent a flood of other products such as canned and cured beef, fresh lamb, and pork. This executive authorization is absolutely necessary in a case in which the quotas such as fresh frozen beef and mutton were filled and there should be an effort to get around those quotas by importing beef in other categories. Also, this bill would provide that offshore purchases of meat by the Department of Defense will be charged against the quota applicable to such meats.

Mr. Speaker, if the present unfair condition of inadequate farm prices and increased agriculture imports which compete with products produced domestically continue, then we can certainly expect to see a continued decline in the number of farms in this country. The number of farms in operation declined 4 percent last year, and the Department of Agriculture, even though it has not even bothered to send a farm message to this Congress, has already predicted that 82,000 farms will be liquidated in 1967. The Great Society has certainly turned out to be a "great nightmare" for American agriculture. The attitude of the Great Society toward the farmer could not be made more clear by the fact that farming rated one short sentence in President Johnson's state of the Union message. It should be noted that the estimated annual personal income from nonagriculture resources increased 8 percent from March 1966 to March 1967, while the personal income from farming dropped 15 percent. Our farmers are crushed under the burdens of record-breaking production cost, recordbreaking farm debt, and recordbreaking agriculture imports. This is the reason that over 122,000 farms went out of business during 1966.

I believe that imports are probably the greatest serious threat to the welfare of the American farmer. Enough dairy products were imported in this country to equal 6,000 farms with 50 cows each. Cheese imports last year were up from 2.8 million to 3.7 million pounds and President Johnson has asked the Tariff Commission to raise the figure to 9.6 million pounds. Beef and veal imports were up 27 percent in 1966, pork was up 14 percent and mutton was up 102 percent. If any one group in this country has a cause to go on strike for a fair financial return, it should be the farmer.

Mr. Speaker, because of the serious economic condition of American agriculture, I shall gladly join in cosponsoring this bill, and I again congratulate my distinguished colleague, the gentleman from Texas [Mr. PRICE], in his efforts to rectify the situation insofar as meat imports are concerned. This action is timely and absolutely necessary if the American farmer is to survive the apathy of the Great Society.

Mr. DOLE. Mr. Speaker, I am pleased to join Congressman PRICE and other Members of the House in introducing this bill to amend Public Law 88–482. When this meat import law was passed in 1964, it was with the understanding that the law would be tested for a time and then carefully reviewed and amended to correct any inadequacies preventing the establishment of proper safeguards for our Nation's meat industry.

In the past 3 years, beef and mutton imports have been steadily increasing. Today farmers and ranchers across the country again face prospects of another year of operating at a loss. Cattle prices are sharply declining; and meat imports, which are expanding at an alarming rate, are one of the key factors contributing to the problems of the meat industry.

The provision of this bill which gives to the executive branch the authority to impose quotas on meat products not presently covered by quotas is of particular interest to me. Under the present law, imports of canned, cured, and cooked meats are not covered by quota legislation. Whenever quotas on fresh, chilled, and frozen beef are filled, there can now easily be efforts to avert those quotas by importing beef in other forms.

This situation would parallel that which presently plagues the dairy industry. The importation of certain dairy products is strictly forbidden by quotas, but artificial substitutes not covered by U.S. regulations are brought in to evade the purpose of the quota. Foreign producers are able to find ways to evade quotas by producing and shipping products varying just enough to avoid the coverage of the quotas.

It is necessary that timely action be taken whenever any attempts are made to evade the quota limits and when imports of any agricultural commodities take an unfair share of the increase in our domestic market. Under the proposed amendments to Public Law 88–482, the Executive could act quickly to curtail the importation of such products which would further threaten our domestic market.

The time has come to recognize the imminent danger to the livestock industry of our country. I urge Congress to act immediately to tighten present meat import quotas and place them on a more realistic basis.

Mr. SKUBITZ. Mr. Speaker, today, we are calling for legislation to aid the livestock producer whose economic well-being is vital to the economy of Kansas and to this country. Today, we ask for legislation which will aid the livestock producer in his struggle, not only to compete with the high costs of production, but to compete with "cheap" meat being imported into this country at alarming and increasing rates. The future of the farmers and ranchers in this Nation depends upon what we do. The effect of imported meats on the market prices for our own products cannot be overemphasized. The farmer of today has been ignored, shoved under the rug, and used as a "whipping boy" by this administration. It should surprise no one that he is angry. In the name of a decent living for livestock men, we ask that this legislation be given immediate consideration. While all other income levels rise with this inflation-ridden economy, the farmers are fighting to maintain depression-year prices.

The farmers of this country have been filled to the neck with Secretary of Agriculture Freeman's promises. They will be satisfied only with action—no more will words soothe their tempers and words cannot fill their empty pockets. The record of Secretary Freeman is well documented in the market prices of today. March 30, I received from him a series of speeches, entitled "Agriculture 2000," in which he discusses in glowing terms the prospects for agriculture in the 21st century. Well, the farmers of today cannot wait 33 more years for a fair share of this Nation's wealth. And it is obvious, that the Secretary has wisely chosen to discuss agriculture in the 21st century rather than the state of agriculture today.

What can be said about agriculture today? Between March of 1966 and March of 1967, the index of prices paid by the farmer increased from 331 to 340, while the index of prices received by the farmer declined from 269 to 250, and the parity ratio fell from 81 to 74 in March of this year. The current market prices, based on the Government's most recent agricultural price listing, show that the price of hogs is down 25 percent; beef cattle down 10.4 percent; lambs down 19.8 percent; sheep down 16.1 percent, and on it goes, always down. The foregoing facts would not make very good copy for a speech by the U.S. Secretary of Agriculture. He would also have to tell us that his estimate of meat imports for the current year runs between 900 and 960 million pounds—while at the same time he has undertaken a special buying program in an attempt to remove some of the "surplus" meat from the market. And if the Secretary is estimating imports at 900 million pounds, we can expect them to exceed that mark by at least 120 million pounds—that is how far off he was last year. The Secretary of Agriculture estimated 700 million pounds of imports early last year and then began revising his estimate in an attempt to keep up with the imports. But even his last estimate did not equal the actual imports of 1966, which totaled 823.5 million pounds.

When it became clear in 1964 that the cattle crisis of 1962, 1963, and 1964 was due to excessively high meat imports, the Congress, in spite of this administration's resistance, passed the Meat Import Quota Act. Now it is clear that the watering down which was completed in the name of "compromise" must be removed. It was an achievement to get the law of 1964 on the books, but the effect of meat imports on our domestic producers causes us now to strengthen that law. It has proven in its application by and under the Secretary of Agriculture to be inadequate and to contain improper safeguards.

As it now operates, the beef-import law gives the importer every advantage. First, we set the quota on the basis of imports from 1959 to 1963, allowing the record high import level of 1963 to be computed in determining the base. Then we adjust it upward, with increased production here in the United States. Third, we allow the Secretary of Agriculture to estimate imports and impose an import on that basis. Fourth, we impose the quota only after imports surpass by 10 percent the established level calculated for the year. Fifth, the Department of Defense offshore purchases of meat are not calculated within the quota; and finally, by imposing this ineffectual quota only annually, we allow seasonal surges to depress our own market prices.

The bill before us would take up the slack, close the loopholes, and help the livestock producer in his fight to take a rightful place in this society with his rightful share of what this economy has to offer. First, it would allow the base level to be determined from an average of imports from 1959 to 1962, thereby eliminating from the average the record imports of 1963. Second, this bill would allow for the quota to be written into the terms of the law and eliminate the Secretary of Agriculture's estimate procedure. It would abolish the 110-percent trigger factor and impose quotas when the limit is reached. It would extend import quotas to canned and cured meats when they threaten the market. Department of Defense purchases would be counted within the quota, and quotas would be imposed quarterly instead of annually.

The State of Kansas will benefit greatly from this legislation. The Great Plains State—where the grazing lands of the Flint Hills are unequaled, where livestock production makes up the largest segment of agriculture, where the noteworthy Kansas City steaks are produced—deserves and needs this legislation.

Mr. SHRIVER. Mr. Speaker, today I am introducing legislation which is aimed at revising the quota control system on the importation of certain meat and meat products. First, I want to commend the able Representative, the gentleman from Texas [Mr. PRICE], for his leadership in bringing to the attention of the House one of the perplexing problems which continues to depress farm income. He is knowledgeable concerning such matters and is particularly aware of those factors which affect the important livestock industry in his State and across America.

More than 3 years ago I was one of those who called for meaningful legislation to limit imports of beef and other meat products. In 1964 Congress passed a Meat Import Act, Public Law 88–482. Unfortunately, we have noted evidence that this law really did not provide the relief for meat producers which many of us sought.

During the past 3 years the trend in meat imports has been steadily upward.

Public Law 88–482 relates only to beef, veal, and mutton—fresh, chilled, or frozen. It does not cover canned, cured, or cooked beef, or lamb or other meats.

Of the meats covered by the law, imports in 1965 amounted to 614.2 million pounds. For 1966 at the beginning of the year the Secretary of Agriculture estimated that the volume of imports would be 700 million pounds. That estimate was later revised upward twice—to 760 million pounds and then to 800 million pounds. But the final total for imports in 1966 was 823.5 million pounds.

Today the farmer finds himself in a price squeeze. His cost of living is up; his cost of operation is up. But farm prices are down. In the case of the cattleman, he has seen very little improvement in cattle prices in the last 3 years.

Yesterday in Chicago prime steers sold at $26 a hundred pounds with choice types bringing 50 cents less than that. The average price last month of choice slaughter steers in Chicago was $24.67 a hundred pounds, compared with $29.22 a hundred during March of 1966—a decline of over $4.50 a hundred pounds.

I need not belabor the importance of the livestock industry to my State of Kansas. Kansas has one of the top beef production programs of any place in the United States. Livestock products account for more than half of all farm income. No other single commodity produces a larger slice of Kansas cash farm receipts than does cattle or calves. Closely related and allied to the livestock segment of our economy is the meatpacking industry. More than 1 billion pounds of red meat are produced an-

nually in Kansas, and the meatpacking industry employs nearly 9,000 persons.

Mr. Speaker, we cannot afford to turn our backs on the American farmer. He is responsible for supplying to all Americans an abundance of food to which we are accustomed. More than that, we look to him to help fight hunger in the underdeveloped countries throughout the world.

I urge that prompt and serious consideration be given to this legislation which would help provide an equitable solution to the problems of imports.

Mr. REIFEL. Mr. Speaker, it is a pleasure to join the gentleman from Texas [Mr. PRICE] and other colleagues in introducing a bill to control more effectively excessive imports of certain meat and meat products.

I commend the distinguished gentleman from Texas, who represents an important livestock producing area, for this display of leadership and concern for the impact these skyrocketing imports are having upon the producer.

On April 13 I joined with the distinguished gentleman from Nebraska [Mr. MARTIN] in introducing a more limited measure as an expression of our concern at the ineffectiveness of the Meat Import Control Act of 1964. I am happy to note that this more comprehensive measure, worked out in conjunction with the National Livestock Feeders Association and other leading livestock groups, incorporates the main provisions of our bills, H.R. 8505 and H.R. 8293. Our bills have helped to serve as a starting point and a catalyst for further action.

I commend, too, the distinguished Senator from Nebraska [Mr. HRUSKA] who has provided so much research and leadership on this subject this year as he did in our initial import battle of 1964. It is extremely regrettable that a measure similar to Senator HRUSKA's bill has become bogged down as just another extraneous amendment bill in the "Christmas tree" debate in the other body.

As a result it is imperative that the House, which is charged with initiating tariff legislation, take prompt and affirmative action on this bill.

We know there is widespread support for it in the other body. We know the livestock producers of this country are suffering immeasurable damage. We know that if it is left to the administration no relief will be forthcoming. We know that the livelihood and income of the domestic livestock producer will continue to be used as a pawn in the international tariff negotiations while so-called friendly nations carefully construct protectionist barriers against our meat and farm products.

In my State, well over 70 percent of farm income is derived from the sale of livestock and livestock products. The South Dakota State Legislature has passed a resolution decrying the excessiveness of current meat imports and loopholes in the present law.

With the farmer's return lower than that of 20 years ago and with per capita farm income only 60 percent of that for city workers, it is high time we end the "foreigners first" policy in agriculture.

By eliminating the 10-percent overrun, by eliminating the Secretary of Agriculture's reporting requirements and by imposing quotas on a quarterly basis, by using a more representative base period, by including nonquota products and by making Defense Department purchases chargeable against the quota, we are taking steps that should have been included in the 1964 law.

It is quite possible that enactment of this measure could mean a slight increase in grocery prices. I doubt that it would be necessary, but it could happen.

Here again, I cite the recent Minnesota poll which showed that more than seven out of 10 Minnesotans, 72 percent, agree that the Nation's farmers are not getting a fair return for their products, and that 57 percent of the Minnesota public as measured by that poll would be willing to pay higher food prices if it meant improved income for the farmer.

I feel sure the same feeling applies across our land at a time when everyone knows the farmer is not sharing equally.

Let me remind my colleagues, too, that farmers also buy groceries and meat products, just as they are good customers for almost everything industry produces—provided we give them a chance to make a decent living without the unfair competition of excessive foreign imports.

Again I commend the distinguished gentleman from Texas and the distinguished Senator from Nebraska for developing this proposal and bringing it before us today. I urge the distinguished chairman of the House Committee on Ways and Means, himself a livestock producer who understands the problem, to call early hearings and initiate the legislative steps needed to correct this situation.

Mr. KLEPPE. Mr. Speaker, when Public Law 88–482 was enacted in 1964, many Members of Congress, together with farmers and ranchers, expressed grave doubt that it would effectively curb meat imports. It is something of an understatement to say their fears were well grounded.

The act has not worked. It would not work with the present excessively high quota on meat imports, imposed on an annual basis. Even the so-called trigger in the law would not work. By the time the trigger can legally be pulled, the target is out of range.

Meanwhile, mounting meat imports put increasing pressure on domestic cattle, hog, and sheep prices which are already in a tailspin. According to the U.S. Department of Agriculture, prices received by farmers for all commodities dropped 7 percent from March 15, 1966, to the same date this year. Livestock prices have declined much more sharply. During the same period, prices paid by farmers increased by nearly 3 percent. This tumbled the parity ratio from 81 to 74. And it is heading lower.

Twenty years ago, American farmers were receiving close to $40 a hundredweight for choice cattle and $30 for top hogs. Today cattle and hog prices are little more than half of those amounts. It should further be pointed out that today's dollar has only about two-thirds of the purchasing power of the 1947–49 dollar, which makes these price comparisons even more unfavorable.

With farmers and ranchers receiving depressed prices, even in terms of diluted dollars, and paying inflated and ever-increasing production costs, there is little wonder that American agriculture finds itself at a financial crossroads today. The meat import bill we are discussing here would not solve all of the problems confronting the livestock industry, but it represents a step in the right direction—a step urgently needed now.

Mr. BATTIN. Mr. Speaker, my rancher constituents in Montana and their city neighbors who well understand their problems are fed up with Argentine and Australian beef. The economy of my State relies heavily on the cattle industry so the banker, who deals with cattlemen for ever-increasing debts, and the merchant who suffers right along with the rancher when times are bad, know the beef industry is not sharing the advances of a booming economy.

Hardly a day passes that I do not receive mail from a rancher who is ready to give up and move into the city because he is frustrated at the prices he receives for his livestock. The price he pays for equipment necessary to run a modern ranch has climbed to an alltime high after more than 6 years of inflation. Cattle production is hard work and these people are not being paid adequately for the effort and investment they put into their ranches.

West Donohoe, a Luther, Mont., rancher, writes:

> I don't know a single cattle producer or feeder who is satisfied with the present beef import quotas. Is there any chance of geting a lower quota?

Mrs. E. M. Kluver, of Forsyth, also complained to me about the present meat import laws and attaches the blame where I think it belongs:

> In 1952, Montana ranchers received around $150.00 for their calves. Last year, 1966, we averaged about $90. It has varied very little in the past six years, since Mr. Freeman became Secretary of Agriculture. We have been informed recently that red beef supplies for 1967 will be increased by 30% more than in 1966. Already the feeders are in bad shape and this will reflect on the cattle producers next fall. I hope you will take up the cudgel in our behalf again.

I gladly take up the cudgel offered by Mrs. Kluver and all of the ranchers of this country and ask this Congress to close the door on the almost billion-pound import market which is destroying the home market.

These letters that I have quoted from are only a sampling of the mail I have received on this subject. Cattlemen and their associations never neglect to mention this trouble when I meet with them in my State, and their every letter pleads for some relief.

The problem with beef imports is both in the administration of the act and the law itself. The law provides that when imports reach a stated level of the previous year's consumption, they shall be curtailed so as basically not to af-

fect domestic production. Secretary Freeman opposed this law and therefore has not given his full attention to its enforcement. This, coupled with the Agriculture Department's so-called inadvertent miscount of several million in cattle population, has created havoc in the markets.

Congressmen E. Y. BERRY, of South Dakota, and BOB PRICE, of Texas, as well as other Members from cattle-producing States, have introduced identical bills to cope with the problems besetting our ranchers. Congressman BERRY's detailed listing of beef trade statistics over the past 12 years points out the drastic need to furnish Secretary Freeman with tighter import controls and a reminder to support and enforce this legislation in the best interest of American ranchers. Mr. Freeman's refusal to follow the intent of the present Beef Import Limitation Act—Public Law 88-482—has led us to the point where we must enact even stricter controls.

Three years of experience with the present meat import laws have shown that we cannot depend on the Secretary of Agriculture to follow the intention of Congress. So the time has come to enact specific legislation that does not allow as broad powers to the Secretary to extend our wishes. This bill would eliminate the provision that allows the administration to set a 10-percent overrun which he has announced he plans to use.

It will also relieve the Secretary of the task of estimating in advance the amount of imports. He has not been able to do this accurately, so I see no need in continuing this authority. Instead, the quota will be provided in the law just as imports are set in the Sugar Act which governs sugar imports from foreign producers.

I am not closing my mind to the need for reciprocal trade, but I believe the time has arrived when we must support our own people and stop selling the efforts of our ranchers down the river, across the seas. Our actions should primarily be for the benefit of our ranchers, and only after they are fairly treated should we look to the welfare of other countries' beef markets.

Those of you who represent population centers might be concerned that your people will pay for enactment of this bill in higher food costs. But the history of this import legislation shows that the amount of beef imported from other countries has little to do with the price a housewife pays for beef over the counter.

When the bill was enacted in 1964, the bottom fell out of the American beef market. Slaughter steers that had brought $30 per hundredweight in Chicago in the fall of 1962 were suddenly worth only $20. These were bankruptcy prices, but I never noticed any noticeable drop in meat prices in the supermarket. Quite the contrary, meat prices have skyrocketed.

I need not remind you of the condition of agriculture because it is constantly in the news and has elicited the remark from Secretary Freeman that "conditions are poor."

This bill will help to give the cattleman a share in the booming economy which he deserves for his efforts and it will protect a sizable portion of this economy by assuring better conditions for our own people.

Mr. MILLER of Ohio. Mr. Speaker, I rise today in support of the meat import legislation which I, and several of my colleagues have introduced in the House. There are serious difficulties confronting the American cattle industry which can be corrected by this legislation.

I note with great concern that farm income is down. Parity now stands at 74, the lowest it has been in some 30 years.

When livestock sells for low prices, as they have been and are now doing, not only are farmers and ranchers hurt, but everyone else is also hurt. The farm income decline is felt by many other segments of the national economy. Farmers are purchasing less equipment, fewer and cheaper automobiles, and less consumer goods than a year ago. They are being forced to seek more and bigger loans to meet operating expenses.

The meat import bill would tighten the present meat import quota law and make it more realistic with conditions that occur in the all-important farm segment of our Nation's economy. I am pleased at the broad support already shown by Members of this great body for this legislation. The number of cosponsors is indicative of the grave national concern over the status of the farm economy.

This matter demands the immediate attention of the House and the Ways and Means Committee. I shall help push for early hearings to expedite the passage of this bill.

Mr. BUSH. Mr. Speaker, I am pleased to join with my distinguished colleague from Texas in introducing the bill to revise the quota control system on the importation of certain meat and meat products. This legislation is a positive measure which will provide important relief to domestic meat producers.

There are many good features of this bill. It changes the period under which total import quotas are based by adopting the average of the years 1958–1962, a more representative base period than the present formula being used. The bill also imposes quotas quarterly instead of annually, thus smoothing out the flow of imports throughout the year and preventing seasonal surges.

The legislation also provides that offshore purchases of meat by the Department of Defense for the use of our troops abroad be charged against the quota applicable to such meat.

I truly hope this constructive measure will become law and serve as a positive solution to the present situation which has only depressed the market price of domestic beef and driven many producers from the market.

Mr. HALL. Mr. Speaker, it is with great pleasure that I join with my colleague from Texas in the cointroduction of this much needed meat import quota bill. I commend him for the research, the portrayal, and the solution.

All phases of agriculture have been caught in a "price squeeze" that threatens the viability of the entire farm economy, and surely penalizes the producer. Recently, the livestock sector has not been immune from the price squeeze. Cattle prices are down 10.4 percent from March of 1966. Pork prices are down 25 percent and sheep prices are down 16 percent from the same period.

Coupled with this decline in meat prices has been increasing meat imports. These imports are approaching an all-time high. The Department of Agriculture estimates that meat imports in 1967 will be at least 900 million pounds. This compares to the 614.2 million pounds of beef and mutton imported in 1965 and the 823.5 million pounds in 1966.

Mr. Speaker, as a result of the import situation in 1963, Congress took action to establish a reasonable control program intended to prevent recurrences of the 1963–64 price disaster. Efforts by Congress at that time to establish some semblance of control over imports of foreign meats were first resisted vigorously by the administration. It relented only after the price situation had become so bad that it could no longer be ignored.

The chief accomplishment of the 1964 congressional action was the official recognition that quotas on imports of beef and beef products were justified and necessary. It was paradoxical that under aegis of another department of the Cabinet we banned our own export of hides.

I think it is now clear our experience to date demonstrates that the present law is not working effectively, and that changes should be made if we are to protect the American livestock industry from further price declines. It is not working because we have allowed imports to increase at a time when domestic prices are already falling. It certainly makes no economic sense for us to continue to allow increased beef imports on the one hand, while on the other hand the Government engages in a special purchase program of beef in an effort to shore up domestic prices, to be a good neighbor, or for any other reason.

The bill that I am cointroducing does not eliminate the basic framework of our 1964 law—Public Law 88-432—but rather seeks to improve on the application of the objectives that Congress had in mind when it passed this law. It would change the basic quota used for calculating annual allowable import levels to a base period of 1952–62, which is much more realistic than the 1959–63 base has provided at the present time.

It would eliminate the present overrun provision by which imports into this country are allowed to exceed the prescribed cutoff level by 10 percent. It would extend the import controls to other livestock products such as canned, cured, and otherwise preserved beef; which have been coming into the country at increased rates. This proposal would also improve the method of estimating and reporting import trends, thus assuring more effective implementation of the control objectives, than has been the case in the past.

Mr. Speaker, in conclusion, all of American agriculture has been experiencing a severe price-cost squeeze. This trend has already caused great hardship as we strive to maintain and raise our standards of living. If it continues the impact on agriculture will be disastrous

and the repercussions will be felt throughout the economy.

I again salute the gentleman in the well of the House for this worthwhile proposal, and gladly join in support.

Mr. HANSEN of Idaho. Mr. Speaker, I congratulate the gentleman from Texas [Mr. PRICE] on his initiative and am happy to join today in the introduction of legislation designed to give aid to our sorely pressed livestock industry. I have, on many occasions, called attention to the very serious plight of many segments of our agricultural industry and the apparent inability—or will—of those now shaping our farm programs to cope with it.

In my weekly newsletter sent to my constituents, for release today, I said, in part:

> The same situation exists in the livestock industry where imports of beef, pork, and sheep and lamb are all up alarmingly. In the area of beef imports, it is particularly bad. An admitted "boo-boo" on the part of USDA on cattle estimates, plus an unrealistically based 10 percent above-quota-imports "trigger clause," is causing cattlemen great concern. But Secretary Freeman refuses to move off dead-center. One can only wonder why the "top hands" in the administration won't pull the trigger on the gun Congress has provided to protect our livestock industry.

This bill, Mr. Speaker, would take this action out of the hands of the Secretary of Agriculture. Not only would it eliminate the 10-percent overrun so that imports could not exceed the actual adjusted base quota, it would impose the quota by law, thus obviating the necessity of having the Secretary estimate in advance the level of imports.

Passage of this bill would eliminate for future years the situation in which we now find ourselves where meat imports are expected to be in excess of the quota level of Public Law 88–482, but below the level which would direct the setting of import quotas.

I urge its passage.

GUARANTEED MINIMUM INCOMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, for the past few years one of the most discussed anti-poverty proposals on the national level is a plan to guarantee to everyone a minimum level of income. At the moment it is not a Federal legislative issue, but, sooner or later, it will be. Probably sooner because the objective of assuring unemployed and unemployables a raise in the level of their living standard has plenty of appeal, socially and politically.

Because the guaranteed income proposal is new and different and because socially and economically, in one form or another, it has already attracted advocates, it deserves to be thoroughly studied. If, as some say, it has merit in part or as a whole, the public should be told about it; if it lacks merit in part or in entirety, the public likewise should be given the facts—especially before its promoters under an attractive label are able to ignite the flame of its popularity and start something which, like a forest fire, takes another fire to put out. And that might be more destructive than the original fire.

Recently I received a research paper, "The Ripon Forum," dated April 1967 supporting a program to combat poverty called the negative income tax. Addressed to Republicans like myself, the Ripon Society proposed conquering poverty by breaking down the barriers to free participation in the economic life of our Nation. In short, it called for an adequate education for everyone, elimination of discrimination in hiring and housing, and, finally, reducing the insecurity and dependence of the poor. To be specific, it called for supplementing and stabilizing low incomes by adoption of a negative income tax.

Under this latter plan, all families with incomes below a certain standard would be paid the difference between its earned income and that standard. The formula recommended, according to the Ripon Society study, would encourage families to move up the income scale by providing a slightly higher pro rata payment as the earned income increased until it reached an automatic cutoff at the point that the family would begin to pay taxes.

At the outset, I want to frankly say that the idea of a guaranteed income or a negative income tax, whatever form it takes or whatever one calls it, has great appeal—or at least when I began toying with the idea, I was intrigued. This was my first blush of superficial reaction. Take the farmers, I told myself. Under any such program, the Government would be saved several billions a year in subsidies and we would cut off about 100,000 Department of Agriculture employees. I began by thinking that the Government could actually save itself money. I thought of the high cost of administering welfare and other programs compared to the cost of issuing a Federal check.

Then I came back to earth and decided before going off halfcocked, I had better determine, if possible, just what this guaranteed income proposal involved. How would it cure the causes of poverty and, in other words, would it promote the general welfare? What would it offer in the way of incentives to work and produce and get ahead in the world? What would it cost and so forth?

Fortunately, there was plenty of material on the subject in order to study the advantages and disadvantages of this proposal, or rather of the different proposals on the subject. It is obvious from this material that there is much support for the general theory of guaranteed income for poor people. This support covers the desirability of relieving poverty on the basis of need, and that money rather than moral uplift is what is needed. Certainly no one denies that for the past 30 years or more in the United States, it has been accepted that the Government has a responsibility to see that people have a minimal subsistence. But ideas as to the best means of discharging that responsibility differ.

Our Federal, State, and local governments, of course, already offer many benefits of various kinds to low-income individuals, including students, unemployed workers, veterans, older citizens, and so forth.

As to the straight guaranteed income plan, it would provide a formula under which the Internal Revenue Service, based on income and family size, would make Government payments to nontaxpayers. These payments would assure a minimum income in accordance with a formula such as a $3,000 minimum annual income for a family of four. If the family income was $2,000, the Government payment would be $1,000. Another plan, the negative income tax, has an incentive provision in its formula so that as the income of a family increases, the Government payments or income supplement would decline—but would not decline dollar for dollar as income increased. Thus the total income of a family would increase more than the earned income. At some income level, then, the Government would cease to pay supplements altogether.

It is argued that presently in this country we already have a collection of Government programs that guarantee individuals a level of subsistence. Those favoring the Internal Revenue reserve tax plan argue that the present system is a trickle down to the poor—a sort of grab bag in many instances. Under their proposal every dollar goes directly to alleviate poverty. Also it is pointed out that programs like food stamp plans often fail to help the poor because many families have no money for matching purchases. Also, it is pointed out that minimum wage laws do not help people who have no earnings. Certainly, too, the obvious defects of certain antipoverty programs due to being administered or maladministered by the Office of Economic Opportunity have caused many of us to look hopefully for some other forms of assistance. Particularly, some favor assistance in a more useful form; namely, cash.

I agree with those who say our present welfare system is incapable of eliminating poverty and in many cases helps to perpetuate it. In this connection, I think a guaranteed income plan would have the same adverse effect, only on a wider scale. As to the negative income tax, let us see what those who have analyzed this proposal say.

One strong argument made against it is that the negative income tax would tend to perpetuate welfare as a way of life, by sacrificing social services designed to eliminate the causes of need for an income level guarantee. Likewise it is stated, and I would agree, that of those who earn only slightly more than the minimum of the basic formula, many would tend to forgo working at all. Meanwhile, rehabilitation and encouraging the needy to produce and become self-sustaining is ignored.

The appeal that first registered with me of a plan to fill the income gap of the poor was based on eliminating duplication, waste, and the heavy overhead of Government administration. Frankly, on more mature consideration, I am fearful that any such savings would be far less than the cost of a new program. We are told the difference between existing

substandard incomes and the poverty line is $12 billion. So this whole program would be expensive and any illusory cuts in existing welfare costs would not approach that cost.

So, while I continue to seek some practical means of raising incomes of the poor and removing misery and ugliness and insecurity, and while I want to see the Republicans in the forefront of a national effort to cure poverty, I have concluded that a cash minimum standard by Government guarantee is not the answer.

Rather, under the philosophy of Lincoln, there is a better way. Any new approach should help the helpless and guarantee opportunity only to those who can help themselves. The function of the social worker is vital and necessary and cannot be eliminated. We must help the blind and the deaf and the afflicted. We must provide education and job opportunities. But, I have concluded, a dole to all low-income persons even with incentives for additional earnings will not attack the causes of poverty. Therefore, I believe that our problem would be intensified rather than solved by any of these proposals.

HOUSING AND URBAN DEVELOPMENT PROGRAM RECOMMENDED BY THE NATIONAL HOUSING CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, the National Housing Conference has just concluded its annual membership meeting which was attended by representatives of public-interest organizations who came from all parts of the country. This was the 36th annual meeting of the National Housing Conference.

For many years, this organization has been recognized as the conscience of the public interest in housing and urban development. In the cause to get better housing in better neighborhoods for the people, the National Housing Conference is the national organization which has always provided long-term leadership and guidance. It acts as the clearinghouse for public-interest organizations in focusing public understanding and support on programs to meet the pressing problems of housing and urban development.

Along with other Members of Congress, I had the privilege of addressing the membership of NHC. During the meeting which I attended, there was some discussion of the resolutions which were later adopted by the membership. I was deeply impressed by the proposed program.

These resolutions recommend the measures required to achieve a national goal during the next 20 years to eliminate and replace all slums and substandard housing; also, to build sufficient additional housing to provide for the one-third increase which will occur in our population during this period. Besides building enough new housing, the program contains recommendations to bring the supply of existing housing up to a decent living standard. Concurrently, NHC points out that we must solve human problems by an intensification of social programs and services to improve the quality of American life.

The NHC resolutions state that we are at a time of crisis in housing. Today, when the Nation's need for housing is at its alltime peak, housing is at its lowest level of production in many years.

NHC further states that our Nation is experiencing an urban crisis, with social unrest and violence in our cities. Its resolutions recommend that we take vigorous and immediate action to initiate a program now at the rate necessary to accomplish the 20-year goals.

The comprehensive scope of this program is indicated by the following major subjects which are included in it:

20-Year Goals and Required Priorities and Actions to Achieve Them.

Model Cities Program and Metropolitan Planning.

Housing Programs to Meet Needs During Next 20 Years.

Financing Nursing Homes and Facilities for Group Medical Practice.

Urban Renewal Program.

Providing Necessary Mortgage Funds and Lower Interest Rates.

Public and Community Facilities Including Water, Sewer and Mass Transportation.

New Towns and Rural Housing and Renewal.

Urban Technical Assistance, Research, and Training.

The NHC report is a careful study and analysis of our needs for housing and urban development. It presents a realistic program to meet these needs. I recommend that this report be read by everyone who is concerned about these critical problems facing our Nation.

I ask unanimous consent that the resolutions adopted by the National Housing Conference be included in the RECORD at this point. The material follows:

RESOLUTIONS ADOPTED BY THE MEMBERSHIP OF THE NATIONAL HOUSING CONFERENCE

CHAPTER A. 20-YEAR GOALS AND REQUIRED PRIORITIES AND ACTIONS TO ACHIEVE THEM

A–I. General statement of objectives

The National Housing Conference, assembled for its 36th Annual Meeting, presents herewith a program for housing and community development scheduled to be achieved over a period of 20 years. We must establish a national goal to eliminate all slums and substandard housing, and build enough housing to replace them during that period. We must also build sufficient housing to provide for the one-third increase which will occur in our population during this period.

To achieve these goals we must build 50 million new dwelling units in the next 20 years at the rate of 2½-million a year. At least 10 million of these new dwellings must be for people of low and moderate incomes who are not served by the normal private housing industry, at the rate of one-half million dwellings a year.

It is not enough to build new housing. The supply of existing homes must be brought up to a decent living standard. Concurrently, we must solve human problems by a great intensification of social programs and services to improve the quality of American life.

While the Viet Nam conflict continues, we must protect our home front. It is neither sound nor equitable to throw the burden of domestic restrictions on the housing and urban development programs. We are at a time of crisis in housing. Today when the Nation's need for housing is at its all-time peak, housing is at its lowest level of production in many years. We all know that our Nation is experiencing an urban crisis with social unrest and violence in our cities. If we are to avoid increasing demonstrations and violence in our cities, we must take vigorous and immediate action to provide good homes and good neighborhoods for the ill-housed. We can no longer tolerate bad housing conditions which are at the heart of the urban crisis.

We must take all of the measures necessary to initiate a program *now* at the rate necessary to accomplish our 20-year goals. We call for action, prompt and decisive, that will redress the imbalance and restore strength and vigor to residential building, and will avoid a recession. We must bring such construction up to the level commensurate with the housing needs of the people and with the requirements of a healthy, expanding economy. A decent home in a good neighborhood for every American should become a reality.

A–II. Message of the President of the United States on urban and rural poverty

On March 14, 1967, the President sent to the Congress his message on poverty in the United States. In his message, the President recognized the debilitating influence of slum dwellings on the hopes and desires for betterment of the Nation's poor who are presently living under rural and urban slum conditions. In establishing a "Strategy Against Poverty," the President called for a breakthrough on various fronts, including housing, transportation and water supplies. The National Housing Conference ("NHC") commends the President for his great concern with our Nation's poor and ill-housed citizens and supports his recommendations. In the specific Resolutions appearing under appropriate subject headings, NHC recommends the measures necessary to eliminate the urban and rural slum conditions and meet other housing problems described in the President's message.

A–III. Summary of present and long-range housing needs

Adequate legislative proposals require that we first re-examine the present and long-range program and policy position of NH in the light of the tremendous requirements for housing, community facilities, and total community development and redevelopment which are foreseeable in the next 20 years.

The following recommendations and conclusions are presented by NHC in order to fulfill its role as the national organization which provides long-term leadership, and a clearing house for focusing public understanding and support on programs to meet the pressing problems in our areas of interest. These recommendations are intended to gear the legislative proposals of NHC (and others who are like-minded) to the unprecedented challenges which confront us and the Nation now and during the coming 20 years.

The following factors summarize and emphasize the dimensions of the present and future needs of this country for housing, community facilities and community development and redevelopment; also, they show the corresponding requirements for drastic expansion, recasting and broadening for federal and local programs if these needs are to be met in accordance with the aspirations and resources of our American Society.

1. At the end of 1965, the estimated population of the U.S. was 195.5 million. The median official projection is that in 20 years the population will grow to about 260 million in 1985. This will represent a growth of about one-third in two decades, representing 65 million people and about 20 million households. By the year 2000, the U.S. population will be substantially in excess of

300 million. At least four-fifths of this population growth will occur in urban and urbanizing areas.

2. In 1960, 11.4 million dwelling units in the U.S. or almost one out of every five dwellings in the U.S. were dilapidated or deteriorated. There has been no substantial improvement in this overall situation in the succeeding six years. In addition, many of the so-called standard dwellings are obsolete or obsolescent, poorly located, or deficient in modern facilities and will require replacement before the end of the century.

3. In 1964, in the midst of unprecedented national affluence and prosperity, 18 percent or approximately 10 million American households had annual incomes below $3,000 and 35 percent or 19.6 million households had incomes below $5,000. Households in these income ranges occupy an overwhelmingly large proportion of the substandard dwelling units previously identified.

4. For a number of years, there has been widespread agreement that a sustained housing production rate in the general range of 2.5 million dwelling units a year will be required to meet population growth and to eliminate the slums and bad housing conditions summarized above. The fact is, as we all know, that actual housing production has been frozen for years at about 60 percent of this target and has served almost exclusively families and individuals above the national median in incomes. There is no evidence of any major breakthrough in this regard. Furthermore, the two on-going federal programs which have demonstrated ability to meet the needs of families and individuals of low and moderate income—the Low Rent Public Housing Program and the FHA Below Market Interest Rate Program—produced between them about 45,000 dwelling units in each of the years 1965 and 1966. This figure represents 9% of the annual rate needed for those of low and moderate incomes.

5. Residential construction in 1966 was alarmingly below this minimum. The rate of housing starts skidded downward until it reached a 20-year low in October 1966. For the whole of 1966, the rate of non-farm housing starts had dropped disastrously to 1.25 million dwelling units. This is half of the annual rate of 2.5 million which we need. As is well known, the greatest drop in construction has occurred in multifamily housing. Yet it is the multifamily housing that is most responsive to the needs of lower income families and the needs of our cities.

6. Housing starts in 1967 are destined to be fewer than in any year since 1946. This is a dismal prospect. For millions of our families, it is the prospect of distress from an unmet housing need. We must reject the inevitability of this prospect. Instead, we call for action, prompt and decisive, that would redress the imbalance and restore strength and vigor to residential building. We must bring housing construction up to the level commensurate with the needs of the people and with the requirements of a healthy, expanding economy. A decent home for every American family should become a reality in this prosperous nation of ours. We can't achieve that goal unless we increase the flow of money into housing in the amounts necessary for an adequate housing program to meet the needs of all income groups.

7. The shortage of existing community and public facilities of all types, even in advance of the projected population growth, and the increasing obsolescence and deterioration of many existing facilities continue to be the hallmark of the urban and suburban scene throughout the country. This is the product of the severe limitations on local public financial resources—notwithstanding large increases in local debt and local taxes—and of the grossly inadequate scope of federal aid programs in most categories.

8. The spread of suburban sprawl continues to mar the landscape, reflecting inadequate support for planning, short-sighted land policies, and the inadequate scale of programs for central city renewal and reconstruction.

9. The housing deficit—enhanced by the lag and depression in housing construction—is at the heart of the urban crisis. In meeting the urban crisis, our efforts must be directed to the solution of this central problem: the unmet need for good homes within the financial reach of all Americans.

10. The persistence of slum and blighted conditions constitutes a glaring contradiction to American resources and achievable American aspirations to establish a decent standard of living and a rewarding environment for all our population. As recent experience has shown, these large areas of blight, dilapidation and poverty are also breeding grounds in our cities for social disorders which are a blot on the image of American Society, at home and in the world.

A–IV. Suggested priority of housing and urban affairs in Federal programs

This grim picture will inevitably become grimmer unless there is a drastic realignment of national priorities. Such a realignment will require a re-thinking in depth of our federal and local programs and activities and a massive upgrading of the federal financial commitment for programs affecting the welfare of the vast majority of the American people.

The human needs of HUD programs have been given a lower priority in the Budget than space and other programs. This is clear from the wholly inadequate level of all HUD programs when measured against needs affecting the welfare of the vast majority of the American people. The programs for housing and meeting our urban crisis should not be given a lower priority than the highway program, the space program, or putting a man on the moon.

As a nation, we have fully recognized the importance of space exploration, but we have failed to recognize the even greater importance of an adequate program for housing and for meeting the urban crisis. If we can spend over $5 billion a year on the space program, we should certainly spend much more than that amount for necessary housing and better communities—and we mean net expenditures, after deducting receipts from sales of participations in HUD loans or repayments on such loans.

As a people, we are willingly spending $30 billion for the interstate highway system at an annual rate of $4.4 billion in Federal grants. We spent $5.9 billion for space research and technology in Fiscal Year 1966. Indeed, as shown by the 1968 Federal Budget figures cited below, we will spend 13 times more money for space research and technology during Fiscal Years 1966, 1967, and 1968 than we will spend on all of the programs administered by the Department of Housing and Urban Development ("HUD") during the same period.

Fiscal year	Department of Housing and Urban Development [1]			Space and technology
	Expenditures	Receipts	Net expenditures	
1966 (actual)	$5,126,000,000	$4,360,000,000	$767,000,000	$5,900,000,000
1967 (estimated)	6,478,000,000	5,892,000,000	586,000,000	5,600,000,000
1968 (estimated)	6,289,000,000	6,391,000,000	[2]	5,300,000,000

[1] For the supporting figures as to Department of Housing and Urban Development expenditures and receipts, see p. I–4 of publication entitled "Department of Housing and Urban Development—Summary of Budget Authorizations and Expenditures in the Budget for Fiscal Year 1968."
[2] No net expenditure, but net budget receipt of $102,000,000.

In the Budget for Fiscal Year 1968, HUD will not have any net expenditure—instead it will have a net income of $102 million. What is the explanation of this? First, it is because HUD is receiving recoverable assets on many of its programs, which are loans rather than grants. Through sales of participations, private financing is taking over the HUD investment in these loans. The proceeds of participation sales represent receipts which offset the expenditures for the recoverable loans made by HUD. Second, it is because FHA and FNMA charge fees or insurance premiums which cover their administrative expenses and offset losses on defaulted loans. Third, it is because the HUD programs of grants and aids are wholly inadequate to meet the needs of this country as described in these resolutions.

It is now time to allocate our resources in a way to make sure that the human needs of our people—which includes their need for a good home in a good neighborhood—receive the high priority which they deserve. Housing and other human needs of our people must not be sacrificed to the needs of space, highway and other programs.

We should now unleash the resources, the initiative, and the drive of the American economy to carry out the housing, community facilities, model cities, and other programs recommended in these resolutions. They are at the heart of the urban crisis. We should apply the same daring and ingenuity in these fields that we have applied in other fields where America has won world acclaim.

These programs should be given the money they need to do the job that must be done. The Administration should remove its restraints on the use of funds already authorized by law. Congress should increase the authorizations which are inadequate for these programs. We should set our domestic economy on a path of sound and balanced progress and growth to meet the housing needs of our people and to overcome the urban crisis; also, to increase the level of residential construction to sustain the requirements for a healthy economy and to avoid a recession.

Besides giving high priority in the federal budget to housing and urban development, the Administration should include HUD in all of the top councils of government concerning the formulation of policies on financial, planning, and economic matters. This includes not only immediate programs as recommended in these resolutions, but those that relate to the Post-Viet Nam period. As Vice President Humphrey said in a recent speech, the United States must be prepared to use wisely the billions of dollars which will be available for the good and welfare of this country once the Viet Nam conflict is over. Certainly, at that time housing and urban development should have a top priority.

A–V. Schedule of programs needed to accomplish objectives

The following is a schedule of the programs needed to accomplish our objectives now and for the coming decades:

1. Massive programs to increase and improve the national housing supply through measures which will raise production to the absolute minimum of 2.5 million dwelling units per year; also, to eliminate slums,

blight and deterioration within 20 years and provide for needed replacements.

2. The development of programs which will result in the production of at least 500,000 dwelling units per year for families and individuals of low and moderate income. This requires a many-fold increase of the total current volume of production for low and moderate income families and individuals. To achieve this, we must fully utilize all authorizations, speed up processing, and remove government restraints. All existing authorizations must be translated into production. It is necessary that there be a full implementation of the rent supplement program, with authorizations in the Appropriations Act for rent supplement contracts in the total amounts provided in the 1965 Act. In addition, we must increase three-fold the total amount of the present inadequate Congressional authorizations for housing to serve those of low and moderate incomes.

3. Establishment of vacant land development programs and land reserves programs which will be essential for the new housing and related facilities needed to accommodate the population growth in urban centers and to permit the renewal and redevelopment of slums and blighted areas.

4. The establishment of programs recognizing the failure of most residential rehabilitation efforts and introducing the capital or other subsidies necessary to make rehabilitation work on a large scale.

5. The establishment of federal grants for local public facilities of all types at a scale of at least $2 billion a year, with maximum flexibility for local determinations based on sound plans.

6. The development of new approaches to bring order and progress out of the present metropolitan area chaos through: substantial financial incentives for coordination of metropolitan area functions; the establishment of federal local governmental approaches for area-wide problems and programs; the encouragement of the consolidation of local governments where appropriate; and the encouragement of interstate compacts where desirable. This could be accompanied in large urban centers by administrative and political decentralization of decisions that are local in character and impact.

7. Effective programs of federal assistance for the establishment of new towns on a planned basis to help meet the needs of metropolitan population increases and to organize dispersal in order to relieve congestion within the cities.

8. The full implementation of the model cities program with an appropriation of $900 million for supplemental demonstration grants and an additional $12 million for planning. In addition, this program should be extended to all qualified cities, with additional authorizations in an amount sufficient to meet the long-run need for financing the model cities program on a nationwide basis.

A–VI. The 20-year housing perspective

1. To achieve the housing priority proposed above, it will be necessary to build a total of 45 to 57 million new dwelling units in the next 20 years; the high range in this projection would represent in effect the equivalent of the entire national housing stock in existence in 1960. This would represent an average 20-year annual production rate of between 2.2 million and 2.8 million units a year, with a rate in excess of these averages during the closing years of these decades in order to offset the lead-time which would be involved in expanding production up to the required levels. These projections contemplate accommodating the anticipated net household formation over the next 20 years, the replacement of existing substandard housing as well as of the units which will be eliminated by other demolition or losses, and the replacement of other presently existing housing at an annual rate of one percent to two percent of the present national inventory.

2. An indispensable element in achieving these goals as well as of accomplishing the social objectives of this housing priority will be to expand the rate of production of housing for the largely neglected low and moderate income segment of our population at an even sharper rate. If real progress is to be made in providing satisfactory housing for this disadvantaged section of the American population, a minimum 20-year target is production at an average annual rate of 500,000 units to produce a total of 10 million dwellings by 1987. This would require a three-fold increase in annual production over the levels contemplated by the 1965 Act. It would also clearly require overhauling and increasing flexibility of the existing programs and doubtless the development of additional approaches for housing production and finance in this critical phase of the market.

3. The accomplishment of the related 20-year goal of replacing all substandard housing by 1987, will obviously require a very large expansion in the critically underfinanced urban renewal program and the perfection of more flexible approaches to speed up the execution of urban renewal projects and multifamily housing on a greatly broader scale. Communities currently are generating demands for federal urban renewal grants at a rate of about $130 million per month or $1.5 billion per year. A tripling of this rate of urban renewal commitments would appear to be a minimum if the 1987 goal is to be achieved. This would also give financial reality to the model cities program for broad scale local programs to eliminate slums and blight.

4. The extension of the model cities program to all cities that can qualify, with increases to 1 billion dollars annually in the authorizations for supplemental Federal grants and for planning.

A–VII. Support for new legislation enacted in 1965 and 1966

In response to the wise and farsighted recommendations of the President, the 89th Congress enacted legislation which represented a memorable landmark in the recognition by our national government of its responsibilities for leadership and assistance in meeting the massive problems of urban and urbanizing communities where the great preponderance of the U.S. population lives and works. The legislation also covered rural areas which have been left behind. The major laws enacted were:

1. The Housing and Urban Development Act of 1965 ("the 1965 Act").

2. The Law establishing the Department of Housing and Urban Development.

3. The Demonstration Cities and Metropolitan Development Act of 1966 ("the 1966 Act").

4. The laws to stimulate the flow of mortgage credit for residential construction through FNMA purchases of mortgages and through participation sales in mortgages previously purchased by FNMA.

5. The Act amending the Urban Mass Transportation Act of 1964 and providing new authorizations and training and research programs.

We pay tribute to the outstanding services of the chairmen of the committees and subcommittees which handled the legislation—Senator Sparkman, Congressmen Patman and Barrett—and to Senator Muskie who accepted Senate sponsorship of the Demonstration Cities and Metropolitan Development Act; also to their able staffs. We express appreciation to many members of Congress in both parties who supported this legislation. We want to acknoweldge the able work of the Secretary of HUD and his staff on this legislation and its presentation to the Congress and the people; also for the drive of the Congressional liaison staff of the White House. Finally, we want to emphasize the great assistance of the many national organizations who worked together in securing public understanding and support of the legislation.

Notwithstanding the importance of this legislation and the signficance of the new and extended programs which it authorized, our total machinery for meeting the measurable needs and requirements in these areas is still fractional. We need a long overdue breakthrough toward establishing national programs in dimensions and scope commensurate with national needs for housing and community development and for meeting the urban crisis.

A–VIII. Accelerated production instead of restraints by administration

These resolutions cite the slow rate of production of housing under government-assisted programs where laws have been passed which provide necessary funds and authorizations. At this critical time of urban crisis, we need a speedup in programs designed to meet that crisis. NHC urges affirmative action by HUD to carry out the full intent of housing and urban development laws, and to remove restraints and restrictions which have slowed down these programs that are so urgently needed.

NHC finds that in the administration of programs under HUD there exists a damaging disparity between (a) statutory objectives concerning housing and urban development programs, and (b) the administrative interpretations, actions and inactions under existing laws. There is a lack of uniform interpretation of statutes and regulations, and unwarranted administrative determinations which defeat the objectives of the laws and the intent of Congress. This results in disastrous delays and costly failures in meeting urgently needed housing and community development programs.

Too often, decisions and policies are made by HUD which are largely responsive to, and influenced, by, attitudes of a few Congressional critics, rather than the mandates in the laws adopted by the majority of the Congress. There are many instances cited in these Resolutions of administrative actions and restraints which are resulting in a slowdown of housing construction and denial of homes which are desperately needed now to overcome the urban crisis. Two specific examples may be cited:

1. There was a general complaint by NHC members that *administrative* cost limitations have been established in many HUD programs which are unworkable in the larger cities that face the greatest need for these programs. As a result, this housing is being pushed into outlying areas instead of being built within the cities where the great need exists, near places of employment and public transportation. The existing *statutory* cost limits permit HUD to enable housing to be built within the larger cities which will serve the income groups contemplated by the programs. HUD should fully use this authority.

2. In determining family incomes for admission to projects subject to income limits, HUD uses different rules in housing programs which are comparable and should have the same rules. For years, public housing has allowed appropriate deductions or exemptions in computing family income, but similar deductions or exemptions are not recognized in the FHA programs involving rent supplements or the 221(d)(3) below-market program.

HUD has discouraged the submission of new applications in programs where a backlog of unsatisfied applications exists. NHC is strongly opposed to this discouragement of applications for HUD assistance. Even when there is an unsatisfied backlog of applications, HUD should continue to accept applications. There is no better way by which HUD can learn the needs and demands for programs which it administers, so that it

can document and support requests for necessary Congressional authorizations and appropriations.

In many of the HUD programs to meet urban housing and development problems, we are pioneering in difficult areas of need, which will inevitably involve risks that the government must assume. In some programs, premiums are charged for government insurance against these risks. Present restraints and restrictions which seek to eliminate all risks are resulting in the biggest risk of all for our nation—the slowdown of housing construction and denial of homes that are desperately needed now to overcome the urban crisis.

The public and social purposes of these programs are paramount. They must be carried out with all the drive and daring that is required and with full recognition that the government is underwriting risks.

A–IX. *Failure of administration to use authorizations for FNMA special assistance programs*

In addition to the foregoing HUD restraints and restrictions which have slowed down programs, the Administration has failed to use fully the authorizations in existing laws. The Administration has impounded large amounts of Congressional authorizations, even though these authorizations are grossly inadequate to meet current needs. This failure to use Congressional authorizations has contributed to the current low rate of housing construction and the denial of homes which are urgently needed by people of moderate incomes. The following table makes a comparison between the amounts authorized for FNMA special assistance programs and the much lower amounts which the Administration has made available for allocation and commitments:

Comparison of congressional authorizations with their use by administration

Programs	Amount authorized	Amount which administration made available for use
1. FNMA special assistance purchase of mortgages under sec. 221(d)(3) below-market interest rate program.	The committee report on Housing and Urban Development Act of 1965 stated the administration planned to utilize $1,500,000,000 of additional FNMA special assistance authorization for purchase of below-market interest rate mortgages. This was to be available at an accelerating rate which would involve about $450,000,000 for the current fiscal year.[1]	Of about $450,000,000 projected for this fiscal year, the administration initially impounded all but $32,000,000. Later through participation sales and loan repayments and additional $218,000,000 was made available to FNMA for 221(d)(3) allocations; so $200,000,000 is still impounded. During this fiscal year, the rate of 221(d)(3) allocations will be greater than this $250,000,000 made available, due to recaptures and carry-overs. The impounding of $200,000,000 of 221(d)(3) funds has contributed to a slowdown in the progress of the program, as adequate allocations are not made for advance project planning and initiation. Since the 221(d)(3) program started in 1961, there has been FHA insurance and starts of only 53,000 units. In calendar year 1966, starts totaled about 14,000 units instead of the expected 40,000 units a year. Required action: Full balance of $200,000,000 of 221(d)(3) authorization should be released now for allocation.
2. Cooperative revolving fund authorized in 1955 for FNMA purchase of FHA-insured mortgages under sec. 213, now fixed by law at a maximum of 5¼ percent interest rate.	Uncommitted balance of $131,000,000 in revolving fund.	For the remainder of fiscal year 1967, administration had impounded the entire balance in the fund, until it recently released $50,000,000. Of these released funds, about $17,000,000 has been committed. Of the $131,000,000 uncommitted balance, $33,000,000 is available for FNMA commitment and $98,000,000 is impounded. Budget for fiscal year 1968 contemplates use of only $20,000,000. Cooperative projects cannot proceed without FNMA commitments since financing at the statutory maximum rate of 5¼ percent is not otherwise available. Required action: Impounded balance of $98,000,000 should be released now for FNMA commitments.
3. FNMA special assistance on projects: (a) Located in urban renewal areas; and (b) Nonprofit housing for the elderly and experimental housing.	Uncommitted balance of about: (a) $41,000,000 for housing in urban renewal areas; (b) $16,000,000 for nonprofit elderly housing and experimental housing. There was a transfer of $500,000,000 from special assistance funds for these and other programs when Congress authorized $1,000,000,000 for FNMA purchases of home mortgages as described in item 5 below.	For fiscal year 1968, the budget contemplates a total of only $55,000,000 for projects in urban renewal areas. Required action: When additional funds become available through the sale of FNMA participations or otherwise, there should be a restoration of the $500,000,000 taken from FNMA special assistance for multifamily housing, so it will be available for FNMA commitments.
4. Last year Congress authorized FNMA to participate with private lenders in providing construction financing on multifamily projects in cases where FNMA is now authorized to issue special assistance commitments to purchase the mortgage upon completion of the project.	Such construction financing is authorized on most of the special-assistance programs described in 1, 2, and 3 above.	The administration has not implemented this program. While more funds are available for construction financing than previously, FNMA participation in construction financing is still needed to expedite multifamily housing for lower income families; also to assure that such financing is available at reasonable interest rates and service charges. Required action: This law should be implemented without further delay.
5. Last year Congress authorized FNMA special assistance purchases of insured mortgages on homes where amount does not exceed $15,000 per house (subject to certain exceptions).	$1,000,000,000	Administration had impounded all of this except $250,000,000, but recently released an additional $550,000,000. Required action: Balance of $200,000,000 remains impounded and should be released for FNMA purchases of mortgages.

[1] While the Participation Sales Act of 1966 repealed $450,000,000 of the additional FNMA special assistance authorization available on July 1, 1966, the Senate committee stated that it had been assured there would be a compensating amount restored to this authorization through sales of FNMA participations. So repeal was not intended to affect the amount available for FNMA special assistance. Additional FNMA special assistance authorizations of $550,000,000 and $525,000,000 are to become available on July 1, 1967, and July 1, 1968, respectively. For fiscal year 1968, the budget estimates reservations of $500,000,000 of FNMA special assistance for the below-market interest rate program.

In the above table, the most notable example is the impounding of over $200 million of 221(d)(3) allocation authority for later FNMA commitment. This results in a slowdown of the program to serve people of moderate incomes who cannot be reached by normal private enterprise at market interest rates.

The 221(d)(3) program is seriously jeopardized by the lack of adequate funds for allocation to projects. There is a long lead time involved on 221(d)(3) and other multifamily housing projects. It is imperative that allocations be made now to enable the advance planning and initiation of entire projects. Otherwise, even next year, we will not reach the projected level of 40,000 units of construction contemplated by the law. The full balance of $200 million allocation authority should be released immediately for allocation under the 221(d)(3) program.

This will not affect the Budget during this or the next fiscal year, since there would be no actual disbursements until the fiscal year commencing July 1, 1969. This is due to the long period of time required to initiate and complete multifamily housing projects before FNMA would be called upon to purchase these mortgages on the completed projects. This same situation exists with respect to the recommended releases of FNMA special assistance authority on other multifamily housing as listed under items 2 and 3 of the above table.

The Administration should utilize all of these authorizations and do so fully and quickly. It should also provide all of the staff that is needed for these programs, free from present employment ceilings and from restraints on filling vacancies. The Administration should carry out the mandates expressed in the laws as finally enacted by the majority of the Congress in response to the dynamic and effective leadership of the President.

CHAPTER B. MODEL CITIES PROGRAM AND METROPOLITAN PLANNING

B–I. Model cities program

NHC is deeply impressed by the objectives of the Demonstration Cities Program authorized last year. Notwithstanding the progress and expanding activities directed toward the elimination of slums and blight in more than 800 communities throughout the country, it is obvious that only a small fraction of these pressing problems have been corrected by national efforts to date. There persist in most communities large sections characterized by slums, congestion, poverty and all the attendant social evils.

Through the hearings of the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations, public attention was concentrated on the problems causing our urban crisis and on the need for large Federal programs and expenditures to solve those problems—as we are recommending in these resolutions.

NHC registers its enthusiastic endorsement of the broad objectives of the model cities program (which it is now more aptly called) to launch massive local programs for the upgrading of broad sections of cities through the concentrated and coordinated use of all available federal aids and local private and governmental resources, including the supplementary federal grants authorized by the

law. NHC welcomes the law's recognition that the solution of the human problems in these areas requires more than the upgrading of the physical environment and must involve equally a great intensification of social programs and services. The solution requires a tremendous expansion in the supply of adequate housing for low and moderate income families and individuals and of essential community facilities and services.

The comprehensive and coordinated attack on these problem areas in the 1966 Act therefore holds forth the promise of greatly expanded local programs and greatly expanded federal assistance to communities to overcome these blots on American Society. NHC is convinced that, on the basis of experience and progress in communities over the past decades and of the growing recognition of the need for greatly expanded efforts in this direction, these objectives can be achieved if sufficient federal financial support and leadership are forthcoming.

NHC recommends and urges that Congress appropriate the full amount of funds authorized by the 1966 Act for supplemental grants and for planning under the model cities program. This amounts to $900 million in supplemental grants—$400 million for the fiscal year ending 1968, and $500 million for the fiscal year ending 1969. It includes $250 million of urban renewal authorizations for model cities, in addition to the authorizations of $750 million for the regular urban renewal program during each of the fiscal years 1968 and 1969. It also includes the appropriations for the additional $12 million of planning funds for the model cities program for the fiscal year 1968. In his message on Urban and Rural Poverty, the President has urged that Congress appropriate the foregoing sums applicable to the 1968 fiscal year.

To achieve the objectives of the model cities program, it is also necessary that there be full coordination among all of the participating constituents within HUD and all of the other participating agencies of the Federal Government. Moreover, each of them must effectively utilize all of its powers in doing its share of the total job that must be done. This is a challenge that requires the full measure of devotion on the part of all concerned.

There are some people who favor "block grants" and a Federal tax sharing with State and local governments, but who nevertheless oppose supplemental grant for the model cities program. This we find hard to understand. The model cities program is the only one now on the statute books which will give local governments the untied grants urged by block-grant advocates. Consistent with their principles, they should support the supplemental grants for model cities.

NHC believes that the untied supplemental grants are justified in the model cities program where they serve a sound public purpose. They are given as an incentive to cities to develop model programs for the improvement of entire neighborhoods.

With respect to proposed programs of block grants and Federal tax sharing which involve untied grants generally, NHC opposes such programs because they do not provide necessary incentives or requirements to achieve social objectives, such as the housing and urban development programs recommended in these Resolutions.

Today, when our most pressing domestic problem is to provide housing and urban development to meet the urban crisis, the Federal Government must pay large sums in grants for these programs. In these Resolutions we have recommended the programs which require such grants and the amounts of grants that are necessary to achieve our 20-year goals. Also, we have urged increases in the percentage amounts of these grants which are needed because of the financial plight of local governments. We can only meet the housing and urban development needs of America if the Federal grants are given, subject to incentives and conditions which will assure that the moneys will be used to meet these needs.

NHC has reservations with respect to the 1966 law. These do not run to its objectives but rather to the question of whether adequate federal resources will be made available to realize these promises. Specifically:

1. There can be no question that the number of cities throughout the United States which are qualified to meet the requirements for a model cities program, and which would be vitally interested in availing themselves of this imaginative broader approach, are substantially in excess of the 65 to 70 cities which were intended to participate in the program. In the interest of the long overdue expansion in national programs for elimination of slums and blight, NHC seriously questions a policy which would discriminate against cities of equal capacity and equal commitment to accomplish the laudable objectives of the law.

NHC therefore strongly urges that the model cities program be made available to all qualified cities which apply. NHC also strongly recommends that contract authority for the total supplemental demonstration grant of $900 million recommended by the President become available immediately, instead of being split between the fiscal years 1968 and 1969, and that planning funds in the amount of $25 million be made available annually. The volume of the ensuing applications from qualified cities would then place both the Administration and the Congress in position to gauge the long-run need for financing of the model cities program, which clearly will be at least $1 billion a year.

2. Another factor of equally great concern is the inadequate financing of the underlying programs which would establish the basis for model city programs. It is clear that the most fundamental of these programs is urban renewal which obviously would represent the core of any model city program. The urban renewal capital grant authorization, as established by the 1965 Act, is far below the rate of request for commitments for eligible projects which are currently being received from the more than 800 communities participating in that program. The result is that there is a current backlog of applications involving about $1.4 billion in capital grant commitments and that commitment authority for any new projects, no matter how meritorious or urgently needed, is evidently not possible before the beginning of the next fiscal year. Furthermore, as to the additional contract authority of $750 million for the fiscal year 1967–68, the indications are that the backlog of pending eligible applications will rapidly exhaust this amount.

The whole implication of the Demonstration Cities Act is that urban renewal activity in the participating cities will have to be greatly expanded in order to accomplish the objectives of the program. This situation leads to two major conclusions: *first*, that the urban renewal program as such is substantially under-financed and, *second*, that the increased demands for urban renewal commitments which will be generated by the model cities program cannot be accommodated by the increase in the 1966 Act of $250 million above the present urban renewal authorization of $750 million for fiscal years 1968 and 1969.

It is necessary to increase substantially the urban renewal authorization. NHC therefore urges that the capital grant authorization for urban renewal be increased by $1 billion per year for a 3-year period (as described more fully in the later resolution on this subject). Thereafter, the increase should be threefold above the $750 million level per year.

3. In the light of the far-reaching objectives of the 1966 Act, comparable problems of underfinancing are presented by related grant programs authorized by the 1965 Act which are involved in many if not all aspects of the model cities program. This relates particularly to the programs for grants for basic water and sewer facilities, grants for neighborhood facilities, and grants for urban open space and beautification (as described more fully in the later resolution on this subject).

4. There must be an increase in the supply of adequate housing for low and moderate income families and individuals as an indispensable element in the undertaking of the proposed model cities program. The accomplishment of this objective, and the satisfaction of the relocation requirements of the program, will necessarily require the development of new housing and related community facilities either on vacant land or on other sites not involving substantial residential displacement. It should therefore be clearly recognized that increased federal assistance will be necessary for such residential development, particularly multifamily housing which will predominate in the larger cities as land costs and densities increase. Such housing is not limited to what will be provided in the model program area or in the city itself.

B–II. Metropolitan planning

NHC recommends the appropriation for fiscal years 1967 and 1968 of the combined amount of $80 million which was authorized by Congress as supplemental grants for metropolitan planning. These are needed to achieve more effective coordinated metropolitan area planning and program development. The supplementary grants authorized for metropolitan areas would provide an important incentive for the development of sound metropolitan plans and programs to accommodate the vast expansion in population which will occur in these areas over the coming decades. We therefore recommend favorable action by Congress on the full amount of the foregoing appropriations to implement this program.

At the same time, we again point out that the requirements for public facilities of all types which will be needed in support of the impending sharp expansion in metropolitan area population will greatly exceed present funding of the related federally-aided programs. Substantial increases in these authorizations are essential (as later described) in view of the severe limitations on local governmental financial resources.

CHAPTER C—HOUSING PROGRAMS TO MEET NEEDS DURING NEXT 20 YEARS

C–I. Low-rent public housing

The 1965 Act authorized annual contributions contracts sufficient to finance about 60,000 dwelling units per year for public housing purposes for four years through new construction, rehabilitation, lease or other contractual arrangements for use of suitable private housing. Of these units, the legislative history indicates that only about 35,000 units per year will be new housing.

The NHC is convinced that there is demonstrable need for additions to the supply of low-rent public housing at a rate of at least 125,000 units a year. For the 4-year period covered by the 1965 Act, this would require additional annual contribution authority sufficient to finance an additional 65,000 units per year or a total of 260,000 new units. The additional authorization should include the past, present, and future portion of the 4-year period covered by the 1965 Act, as this will help meet the backlog of need.

As set forth below, NHC also favors various amendments to the U.S. Housing Act of 1937 which would improve the workability of the program and broaden its local acceptance.

NHC is impressed by the early evidence of widespread community acceptance of the new provision in the 1965 Act authorizing the use of suitable private housing for low-rent purposes through lease or other agreements between local authorities and the owners and operators of the private housing. As an extension to its present authority to use existing private housing, NHC also recommends legislation authorizing housing authorities to enter into agreements with private developers for the use of portions of new housing developments.

We commend HUD for its flexibility in using existing legislative tools to develop an innovative program which will enable low-income families to live in the same projects as families of moderate incomes assisted under Section 221(d)(3), instead of isolating families based on their incomes. This program will enable low-income families to continue in occupancy when their incomes increase, at which time they would no longer receive public housing subsidies, but would get the benefit of a below-market interest rate. When the family becomes self-supporting, it would pay a full market rate of interest.

In addition, NHC urges local authorities to examine their legal jurisdiction under state statutes from the standpoint of utilizing available private housing outside central cities for low-rent housing purposes, and, where such legal jurisdiction does not exist, to seek appropriate amendments to state laws.

NHC recommends the following perfecting amendments to the basic low-rent public housing legislation:

1. Authorization to HUD to make 100 percent Federal capital grants for writing down land costs and other site development costs for new low-rent public housing projects in excess of the re-use value not in urban renewal areas.

2. The revision of the annual subsidy formula to permit annual contributions equal to full debt service as established by permanent financing, with residual receipts being used either for project rehabilitation and improvement, or accelerated amortization. At any time after completion of a public housing project, provision should be made for reopening development cost, if necessary, and (a) making additional loans for needed rehabilitation or improvement with annual contributions correspondingly increased, or (b) making grants for such purposes as circumstances dictate.

3. Authorization for the sale of any project or part thereof to individuals, tenant cooperatives, condominiums, or other non-profit corporations where such sale would benefit community development but not restrict or reduce the number of dwellings for low-income families who need low-rent housing within that community. Such sales shall not be made where it would create company housing for rental by the employer to his employees. The proceeds from the sale of such projects or parts thereof shall be applied to the provision of substitute dwelling units for low-income families.

4. Supplement the language of the United States Housing Act of 1938, as amended, to emphasize the importance of good public housing design to the low-income family and to the local community; increase the present statutory limits on construction costs per rental room from $2,500 to $3,000 and increase the additional allowance for high cost areas from $250 to $500; and provide that the only monetary limitation to be applied in project development shall be the statutory room costs. In other words, administrative limitations should not be imposed, as is now the case.

5. Repeal the provision in the U.S. Housing Act of 1937, as amended, which requires a 20% gap between the lowest private and the upper rental limits for admission to public housing.

6. Authorization to permit low-income individuals (in addition to low-income families) to be eligible for occupancy of low-rent public housing.

7. Necessary changes in the requirements for participation in low-rent public housing to enable municipalities to construct such housing for those of low income who will later migrate into such municipalities to obtain employment in industries located therein or in servicing activities. This would include new towns or municipalities outside of central cities. It would facilitate dispersal of population and reduce the concentration of low-income families in the central cities.

8. In new and existing low-rent housing projects, there is great opportunity to provide social impetus and vitality not only to those living in the development but also to the surrounding neighborhoods. The need is both for physical community facilities on a large scale and for skilled and dedicated personnel to operate them imaginatively. The new program authorized by the 1965 Act for two-thirds Federal grants to assist communities in developing neighborhood facilities of all types, with preference to those in neighborhoods involved in the antipoverty program, affords a new opportunity to provide needed physical facilities.

9. There is an urgent need for the provision of necessary social and counseling services in low-rent housing projects and neighborhoods. Where funds cannot otherwise be obtained after consultation and coordination with other agencies, local authorities should be permitted to use project funds for this purpose and adequate provision for social and counseling services should be a required part of a project budget.

10. NHC calls attention to the fact that neither the new leasing program for use of privately owned housing for public housing purposes nor the rent supplement program for families and individuals within the public housing income range, require a local financial contribution in the form of exemption from local real estate taxes. The contribution of required tax exemption on regular low-rent projects (with a payment of 10% of shelter rents in lieu of taxes) therefore places such projects in a disadvantageous position from the standpoint of local governmental acceptance. In order to bring low-rent projects more closely in line with tax payments on other programs, NHC recommends that local housing authorities be permitted to pay 15% of gross rent in lieu of taxes, but not to exceed full taxes. Federal annual contributions should be increased accordingly.

11. At present, the special subsidy for housing elderly and displaced persons is available only in the event of a deficit operation. NHC recommends that it be made available in every instance and in an amount equal to the difference between the rent paid per month and the average cost of operation.

12. NHC recommends that the documentation required of the local planning authorities in order to qualify initially for the leasing program be reduced to eliminate the current requirements for development of detailed hypothetical data as to the extent of the potential supply of units.

13. In the 1965 Act there was a repeal as to future projects of Section 10(c) of the United States Housing Act of 1937, as amended, which provides that annual contributions to public housing agencies shall be reduced by any amounts by which the receipts of an agency exceed its expenditures. As a matter of fairness and to meet the needs of local public agencies, NHC recommends that this repeal should also apply to public housing projects existing at the time of the 1965 Act, as well as future projects.

C–II. Other housing programs for low and moderate income families

1. To expand housing production up to the annual level of 2½ million dwellings needed to meet national needs over the coming decades will require great expansion of construction for low and moderate income families and individuals—the segment of the total housing market which is not effectively served by the normal private housing industry with financing at market interest rates. NHC is convinced that the achievement of this expansion will require a wide range of approaches, including new methods not covered by existing programs, all as described in the following resolutions in this Chapter.

C–III. The rent supplement program

1. The principal innovation in this direction contained in the 1965 Act is the rent supplement program.

2. NHC supports the recommendation in the President's message that, in its Appropriation Act for the Fiscal Year 1968, Congress authorize the full amount of contracts for rent supplements authorized by the 1965 Act. This amounts to $40 million for the Fiscal Year 1968.

3. In addition, we urge that the Appropriation Act authorize contracts for the previous amounts provided in the 1965 Act which have not been implemented by previous Appropriation Acts. Before the Fiscal Year 1968, the law provided for a total of $65 million of rent supplement contracts, in Fiscal Years 1966 and 1967. However, only $32 million of this was authorized by previous Appropriation Acts.

4. Construction cost limitations have been established in the rent supplement program which are unworkable in many cities that face the greatest need for this program. NHC recommends that there be sufficient increases in these cost limitations to make it possible to build rent supplement projects within the cities where the great need exists. Only in this way can the rent supplement program fulfill its purpose of serving low-income families in the cities and near the places of employment and public transportation.

5. The success of the rent supplement program requires a staff in FHA who have the proper social motivations and qualifications. This is a social purpose program. It requires people who are wholly sympathetic with it and who are fully qualified to deal with the human problems involved. NHC urges that necessary action be taken now to assure such a staff and the expeditious achievement of the objectives of the rent supplement program. This includes social betterment as well as physical improvement of living conditions. The recommendations contained in this paragraph also apply to the below-market interest rate program designed to serve those of moderate incomes.

6. Suitable counseling services should be made available to housing programs where rent supplements are used. Such services should be allowable housing costs in computing rent supplements.

7. As finally enacted the rent supplement program was limited to serve low-income families in the group eligible for public housing. In the basic rent supplement program which involves loans at a market rate of interest, there is grave question whether these projects will achieve the objective of successful integration of different income groups in a housing development. Only 10% of the rent supplement program was authorized for use in the program involving loans at an interest rate of 3%. This part of the program will successfully achieve integration of different income groups in a housing development. NHC urges an amendment to the rent supplement program so that at least one-half of the total authorization is made available for projects financed at the below-market interest rate, since this will achieve the sound objective of combining in one project housing for families of moderate incomes and for families of low income. Housing for the elderly should be included in this additional authorization for a rent supple-

ment program financed at the below-market interest rate. (See also "Workable Program Requirement", Chapter J–II.)

8. The 1965 Act limits rent supplements to lower income families who are living in substandard housing. However, overcrowded conditions are not recognized as a substandard housing condition. As a minimum, the law should be amended to specifically include overcrowded conditions as a substandard condition. Further, the law should be amended to permit any low-income family to be eligible for housing aided by rent supplements, so long as the family qualifies as to income. Such a family should not be required to come from substandard housing.

9. NHC also believes that the provision in the rent supplement legislation requiring that low-income families pay rents equal to 25 percent of their annual income before becoming eligible for rent supplements is excessive. To eliminate the hardships caused by this provision, NHC recommends that this requirement be reduced to 20 percent, which would be generally consistent with long-established policies under the Federally-aided low-rent public housing programs as well as the continuing procedures under the FHA below-market interest rate program.

10. In addition, the present rent supplement program excludes nonprofit mortgages not insured under 221(d)(3). Many nonprofit mortgagors today hold buildings which are financed otherwise and which they are finding difficult to maintain properly and to charge rents low enough for low-income families. NHC therefore recommends an additional rent supplement program for nonprofit mortgagors, however financed, for low and moderate income families in dwellings that meet local code standards. The present rent supplement program for existing structures requires an expenditure for rehabilitation of an unworkable percentage of mortgage proceeds. Since there is a need to provide standard housing quickly for many more low and moderate income families, NHC recommends that the requirements be changed so they are workable and so they will quickly stimulate a large rehabilitation program. Also, local housing authorities should be eligible as sponsors of Section 221(d)(3) below market interest rate, Section 202 (housing for the elderly) and rent supplement programs.

C–IV. Housing for families receiving public assistance and others with very low incomes; also, code enforcement

1. Some 4 million American families now receive all or part of their income from public assistance programs. Many of these families are ill-housed, primarily because grants in all but a few jurisdictions are inadequate to pay the cost of standard housing. Moreover, public welfare programs provide no controls over the quality of housing occupied by recipients.

2. NHC commends the objectives of legislation previously introduced by Representative Widnall aimed at setting and enforcing minimum standards for housing occupied by recipients of public assistance. We urge, however, that such legislation require that public assistance shelter allowances cover the full cost of housing to the occupant and commit the Federal Government to bear the entire additional cost of meeting this requirement.

3. The 1965 Amendment on Code Enforcement should be further perfected by providing that the federal grants should equal 75%, irrespective of the size of the city. At present the larger cities only receive a two-thirds grant, while cities under 50,000 receive the 75% grant. The larger cities need the larger grants as much as the smaller cities. NHC urges an acceleration and emphasis in the program of concentrated code enforcement in deteriorated or deteriorating areas, together with necessary public improvements to arrest the decline in these areas. These improvements should include the provision and repair of necessary streets, sidewalks, street lighting, tree planting, parks, open areas, recreational facilities and similar improvements within these deteriorating neighborhoods. (A new program for rehabilitating properties up to code standards is discussed in Chapter C–IX.)

4. NHC endorses in principle and will undertake to study, the provision of grants to provide housing that is up to minimum code standards for families of low income who are not receiving public assistance. Such grants would be administered by a local housing authority or other appropriate agency.

C–V. Housing for those of moderate incomes

1. A major difficulty in our housing program today is the failure to provide sufficient housing for those whose incomes are above the maximums set for admission to low-rent public housing, but below the income needed to obtain standard private housing financed at market interest rates. As originally presented to Congress, the rent supplement program is limited to families eligible for public housing, so that no part of that program will meet the needs of the moderate income families who are in the so-called no man's land or gap between the eligibility for public housing and the financial ability to obtain good housing in the private market.

2. The 1965 Act provided for an additional below-market interest rate program under 221(d)(3) of 40,000 dwellings a year during a four-year period. There was a corresponding increase in the FNMA special assistance authorization to purchase mortgages under this 221(d)(3) program. This housing under 221(d)(3) has been provided by cooperative, nonprofit, and limited distribution mortgagors. It serves those of moderate incomes who are unable to obtain adequate housing in the private market.

3. Progress under this program has been much slower than anticipated. Since the program was started in 1961, there have been FHA insurance and starts of construction or rehabilitation on only 53,000 dwellings. During calendar year 1966, such starts totaled about 14,000 dwellings instead of the contemplated rate of 40,000. This low rate of starts under 221(d)(3) has been due to several conditions which NHC urges the Administration to correct:

(a) There has been a cutback in the amount of funds made available for allocations. There have been corresponding reductions in the amounts allocated and restrictions that have discouraged new requests for allocations. Thus, of about $450 million in FNMA authorization projected for use in the Fiscal Year 1967, the Administration impounded $200 million.

(b) There has been such long and cumbersome processing that it takes an average of 18 months from the time a project is initiated until FHA issues its commitment for insurance. Then, it often takes an additional 18 months to complete the FHA-insured financing and the construction. So, frequently, it takes 3 years before 221(d)(3) housing is occupied.

(c) There has been difficulty in getting construction financing at fair rates and charges. Yet, the Administration has failed to implement a 1966 law which authorizes FNMA to participate with a private lender in providing such construction financing.

4. To accelerate the construction of housing for those of moderate incomes, the Administration should make immediately available the $200 million which it impounded from the $450 million that became available on July 1, 1966 for the 221(d)(3) program. In addition to this $200 million, the Administration should fully utilize the additional FNMA special assistance authorizations of $550 million to become available on July 1, 1967. For the Fiscal Year 1968, the Budget estimates reservations of only $500 million of these FNMA special assistance funds for the below-market interest rate program. There will be a remaining $525 million of authorization of FNMA special assistance that will become available on July 1, 1968 pursuant to the 1965 law. NHC recommends the full and expeditious use of these funds.

5. These authorizations in the 1965 law are, however, demonstrably insufficient to meet anywhere near the volume of housing needed by the moderate income group. There must be a three-fold increase in annual production over the levels contemplated by the 1965 Act. We need a new FNMA authorization of 3% interest loans under 221(d)(3) covering 100,000 additional dwellings a year or 300,000 additional dwellings during the next 3 years. NHC recommends and urges a $1.5 billion increase in the FNMA special assistance authorization to provide the funds required for this program. Since this would be an increase in a revolving fund which would be replenished by sales of FNMA participations in the mortgages purchased, this amount of increased authorization should suffice to cover the 300,000 additional dwellings during the next 3 years.

6. The FNMA authorizations constitute a revolving fund for future loans under this program through the utilization of the 1965 Act to pool and sell participations to private investors in a trust secured by below-market interest mortgages. The 1965 Act authorizes Federal appropriations to reimburse FNMA for the difference between the rate FNMA pays on the sale of participations to private investors and the 3% rate it charges. With the sale of FNMA participations, private investment money is substituted for the Federal investment, so the program will represent no burden on the Budget, except for the differential in interest rates.

7. Section 221(d)(3) of the National Housing Act should be amended to permit more than 10% of the units in a project to be available for moderate-income individuals as distinguished from families; such permission for 10% was authorized in the 1966 Act. All moderate-income individuals would then be treated in the same manner as individuals who are elderly or handicapped.

8. The administrative regulations of FHA and FNMA applicable to the 221(d)(3) program should be amended in the following ways:

(a) To adopt measures which will remove impediments to the development of projects in high-cost areas, including high-rise (and in some instances low-rise) buildings in appropriate locations where they are needed. The present cost limits are unworkable for such areas. The practical effect of present FHA cost limits is to force most of the 221(d)(3) housing into outlying areas, rather than to encourage its construction within the cities where employment and needed public transportation are available. While FHA allows its present cost limits to be increased in the event there is a partial tax abatement, such tax abatement is often not available because of restrictions in state and local laws. Moreover, many of the cities are facing problems of inadequate tax revenue and are reluctant to grant tax abatements. Tax abatements on such housing under 221(d)(3) should not be required, since it is not required under the program for the leasing of privately-owned housing for public housing purposes or under the rent supplement program. The present FHA cost limits need to be increased to enable 221(d)(3) projects to be built within cities, without tax abatement. Such housing is urgently needed within the cities to serve those of moderate incomes near their places of employment and near public transportation.

(b) To amend the FNMA limitation on special assistance purchases of mortgages under 221(d)(3) so that it will include the exception for urban renewal areas which is applicable to other multifamily housing.

This is necessary due to the higher costs of housing that generally prevail in urban renewal areas.

(c) To amend existing regulations and directives which preclude nonprofit sponsors from participating in the 221(d)(3) program because of requirements for guaranties which are unworkable as applied to most nonprofit sponsors, including church groups. This recommendation is discussed in more detail in a later resolution.

9. To facilitate the formation of nonprofit organizations to sponsor 221(d)(3) housing, NHC recommends that a program be developed along the lines of the Travia Bill in New York State to make seed money available to nonprofit organizations (including cooperatives) for this purpose.

C–VI. New programs for rental, cooperative, and sales housing for lower and middle income families

NHC is convinced that additional new programs will be needed in order to stimulate the large volume of new housing needed to reach national goals. This is consistent with the position taken by us during recent years and confirmed by the vote of the NHC membership. The following new programs should be adopted to assist in expanding the supply of decent housing available to serve families in the lower and middle income groups:

1. *Rental or Cooperative Housing.* Profit-making rental projects, and nonprofit rental or cooperative projects, should be financed by Federal loans written at the market interest rate for private mortgages. The Federal loan should cover the cost of the project, which would involve either new construction or rehabilitation. The loan would require that rents for a portion of the units be scaled down in accordance with family incomes. The rents or monthly charges which these families could pay should be certified by the local housing authority (if available) or by another local public body. For each family paying less than the market rate because of insufficient income, the sponsor should receive a corresponding credit on his monthly debt service payment to the Federal Government. The reduction for any family should not exceed the debt service on its unit. There would be no income limits for admission or continued occupancy, and rent-paying ability would be reviewed only when leases or occupancy agreements are renewed. When a family becomes able to pay the full market rent, its subsidy would cease, but it would continue in occupancy at the market rent.

2. *Sales Housing.* The 221(d)(3) formula should be extended to cover portions of ordinarily financed owner-occupied sales housing developments involving new construction or rehabilitation. The program would be subject to certain limitations. Thus, the sales price should be identical to the prices at which other comparable units in the same project are being sold, so as to assure that preferential credit terms are not used to inflate prices of specially assisted housing. Incomes of buyers should be subject to a credit review procedure. The interest rate on each mortgage should be set to accord with the monthly payment ability of the family. As families' incomes rise, they would be reviewed periodically by a credit report to establish a current monthly payment rate and current mortgage rate. When the family income can support a market rate mortgage, the mortgage would be converted to a regular mortgage. If any owner of a home who was the beneficiary of a submarket interest rate desires to sell his home, the house may be sold with conventional financing on the market at any price if the special financing is cancelled. If the owner does not desire to sell the house with conventional financing, obtained by the owner or the purchaser, he may convey title to the servicing lender who can sell the house subject to conventional financing or sell it at a fixed price (the unamortized balance plus costs) to another eligible income buyer at an interest rate meeting the needs of that buyer. Such resale would be subject to the same preferences and procedures used at initial sale.

C–VII. Cooperative housing

1. In urban areas where multifamily housing will predominate, cooperatives provide a means of achieving home ownership by the people. This produces better communities where the control and responsibility rests with the people who have a stake in their own housing development. This program has been successful in achieving ownership of housing: (a) by moderate income families under Section 221(d)(3) where FNMA financing is provided at a 3% interest rate; and (b) by middle income families under Section 213 where FNMA financing is provided at 5¼% interest rate. Congress has given full mandates and authorizations for such cooperative ownership, which we fully support.

2. Ten years ago, Congress established a revolving fund of $225 million for the purchase of cooperative mortgages insured by FHA under 213. This financing has made it possible for middle income consumers to join together to help themselves get good housing through their cooperatives. While there have been extensive mortgage purchases from the cooperative revolving fund, much of the money has been returned, so it now has an uncommitted balance of about $131 million.

For more than 10 years, whenever there was a balance in the cooperative revolving fund, FNMA commitments were issued to cooperatives upon request. Cooperatives have relied upon the availability of this fund to buy their mortgages. Suddenly, and without notice, the Administration impounded this fund, contrary to the clear mandate of Congress. NHC has previously urged the Administration to withdraw the limitation on the use of this cooperative revolving fund, so cooperatives can proceed with the construction of their projects and provide housing to middle-income consumers who have purchased these homes. We are gratified that the Administration recently released $50 million of the uncommitted balance of the revolving fund. However, additional funds are needed in order to provide FNMA commitments for projects which had acted in reliance upon the availability of the revolving fund and which have already received FHA approvals for their feasibility. NHC urges the Administration to make these additional funds available. On these projects it is not possible to obtain private financing, since the interest rate is limited by law to 5¼% and the cooperative's entire program was predicated on that interest rate.

3. In addition to providing additional funds for cooperative projects already initiated in reliance upon FMNA financing from the revolving fund, NHC strongly recommends that the balance in the cooperative revolving fund be made immediately available for the purchase of mortgages on future cooperative projects. If these funds are not made available for FNMA purchases of cooperative mortgages, the cooperative housing program under 213 would be killed. This would be a catastrophe, since the 213 program meets an important need among those middle income families and individuals who can only afford the lower monthly charges achievable through cooperative economies and financing.

4. The remaining $131 million of the FNMA revolving fund authorization in the 1955 law is insufficient to provide the volume of cooperative housing needed by such middle income families. To achieve a three-fold increase in such cooperative housing, the cooperative revolving fund should be increased by $250 million. This should be sufficient because there will be sales of FNMA participations in the mortgages purchased and a return of such sales proceeds to the revolving fund.

5. FHA should implement the 1966 Act which re-enacted the directive contained in a 1955 law for the appointment of a Special Assistant for Cooperative Housing and added to the duties of such Assistant the additional cooperative housing programs which had been enacted during the past ten years. The 1966 Act contains a mandate that the Special Assistant for Cooperative Housing is to expedite these cooperative housing operations and eliminate obstacles to the full utilization of cooperative authorizations under Sections 213, 221(d)(3) and the rent supplement program.

6. An amendment is needed in the cooperative housing program under Section 213 so that cooperatives can perform a larger role in providing better homes at lower monthly costs. One of the major amendments required is to assure the adequacy of the amount of financing under an FHA-insured mortgage to enable the acquisition of an existing property by a consumer cooperative. FHA should insure the mortgage of the cooperative on such property in an amount which can be carried by the income from the property when operated on a nonprofit basis. Appraisal formulas which capitalize income are appropriate for property operated on a profit basis. They are not workable for property operated on a nonprofit basis by a cooperative which seeks to produce only enough income to cover its costs.

C–VIII. Multifamily housing in urban areas

1. To achieve success in the model cities program and to meet the housing needs of urban areas, it is necessary to achieve a high volume of production of multifamily housing, particularly for families of low and moderate incomes.

2. During the past two years, FHA-assisted multifamily housing was only about 7% of the total multifamily housing production or only about 32,000 units a year. This FHA participation included about 14,000 units which were covered by financing under the below-market interest rate program. Apart from the below-market program, FHA's participation in multifamily housing production was about 4%. This shows that FHA has performed a relatively minor role in such production. Yet, there is a great and predominant need for multifamily housing in urban areas which are facing crises and social disorders generated by slum conditions.

3. The rate of housing starts under the 221(d)(3) program is only about one-third the rate projected when the legislation was presented to Congress. Thus in calendar year 1966, such housing starts—including new construction and rehabilitation—totalled only 14,000 units instead of the contemplated rate of 40,000. While this Resolution cites some of the reasons for this low rate of starts under 221(d)(3), additional reasons are set forth under previous Resolution numbered C–V.

4. In view of the need to increase production of multifamily housing, NHC urges that there be a removal of the restraints and restrictions which are impeding multifamily programs. There must be an affirmative FHA program to encourage multifamily housing and to speed up its production. Otherwise, we are facing certain failure in the accomplishment of the objectives of the model cities program and in meeting the housing needs of our people.

5. Besides the removal of restraints and restrictions on multifamily housing, the construction of such housing should be encouraged and expedited by an enlarged staff of dedicated and socially motivated experts in multifamily housing, both in Washington and in the field. The staff should be fully qualified and experienced in the special techniques and procedures involved in the financing, developing, and management of multifamily housing.

6. As pointed out elsewhere in these Resolutions, FHA processing of multifamily housing is long and cumbersome. It takes an

average of 7 months for a sponsor to make submissions to FHA before FHA will accept an application for mortgage insurance. Then it takes another 11 months for FHA to process the application. This is too long a lag in the time between the initiation of a project and the issuance of an FHA commitment. During this time lag, there is likely to be a substantial increase in construction and other costs. By the time the builder and sponsor get an FHA commitment and are ready to start construction, they are often unable to build the project due to the cost increases which have occurred since the initiation of the project. As cost estimates are made at an early stage in processing, it is necessary that FHA reflect an allowance to cover cost increases that are likely to occur by the time the FHA commitment is issued and construction is commenced. Moreover, there is an urgent need to reduce FHA processing time on multifamily housing, just as FHA has done successfully on single family housing.

7. Many investors or sponsors are reluctant to understand multifamily projects in urban areas because of the current FHA requirement that they provide a guaranty against operating deficits until the projects become self-supporting. Thus, in urban renewal areas, experience has demonstrated that many projects will not achieve a self-supporting status until the areas have been redeveloped on a major scale and until they have become established as attractive communities. Moreover, FHA does not make the determination as to the need and extent of the operating-deficit guaranty until the time immediately prior to the issuance of its insurance commitment. By that time, the investor or sponsor has spent so much money on the project that it cannot afford to withdraw. Knowledgeable investors and sponsors are therefore refraining from initiating multifamily housing projects because of the uncertainties concerning the guaranties that may be required.

8. When this guaranty requirement is applied to nonprofit sponsors, it severely limits their ability to undertake 221(d)(3) projects which would serve moderate income families. Such nonprofit sponsors generally do not have the funds to provide the guaranty or the legal authority to give a binding commitment. Thus, many churches are unable to undertake an obligation which would commit their congregations to provide funds to meet operating deficits on a housing project. For these reasons, FHA should rescind the requirement that non-profit sponsors provide a guaranty against operating deficits.

9. In 1961, a law was passed providing that if there were losses during the first two years of operation of a multifamily project, FHA was authorized to increase the mortgage by an amount equal to the operating losses. However, this does not solve the problem as investors or sponsors are required to give a guaranty in advance. Moreover, they have no assurance that the operating losses will be added to the mortgage at a later date, since this is entirely discretionary with the FHA and the financing institution. To avoid this and other problems, NHC recommends an amendment in the law to authorize the inclusion in the original mortgage of the estimated amount of the operating losses for the initial two-year period. Although this amount would be included in the mortgage, there would be a requirement that any mortgage funds not needed to meet such losses would be used to reduce the mortgage; also, that the investors are not to receive any return on their investment during the period when operating deficits are being met from mortgage proceeds.

10. There is a balance of only about $40 million in the FNMA special assistance fund for the purchase of mortgages on housing in urban renewal areas. However, even this inadequate amount was impounded by the Administration until the next fiscal year. The reason the fund is so low is because a 1966 law transferred $500 million away from the special assistance fund for multifamily housing (i.e., housing located in urban renewal areas, nonprofit housing for the elderly and other moderate income housing) to a fund to buy mortgages on single family homes. It is necessary that this $500 million be restored to the FNMA special assistance fund to purchase mortgages on the eligible multifamily housing. To provide for this and for other FNMA special assistance purchases recommended in these resolutions, the revolving fund for FNMA special assistance should be increased by a total of 3 billion dollars to provide the financing required for the expanded housing programs described in these resolutions. The expenditures by FNMA for mortgage purchases do not represent grants, but are recoverable assets. Through the sale to private investors of participations in these FNMA loans and the HUD loans for college housing and elderly housing, private investment is substituted for the federal funds. The only cost to the government is the difference between the interest rates on the HUD loans and the rate paid by FNMA to private investors on participations. Except for the loans at below-market interest rates, this represents no cost and no net expenditure to HUD. As to below-market interest loans, the annual cost and net HUD expenditure is the difference between the below-market interest rate and the market rate on FNMA participation sales.

11. It is necessary to increase and accelerate the volume and production of multifamily housing in order to meet the urban crisis and achieve success in the model cities program. There are restraints and restrictions in multifamily housing programs which seek to eliminate all risks and assure that there will not be losses on projects. These restraints and restrictions are impeding the program and denying homes to people who urgently need them. Many of the multifamily housing programs are pioneering in difficult areas of need which necessarily involve greater risks and which may entail losses that exceed the amount of premiums collected. Since these projects affect the public interest and involve important social objectives, it should be recognized that normal business underwriting criteria cannot be applied to these programs, particularly those designed to meet needs among lower income families or those located in areas of urban renewal. It is recommended that the law be specifically amended to provide for appropriations to cover such losses when they exceed the amount of premiums collected on such programs which are affected by a special public interest or social purpose. This would include programs such as rehabilitation, housing in urban renewal areas under Section 220, and market rate 221(d)(3) programs involving rent supplements or the rehousing of displaced persons.

12. As recommended in an earlier Resolution, local housing authorities should be eligible as sponsors of multifamily housing in the programs under Section 221(d)(3) (below-market interest rate), Section 202 (housing for the elderly) and rent supplements.

C–IX. Rehabilitation

1. NHC finds general agreement that we lack adequate tools for an effective rehabilitation program. No substantial progress has been achieved through private efforts to acquire scattered buildings and obtain adequate financing. Everyone recognizes the importance of saving existing neighborhoods, where feasible, through rehabilitating suitable structures and other conservation measures. The model cities program is relying upon rehabilitation of housing as one of the major means of accomplishing its objectives. It is sound public policy to improve our present housing supply and conserve neighborhoods, rather than to allow them to deteriorate and subsequently require that greater costs be incurred in demolition and reconstruction. For this reason, NHC is pleased to note that the President intends to assemble an expert group of private citizens to examine every possible means of establishing the institutions to encourage the development of a large-scale efficient rehabilitation industry.

2. We must give reality to the popular but generally elusive goals of large scale rehabilitation of existing deteriorating housing which is above the level requiring demolition. There are some significant innovations underway which hold promise for more successful rehabilitation efforts. But, by and large, our attempts to achieve large scale rehabilitation have failed in any broad sense by reasons of the absence of realistic financing and technological mechanisms.

3. We must modify present programs and devise new ones which will achieve the volume of rehabilitation which is necessary for a successful program in model cities and for the improvement of deteriorated areas in other cities. This will require more favorable and realistic financing terms and the development of advanced technological methods for effective application.

4. Present federal assistance is not adequate and effective in achieving large-scale rehabilitation. Our attempts to achieve such rehabilitation have failed because of the absence of a realistic program of federal assistance. We need new financing programs which will work. The formulas for determining mortgage amounts on rehabilitation must recognize the actual cost of acquiring and rehabilitating properties that are structurally sound. There must be subsidies to write down the cost of properties to be rehabilitated where this is necessary in order to achieve monthly charges low enough to reach those to be served.

5. There should also be a contingency allowance built into a new financing formula based on replacement cost. This allowance should be included in the mortgage. In rehabilitation, the contractor is often not aware of potential structural, electrical or plumbing problems until he breaks into the walls and ascertains the actual conditions. At present, when the contractor incurs extra costs due to unforeseen conditions, he must meet them from his profit allowance which means he is likely to end up with no profit or with a loss. For this reason, many contractors are unwilling to undertake FHA-insured rehabilitation projects.

6. In those projects where the property is owned or controlled by the proposed mortgagor, cost savings may be achieved by stripping down the building and tearing out the interior walls before making estimates or getting bids for the rehabilitation work. In such cases, FHA should recognize the costs of gutting the building since this increases the value of the property before rehabilitation. It also attracts contractors to do the rehabilitation work, because conditions are known and unforeseen contingencies are minimized.

7. To reduce the monthly charges to the level which moderate-income families can afford, it is necessary to eliminate present requirements for short amortization periods on rehabilitation projects. Where rehabilitation properties are located in a central city, there are likely to be increments in land value which will enable the repayment of the loan, even though demolition occurs well in advance of the remaining estimated life of the improvements. At present the statute provides that such mortgages should not have a maturity exceeding ¾ of the remaining economic life of building improvements. This limitation should be repealed. FHA should be authorized to fix forty-year maturities when it determines this is appro-

priate in order to accomplish the purpose of the program.

8. It appears entirely clear, on the basis of experience, that large-scale rehabilitation programs will require capital and other subsidies comparable to those involved in acquiring and clearing slum properties. It requires subsidies to write down the costs of properties to be rehabilitated and to produce monthly charges which are within the financial reach of the lower income families to be served.

9. The 1966 Act adds Section 221(h) which provides for the new program initiated by Congresswoman Sullivan of 3% loans to nonprofit organizations for rehabilitation of substandard housing for resale to low-income purchasers. It authorizes $20 million of FHA-insured mortgages for the program. We urge that this new program be encouraged and expedited, with additional authorizations commensurate with the nationwide need. (For a further discussion of this program, and our commendation of Congresswoman Sullivan for sponsoring it, see Chapter C–XII–3 of these Resolutions.)

10. The 1965 Act provides that at least 10% of the aggregate of the new urban renewal grant authority—and the authorization for low-interest rehabilitation loans under Section 312 of the Housing Act of 1964—shall be used for code enforcement and rehabilitation to minimize the need for demolition and clearance of existing urban structures. We commend Congressman Widnall for initiating and securing the enactment of this legislation. It should stimulate code enforcement and rehabilitation.

11. NHC recommends that legislation be enacted, along the lines recommended by Senator Clark of Pennsylvania, which would provide standby financing of necessary improvements to homes owned and occupied by low-income elderly couples or individuals in urban renewal areas. Under such arrangements, interest and amortization on FHA-insured loans for these purposes would be deferred until the death of the owner or earlier sale of the property.

12. A new minimum rehabilitation program is needed for short-term rehabilitation, to be administered by HUD, although it should be recognized as part of the anti-poverty objectives. The key to early successes in poverty reduction and the creation of self-respecting citizens is what happens to the children of impoverished families. Since housing and rehabilitation are complex private industries, it takes a long time to achieve results. Housing improvements are required now to provide decent homes for impoverished families and their children. We need a fast program to bring housing up to code standards without overcrowding in occupany. In addition to grants for code enforcement, HUD should finance: (a) the purchase of slum buildings which are in violation of housing codes or are overcrowded; (b) their rehabilitation up to code standards; and (c) rehabilitation grants up to $1,500 to low income owner-occupants outside of urban renewal areas where an official code enforcement program is underway. The housing should then be provided at monthly charges which the families can afford, with HUD grants to make up the difference between what the poverty families can pay (using 20% of their income) and the economic monthly cost of the housing. NHC recommends necessary legislation to enable HUD to undertake this program, which possibly could be done through the urban renewal process if funds are made available.

13. NHC commends Senator Javits for his leadership in a proposal to help solve the serious rehabilitation problem. NHC intends to study the bill which he introduced, S. 1199, so as to determine whether it can support it with such amendments as it deems necessary. While very important, the rehabilitation program is only one of many programs required and recommended in these Resolutions to meet our housing and urban development needs and to achieve our 20-year goals.

C–X. Housing for the elderly

1. The authorization of loans under Section 202 for housing for the elderly should be increased by $100,000,000 a year for the next three years. The 1965 Act authorized a total of $150,000,000 of loans for a 4-year period. This is inadequate in view of the tremendous need. In addition, the present policies under Section 221(d)(3) should be modified to permit the construction of such projects exclusively for the elderly, rather than limiting such financing to projects which also serve other age groups.

2. In accordance with the statutory authority for loans equal to total development costs, HUD should eliminate the requirements in the 202 program that an approved sponsor must make an investment to cover the cost of facilities, furnishings, equipment and working capital. Such costs should be included in the loan. The contribution of the properly-motivated sponsor consists of its devotion of time, ingenuity and energy in initiating, developing and administering projects, all without compensation.

3. Cost limits under the 202 program should be increased so that they will enable housing to be built within the cities where they are urgently needed to serve the elderly. In view of land costs and densities of the cities, this should include high-rise buildings. Moreover, the program should include rehabilitation as well as new construction. Tax abatement should not be required in order to undertake high-rise construction or otherwise incur construction costs that are required in built-up areas of cities. Such tax abatement is often not available because of restrictions in state and local laws. Moreover, many cities are facing problems of inadequate tax revenues and are reluctant to grant tax abatements. Housing for the elderly under section 202 should be permitted to pay full taxes, particularly since this is permitted under the program for the leasing of privately-owned housing for public housing purposes and under the rent supplement program.

4. There is also need for special programs to provide: (a) Federal grants to assist in the training of professional personnel for the management of elderly housing projects; (b) grants for the capital cost of necessary related facilities, such as senior activity centers, health maintenance units, dining rooms, hobby and craft rooms, and counseling centers; and (c) grants for working capital and seed money to States, localities and national nonprofit organizations such as church groups, labor unions, and fraternal organizations.

5. NHC urges that housing for the elderly be included in all planning under model cities programs.

C–XI. College housing

Since the passage of the National Defense Education Act of 1958, our Nation has increasingly recognized its dependency upon higher education for its security, welfare, and continued prosperity. In order to meet the demands made upon them by the expanding numbers of student applications and by required increases in facilities, additional housing must be provided for students and faculty.

Congress recognized the appropriateness of meeting such needs nearly twenty years ago. In the Housing Act of 1950, it provided for the institution of low-interest loans for housing and other educational facilities for students and faculties. As increased since 1950, the loan fund authorized is $1.675 billion, which amount is increased by $300 million each year from 1961 to 1968. This $300 million yearly increase is wholly inadequate to meet current needs. A recent study conducted under the auspices of the American Council on Education has indicated that approximately $1.5 billion per year will be needed for college housing for the next ten years. Recognizing that a portion of this amount may be derived from non-Federal sources, the Council recommends that Congress authorize a minimum of $1 billion per year for the next ten years in the form of a long-term, low interest loan for the construction of housing facilities. NHC supports this recommendation.

The Housing Bill of 1967 proposes an increase in the interest rate on college loans from 3 percent to a rate equal to the current average market yield on comparable maturities of U.S. obligations—with discretion in HUD to make a reduction of not more than 1 percent below this average yield. Since the present average market yield is 4⅝%, this means that the interest rate on college loans would be increased from 3% to at least 3⅝% and, possibly, to 4⅝%. NHC is opposed to this increase in the interest rate on college housing loans. We believe that these loans should continue to be made at the same 3% interest rate that Congress previously approved. We commend Chairmen Patman and Barrett for deleting this provision from the Housing Bill of 1967 which they introduced separately.

C–XII. Recent proposals for homeownership by lower income families

1. In his message to Congress on Urban and Rural Poverty, the President has called for a new program of low-income home ownership. He has directed the Secretary of HUD to carry out, within existing authority, a pilot program in this direction and has authorized FNMA to use $20 million of its funds to support this program. The program is intended to (a) Identify low-income families with the potential to build an ownership equity in a home, (b) Provide guidelines to assure the economic soundness of their investment, (c) Explore a program to insure low-income families against mortgage defaults and foreclosures that result from loss of health or economic recession, and (d) Encourage ownership equity to be acquired through self-help in the construction of homes. The President has stated that the various forms of ownership should all be explored, including cooperatives and individual ownership of single-family homes and apartments; also that multifamily buildings and individual homes, whether new or rehabilitated, should be included in the program.

2. NHC commends the President for implementing this program and urges the Secretary to formulate as speedily as possible the necessary actions for its effective execution. However, to achieve widespread home ownership by low-income families, we need to do more than start the pilot operation approved by the President.

3. In the field of rehabilitation, the 1966 law added a new Section 221(h) which is intended to initiate a program of home ownership among low-income families. Under this program, a nonprofit corporation will acquire and rehabilitate substandard housing. These rehabilitated houses are to be sold for individual ownership by low-income purchasers. We compliment Congresswoman Sullivan for her major role in initiating and securing the enactment of this important law. We urge HUD to take all necessary measures to expedite and facilitate its use in achieving its two principal purposes: (a) to provide a new financing technique for rehabilitation; and (b) to enable low-income people to achieve ownership of such homes. FHA recently issued its regulations and instruction handbook to implement this law. For the reasons set forth in paragraph C–VIII–(8) of these Resolutions, we recommend that FHA should not require that nonprofit organizations give a guaranty against deficits that may occur in this housing program. In view of the great

need for this program, we recommend that the Congressional authorization of FHA insurance be increased commensurate with this need.

4(a) We need to establish the President's program on a permanent legislative basis, with adequate continuing authorizations which will meet the nationwide need. To do this, amendments could be made to existing legislation under Section 221 which would accomplish the following:

Use existing agencies to carry out the program which would operate within the existing legislative framework.

Pattern the new program after Section 221 (h), but broaden it to include new construction in addition to rehabilitation.

Provide for interest rates which are low enough to serve lower-income families, which rates could be below the present 3% rate.

Include other forms of ownership as recommended in the President's message, such as cooperative ownership where the housing would be occupied by its resident members who qualify as lower-income families.

Authorize FNMA special assistance purchases of such mortgages, with a necessary increase in the FNMA authorization.

Utilize FNMA sales of participations in such mortgages which would substitute private investment for the Government investment in the loans.

Authorize annual appropriations to cover the difference between the low interest rates charged lower-income families and the market rate paid by FNMA on its participation sales.

Insure the participating lower-income families against mortgage foreclosures due to ill health or economic recession.

(b) The proposed program is urgently needed to fill a gap in our existing housing programs and meet the neglected needs of a "lower-income group" than those served by the 221(d)(3) program with a 3% interest rate, whom we describe as the "moderate income group."[1] While this neglected group has lower incomes than those of moderate incomes served by this 221(d)(3) program, their incomes are above the level reached by subsidies under public housing or rent supplements who constitute the "low-income group." Through an interest rate below 3%, it will be possible to meet the needs of these people of lower incomes who have a potential to achieve and retain ownership.

(c) We are not proposing that there be separate projects or developments to serve those in the moderate income group and those in the lower income group respectively. We believe that it is desirable to have families of different income groups occupying the same project and living in the same community, since this avoids the undesirable social consequences of isolating people by incomes. This can be accomplished by having different interest rates attributable to the dwellings occupied by those of different incomes, with appropriate adjustments in the interest rates according to the needs of the residents and what they can afford. It should be recognized that a family would continue in ownership and residence as its income increased. As the family's income increases, its monthly charges would be increased to reflect a higher interest rate until the family is paying the full market rate.

5(a) Recently, Senator Percy of Illinois presented a plan which is variously described as "An Imaginative Proposal for Home Ownership" and "A New Dawn for Our Cities." NHC commends Senator Percy for his concern and leadership in proposing solutions to the difficult and continuing housing problem of lower-income families. NHC is in agreement with the basic objectives of the plan to achieve home ownership by lower-income families as a means of encouraging the following values, as stated in the plan:

Human dignity and self-esteem
Motivation to achieve
Feeling of security and "roots"
Community responsibility and stability
Physical preservation and improvement of residential neighborhoods
Encouragement of participation and leadership in community activities.

These are values that the NHC has consistently believed in and supported. However, NHC recognizes that for many Americans rental housing offers a better solution to their particular needs and desires, because of their need for mobility or other reasons—such as a lack of potential to achieve and retain ownership.[2] In addition to the principles of home ownership, the plan seeks to encourage self-help and meaningful participation by lower-income families in decision making. It also endeavors to encourage participation by private enterprise, including nonprofit organizations.

(b) To fulfill these objectives and principles, the plan proposes new federal legislation which would include the establishment of a nonprofit corporation to be called the National Home Ownership Foundation (NHOF). Two-thirds of its Board would be from the private sector and one-third appointed by the President with Senate approval. NHOF would be authorized to issue debentures which would be federally guaranteed. Originally, low interest loans were to be achieved by granting federal tax exemption to NHOF debentures. Recently, however, Senator Percy has shifted from tax exemption of the NHOF debentures to a direct federal interest subsidy which would make up the difference between the interest rate on the NHOF debentures and the lower interest rate charged by NHOF. Since such lower interest rates must be charged in order to achieve low enough monthly charges to bring individual and cooperative ownership to lower income families, Congressional appropriations will be required to pay the difference between these lower interest rates and the market-interest rates on NHOF debentures. Besides providing homes to lower-income families through this program, there would be NHOF insurance of the home owner against foreclosure due to curtailment of income through ill health or economic recessions. The risk of this program would be spread over all NHOF borrowers. NHOF would be subject to Government corporation auditing, budgeting and reporting requirements and specified consultation procedures, but it would be privately controlled. The plan contemplates an active role for housing cooperatives which have provided a way for families to achieve ownership in the multifamily housing construction which is tending to predominate in the larger cities as a result of increasing land densities and costs. The foregoing description of the plan is based upon published reports, and responses to inquiries, concerning the plan. However, NHC has not yet seen the proposed legislation which would implement the plan, so we reserve further comment and recommendations until we have made a study of the bill after it is introduced.

(c) The proposed plan raises many questions which require careful study. The federal guaranty of debentures raises questions concerning (1) the appropriateness of the delegation of authority to a corporation which would be under private control and (2) the adequacy of federal regulation of such a corporation. On the proposed insurance program to protect home owners against foreclosures due to ill health or economic recession, there are questions concerning the cost of such insurance and whether NHOF borrowers could afford it and provide adequate reserves. On the proposal to establish a new corporation and an entirely new legislative framework for the program, we raise the question why it would not be better to use existing agencies which would operate within the existing legislative framework, but with necessary amendments as outlined above. While NHC has these and other questions of policy and legality concerning the plan, NHC welcomes the proposal of a plan designed to meet the housing needs of lower-income families and to bring the benefits of home ownership to them. NHC intends to continue its study of the plan so as to determine whether it can support the plan with necessary amendments. NHC is always interested in the development of additional tools to meet the critical housing needs of the American people, particularly those who are underprivileged.

6. Meanwhile, it should be noted that for many years, NHC has advocated and helped secure the enactment of legislation to bring individual and cooperative home ownership to moderate income people. In the following paragraphs, this resolution summarizes many tried and tested programs which are now in operation to enable moderate-income families to achieve ownership of individual homes or cooperative ownership of multifamily housing. An expansion of all of these existing programs is required. With such an expansion of programs now in operation, it will be possible to produce desired results quickly. We urge the Administration to take the actions necessary to implement and fund all of these programs and to seek necessary additional authorizations. In addition, these resolutions contain proposals for new programs to enable lower-income families to achieve individual or cooperative home ownership.

7. Among the existing programs is cooperative housing under Section 221(d)(3) where almost one-third of this 3% interest-rate program involves home ownership for moderate-income families. For middle income families, cooperative home ownership is being achieved through the 5¼% interest-rate program under Section 213. These programs for cooperative home ownership have achieved the values and benefits listed above. They involve participation by the members in decision making, since every cooperative is a democratic organization owned and controlled by the resident members.

8. An amendment in the 1966 Act adopted the principle of self-help in cooperative housing projects. It would allow members of a cooperative to donate their labor in helping to produce housing for themselves, which would reduce their housing costs. On such labor donated by the housing consumers, the prevailing wage requirements are waived. Likewise, under cooperative housing, there is self-help by the members in providing some of the maintenance and upkeep of the property, such as interior decorating.

9. FNMA special assistance funds are available to purchase mortgages on individual homes which do not exceed $15,000 (subject to some exceptions). This achieves home ownership on housing of relatively moderate cost. The use of FNMA's special assistance funds helps to provide mortgage financing at reasonable cost.

10. The programs described above observe the principle of utilizing private enterprise, since there is: (a) private ownership of the housing—being either individual or cooperative home ownership; (b) private construction of the housing by private builders and contractors; and (c) private capital through interim financing until the project is completed and through the sale by FNMA to

[1] In the program under 221(h) where lower costs may be achieved through rehabilitation, it should be possible to reach some of the low-income group—particularly in urban renewal and other areas when there are write-downs in the sale of the substandard properties to be rehabilitated.

[2] As pointed out in paragraph 12, it is necessary to establish more realistic credit criteria for lower income families so they can achieve individual or cooperative ownership of their homes.

private investors of participations in the mortgages purchased with special assistance funds.

11. On the legislation covering recent programs which provide for individual and cooperative home ownership by moderate-income families, we gratefully acknowledged the sponsorship and support of Senator Sparkman and Congressmen Patman, Barrett, and Reuss and Congresswoman Sullivan.

12. To further encourage and increase individual and cooperative home ownership among families of moderate, lower and low incomes, NHC recommends a change in the FHA regulations regarding credit approvals. The credit requirements are too stringent as applied to such families. Thus, it denies them an opportunity for home ownership if their credit reports indicate they have experienced past difficulties in meeting obligations, which frequently occurs among these income groups. However, this should not bar them from home ownership. It is necessary to establish and apply more realistic credit criteria for such families. NHC recommends that such families should be accepted as satisfactory credit risks if they have established a good record of meeting their monthly charges for housing during the preceding year, provided that the amount which they have paid is comparable to what they would pay for their proposed housing under individual or cooperative ownership.

13. In these Resolutions, NHC recommends legislation authorizing the sale of public housing for cooperative or individual ownership, subject to appropriate restrictions; also, additional programs to provide such ownership by those in the lower income group.

14. HUD and its constituent agencies should fully use all available legislative tools under existing programs to achieve the values and objectives of bringing individual and cooperative home ownership to people with incomes which are moderate, lower or low. This should include the following:

(a) There should be an active program to encourage such ownership under the 221(d)(3) program; the rent supplement program; the 202 program; the public housing program; the program for leasing private housing to serve public housing families; the mixed private and public ownership program to provide housing for people with incomes which are moderate, lower, or low; and other programs.

(b) In the disposition of housing acquired by HUD and its constituent agencies, a priority should be afforded to the residents who should have the opportunity to acquire the properties either through individual or cooperative home ownership.

(c) In the disposition of property by urban renewal agencies, there should be a recognition in the disposition plan that it is important to achieve individual or cooperative home ownership in residential urban renewal areas. Accordingly, part of these areas should be considered for the development of housing to be so owned by the people. As to such areas, there should be a disposition condition that those who acquire the property agree to develop it for housing that will involve such ownership. To encourage the building in urban renewal areas of the required volume of cooperative housing, the same profit and risk allowances are needed in the cooperative programs as in other multifamily programs of FHA, in recognition of the greater costs and risks when building and preselling in urban renewal areas.

CHAPTER D. FINANCING NURSING HOMES AND FACILITIES FOR GROUP MEDICAL PRACTICE

D–I. Financing nursing homes through public housing annual contributions contracts

There is a continuing desperate need for hundreds of thousands of nursing home beds, especially among the low-income elderly. This will be increased by demands generated through Medicare. Local housing authorities, with their long experience in planning, building and operating low-rent housing for the elderly are well qualified to develop nursing homes for low-income persons. They should be authorized to coordinate their housing programs with nursing home facilities to meet community needs for the low-income group. This can be done most effectively and with all of the advantages of public housing financing, by amending the U.S. Housing Act of 1937, to authorize annual contributions contracts with local housing authorities for nursing home facilities. In addition, Section 202 should be amended to permit the inclusion of nursing quarters and facilities in projects for the elderly financed under that section. By this amendment, elderly persons becoming in need of nursing facilities would not have to leave the community in which they are living.

D–II. Direct loans for nonprofit nursing homes

NHC supports legislation proposed by Senator Harrison Williams of New Jersey which would authorize HUD to make direct loans covering 100 percent of development cost for new or rehabilitated nursing homes to nonprofit groups, limited dividend corporations and public bodies. The loans would be made at a maximum interest rate of 3% and for 50–year terms.

D–III. Group medical practice

The 1966 Act includes a program of FHA insurance for facilities used for group medical practice. NHC reaffirms its support of this program and urges the Administration to implement the program in a way that will encourage the development of nonprofit cooperatives whose members will obtain the benefits of bona fide group medical practice at a reasonable cost. The program should operate in both urban and nonurban areas.

CHAPTER E. URBAN RENEWAL PROGRAM

E–I. The urban renewal program

1. The 1965 Act increased the urban renewal capital grant contract authorization by $2.9 billion. NHC and its cooperating public interest organizations testified before the legislative committees of the House and Senate that this increase would be insufficient to maintain the momentum of the program and to accommodate the increasing requirements of communities for this vital urban assistance. The accuracy of the forecast is confirmed by the fact that the authorizations for each fiscal year have fallen far short of meeting the backlog of eligible applications plus new applications entering the pipeline, notwithstanding discouragement of new applications. This shortage is accentuated by the fact that important new urban renewal activities—such as grants for demolition outside urban renewal areas, rehabilitation grants, and increased relocation grants—are a direct charge against the overall urban renewal authorization, in addition to urban renewal projects themselves.

2. NHC therefore urges that the capital grant authorization for urban renewal be increased now by at least $3 billion for a 3–year period. This $3 billion increase in authorization is essential for urban renewal to bring new life to the decaying central cities and towns, according to their needs and requirements. The need for this increase is made even more urgent by the expanded demands which will be generated by the model cities program. When we get the full impact of that program, we will need to triple the present annual rate of $750 million of urban renewal grants in order to achieve our 20–year goals. This means that there should then be an annual rate of ruban renewal grants of $2¼ billion.

3. If the $3 billion increase in the urban renewal authorization is not feasible at this session of Congress, as a minimum the NHC strongly recommends that the balance of the contract authority of $750 million (which was made available by the 1965 Act) be released now, without any limitation as to fiscal year. This would have the result of satisfying the present backlog of demands, the continuing applications which will be filed by communities at an increasing rate, and the increased demands which will be generated by the model cities program. This would also place the Congress in position to reappraise the long-term continuing need for urban renewal funds. Because of the long lead-time involved in urban renewal activities between the initial commitment of capital grant funds and their actual expenditure during project execution, the impact of such action on budgetary expenditures in the next two fiscal years will be very small.

4. The NHC also recommends amendments to the urban renewal laws, as described below.

5. On capital grants for urban renewal, code enforcement, and other comparable aid programs, there should be an increase in the federal grant to three-fourths from the present two-thirds which is paid to larger cities. The higher grants are now made to smaller cities, but they are needed equally by the larger cities. Correspondingly, in cases where the community elects to finance survey and planning costs at its own expense, the project capital grant should be increased to five-sixths from three-fourths.

6. Authorization to local public agencies to engage in the purchase, rehabilitation and sale or lease of properties suitable for such treatment, without limitation as to proportion or number. As indicated in an earlier resolution, an adequate and successful rehabilitation program must include a large expansion in the program for urban renewal acquisition of properties for rehabilitation. Likewise, there should be adequate funds available for grants to write-down the resale price on such properties subject to requirements for their rehabilitation.

7. As a further stimulus to rehabilitation, the Federal Urban Renewal law should be amended to authorize loan and grant contracts to assist the rehabilitation of scattered properties in residential neighborhoods or districts designated for conservation and rehabilitation or intensive code enforcement by an approved Community Renewal Program in the locality. Provision should also be made to recognize the cost of any new public improvements serving the rehabilitation properties for appropriate local grant-in-aid credits.

8. Local public agencies should be authorized to make sales of industrial and commercial land for later development to non-profit industrial development corporations or any other properly constituted public body sponsored by the local agencies on the same basis as that now authorized under economic development.

9. The existing statutory provisions for recognition of real property tax losses by the locality in an urban renewal area as a local grant-in-aid credit should be broadened to include the entire tax loss from the date of acquisition of the property to the completion of the redevelopment in accordance with the urban renewal plan for the project.

10. In any community where there is a project in execution and where long-term real estate tax abatement is provided by the municipality to a private non-profit or cooperative housing development for the purpose of achieving lower rents and facilitating relocation, such tax abatement should be accepted as a non-cash local grant-in-aid to the project.

11. Title I should be amended to assure that gross project costs shall include the fair market value of any substandard building which the local public agency determines should be eliminated, as well as the cost of demolition of such building, irrespective of whether the local public agency acquires the fee to the property on which such building is situated.

12. All Community Renewal Programs should include adequate studies and programs—by public agencies including Local Housing Authorities—for meeting the needs of low-income and elderly families. In localities without CRPs or with CRPs deficient in programming for low-income or elderly families, funds should be made available (irrespective of the size of the City) under CRP or Section 701 for these necessary studies and programming.

13. The NHC supports the objectives of the special urban renewal provisions for Central Business Districts which were introduced in the 88th Congress by Senator Clark and the then Congressman Rains. These would permit waiver of residential requirements in renewing central business districts; recognize that commercial, industrial, and cultural functions of central business districts are of vital importance to community growth and rehabilitation; and permit HUD to qualify site improvements and supporting facilities as part of the gross project cost and as a local grant-in-aid. They also would allow for rehabilitation and acquisition of historic properties in such areas.

14. NHC favors an amendment to the urban renewal law whereby any public facility in a community having more than one urban renewal project and having a Workable Program and a Community Renewal Program would be eligible for non-cash grant-in-aid credit if the development of the facility was occasioned by the urban renewal program.

15. NHC recommends that there should be no limit to the amount of grant for a particular demonstration project, which means that the Federal Government in special cases, could pay up to 100% of the cost of the demonstration program.

16. NHC recommends that Section 107 non-cash grant-in-aid credits be extended to cover air rights development costs for 221 (d) (3) projects in which a minimum of 20% of the units are rented to families or persons qualifying for and receiving rent supplement payments.

17. NHC recommends that 75% grants under the urban renewal program should be available for the reclamation of unbuildable land which is located within metropolitan areas. There are often large available areas of land which are not suitable for building because of problems which can be corrected by appropriate expenditures of public funds, such as the draining of swamps in meadowlands. Such land constitutes a below ground slum which can be eliminated to make the land suitable for development for residential and other purposes. In such areas, this will provide a convenient site for housing and other community facilities needed by those now living within the overcrowded areas of central cities.

CHAPTER F. PROVIDING NECESSARY MORTGAGE FUNDS AND LOWER INTEREST RATES

F–I. Tight money market and increase in interest rates

1. The tight money market has caused a depression in housing construction with a disastrous drop in the rate of production and a precipitous rise in interest rates. Housing has borne the greatest brunt and suffered the greatest damage. In the past year the average interest rate on conventional home mortgages has increased by ⅝ of 1%, which is a 10% increase in interest costs. On a $20,000 mortgage, this means an increase of over $10 per month for the first year. It means that many people who need homes cannot afford them now—even though they could have afforded them last year at the lower interest rates.

2. The increase in interest rates has been an important factor in increasing the cost of living. Each month the indexes have shown that the costs of housing have increased. While fiscal controls were supposed to help stop inflation, they contributed to inflation by increasing interest rates and increasing the cost of living.

3. Besides the increase in interest rates, the tight money market has drastically reduced the amount of money available for financing the building of homes that are urgently needed. Last year we built about 20% fewer homes than we built the year before when we were not building enough.

4. The recent easing of interest rates has had a negligible effect on the interest rates on housing mortgages. The Administration should take strong measures to roll back the interest rates on housing mortgages and reduce them to a reasonable level.

5. The Administration should also take strong additional measures to further assure an adequate flow of money for home building. Inadequate action has been taken by the Administration to provide additional mortgage money for housing. The amounts made available through the Federal Home Loan Bank Board and the $800 million of special assistance funds through FNMA are not adequate to meet the need. Moreover, only single family home construction is helped by this action. Only $50 million of additional special assistance funds was released recently for multi-family housing—for use by cooperatives under Section 213. Yet, the greatest drop in construction has occurred in multifamily housing, which is the most responsive to the needs of families in urban areas.

F–II. Proposed administration increase in maximum interest rates on multifamily housing

1. As recommended by the Administration, the Housing Bill of 1967 proposes to establish a uniform maximum interest rate of 6% for FHA mortgage insurance programs on multifamily housing. At present, most of these programs have a maximum interest rate of 6%, but the elderly housing program has a maximum interest rate of 5½% and other programs have a maximum interest rate of 5¼%, including cooperative housing under Section 213, condominiums under Section 234, and rental housing under Section 207. The Administration has stated that a uniform maximum interest rate of 6% would provide flexibility, so that in tight money periods there would be an avoidance of exorbitant discounts and a greater assurance of the availability of financing.

2. While NHC recognizes the advantage of having a uniform interest rate on multifamily programs involving market-rate financing for use during tight money periods, we urge Congress to obtain an assurance from the Administration that this legislation would not be used to increase interest rates *at this time* when everyone should be endeavoring to loosen the tight money market. Now that the Federal Reserve Board has reduced the discount rate to 4% and the banks are reducing their interest rates on loans, NHC urges the Administration to take action to reduce interest rates on future FHA-insured loans where the present interest rate is 6%.

3. In another resolution NHC has recommended increases in the FNMA special assistance funds for the purchase of mortgages which are now eligible for purchase under that program. These include projects which accomplish desirable social objectives or otherwise promote the public interest. NHC recommends that the FNMA special assistance program be utilized for the purchase of such mortgages as a means of supporting the drive to lower interest rates to a reasonable level and to avoid the unwholesome practice of charging points in the purchase of FHA-insured mortgages. This is one way to help roll back the interest rates from the unreasonable levels which are jeopardizing the housing program and the health of the economy.

4. NHC is opposed to a proposed uniform statutory maximum interest rate of 6% on all multifamily housing mortgages. If Congress favorably considers such legislation, NHC recommends that the proposed legislation be amended so that it will not be retroactive on a project which has previously received an FHA feasibility approval at a lower interest rate. On such a project where the mortgage is eligible for purchase by FNMA under the special assistance program, FNMA should be required to purchase the mortgage at the lower interest rate in effect at the time FHA approved the feasibility of the project. Otherwise, under its present requirements, FNMA would refuse to purchase the mortgage unless the interest rate is increased to the highest rate permitted by FHA at the time FHA issues its insurance commitment. This would impose a great hardship. There is reliance on the interest rate in effect at the time FHA approves feasibility since sales and other commitments are made which are predicated on that interest rate. Furthermore, a statutory maximum interest rate of 6% could jeopardize the lower interest ceilings existing on housing programs having specific social objectives, such as cooperative housing under Section 213 and nonprofit housing for the elderly under Sec. 231. These mortgages are eligible for FNMA purchase with special assistance funds. Congress should direct FNMA to purchase them when necessary to support the statutory interest rates and avoid discount sales of mortgages on such projects.

F–III. FNMA special assistance

In recognition of the serious problems of the tight money market and the increase in interest rates, a number of laws were passed in 1966 to provide FNMA special assistance which would help meet these problems. In addition, there are laws which previously had been enacted to provide FNMA special assistance. NHC strongly recommends that all of these special assistance authorizations should be fully used to help meet the problems of tight money and high interest rates. These include the following:

1. The full balance of the funds authorized for the 221(d)(3) program should be made available immediately for allocation under the below-market interest rate program.

2. The full balance of the Cooperative Revolving Fund authorized in 1955 should be made available for FNMA purchase of FHA-insured mortgages under Section 213, now fixed by law at a maximum interest rate of 5¼%.

3. The full balance of FNMA special assistance funds should be made available for the purchase of mortgages on projects located in urban renewal areas, non-profit housing for this elderly and other moderate income housing.

4. The Administration should implement the 1966 authorization for FNMA to participate with private lenders in construction financing on projects which FNMA now undertakes to finance, upon completion, under its special assistance programs. Many projects have been delayed due to the lack of construction financing at reasonable cost. The Administration has not implemented this law which was passed last year. NHC strongly recommends that this be done immediately as one of the measures needed to stimulate and expedite the building of housing for lower-income families.

5. A 1966 law provided for FNMA special assistance purchases of insured mortgages on homes where the amount does not exceed $15,000 per house (subject to certain exceptions). It authorized $1 billion to be used for this purpose. The Administration had impounded all of this except $250 million. Recently, however, the Administration released $550 million more of the $1 billion fund. NHC recommends that the $200 million balance of the money be released and used. NHC also recommends that in all rec-

ognized high-cost areas, the mortgage limitation should be raised to $17,500 per house.

6. There should be an immediate release of the $20 million of FNMA special assistance funds for Section 221(h). This was added by the 1966 Act and provides for a program of 3% loans to nonprofit organizations for rehabilitation of substandard housing for resale to low income purchasers.

In addition to the immediate release and use of all of the foregoing FNMA special assistance funds now authorized by law, NHC recommends that the revolving fund for FNMA special assistance should be increased by $3 billion dollars to provide the funds required for mortgage purchases on the expanded housing programs described elsewhere in these resolutions.

CHAPTER G. PUBLIC AND COMMUNITY FACILITIES INCLUDING WATER, SEWER AND MASS TRANSPORTATION

G–I. Water, sewer, public and community facilities, and other programs for urban area growth and development

1. The urban and urbanizing areas of the nation are and will carry the main impact of the unprecedented population growth which is now under way. At the same time, both the established central cities and the growing suburban communities are suffering from a backlog of deferred needs for public and community facilities of all types and are prevented by limited financial resources from overcoming these deficiencies, to say nothing of preparing for the multiplying demands which lie ahead.

2. The 1965 Act contained new authorizations for Federal grants to assist in the development of new basic water and sewer facilities. To meet the demonstrated needs, NHC urges that the funds authorized for grants for basic water and sewer facilities projects under Section 702(a) be increased substantially, as indicated below.

3. NHC recommends that an appropriation be made for the 1968 fiscal year in the amount of $400 million instead of the $165 million recommended in the Budget. The 1965 Act authorized grants of $200 million for each of the 1966, 1967 and 1968 fiscal years, but only $100 million was appropriated in 1966 and only $100 million is estimated to be appropriated in 1967. The authorized but unappropriated $200 million from the 1966 and 1967 fiscal years should be added to the 1968 authorization and the full $400 million should be appropriated.

4. In addition, NHC supports H.R. 4349, introduced by Congressman Widnall, which would increase by $300 million the authorization for grants for basic water and sewer facilities. However, NHC believes that this increase is not sufficient. It therefore strongly renews its recommendation of a year ago for legislation authorizing $2 billion annually for a 4-year period for 75% grants to local governments for (a) basic water and sewer facilities and (b) for all other types of public improvements and community facilities as described below. To achieve our 20-year goals, the program should be continued thereafter at the annual rate of $2 billion.

5. Besides the grants for basic water and sewer facilities, the proposed authorization would include grants to local governments which are required for many other types of public improvements and community facilities. The 1965 Act contained important new programs for advance acquisition of land for such public facilities and for neighborhood facilities, particularly in low-income neighborhoods. The public facility program should include the acquisition of land to provide open space, parks, and recreational facilities within the cities, so that they are closely accessible to the people who need them most. When so accessible, they will be actively used on a year-round basis. They will add beauty and charm to our cities. The 1965 Act was a promising opening step in the right direction, but its authorizations and scope are far from equal to the dimensions of the present and future needs for the public facilities described above. These local needs are so large that they are beyond the financial capacity of most communities without adequate federal assistance. In all cases there should be an increase in the amount of the federal grant to 75% for these purposes.

6. NHC recommends that the regional plan requirement for municipal water, sewer and other grants be waived in those instances where the improvements have no regional implications and where no regional planning mechanisms exist.

7. There is a great need for the foregoing federal public facility grants to assist hard pressed communities in overcoming serious backlogs in replacing substandard or obsolete facilities (especially in the central cities), eliminating water pollution and accommodating the unprecedented demands for additional facilities and services generated by population expansion. These needs cut across whole metropolitan areas and regions. They involve the central cities, the existing suburbs, and new suburbs and new communities still to come. Properly ordered, this essential expansion in federal aid could provide a potent influence in resolving the present chaotic conditions created by the multiplicity of local governmental jurisdictions in most metropolitan areas. This in turn has led to: suburban sprawl; a tragic misuse of land; rampant land speculation; and frequent failure of metropolitan area and regional planning as an actual effective tool for the control and guidance of new development. Such a program could provide important leverage to the establishment of federated local governmental approaches to control programs of area-wide and region-wide significance. At the same time, it could foster decentralization of local governmental functions of strictly local application.

8. In this connection NHC believes that such grants should be generally restricted to communities that are providing simultaneously adequate housing for low and moderate income families. However, NHC recognizes that there may be instances where the need for such housing does not exist. Therefore, NHC will study this matter with a view toward proposing legislation that will accomplish the objective of encouraging the provision of housing for low and moderate income families in communities outside of central cities, as well as the provision of much needed public facilities. NHC also feels that there should be better coordination between HEW and HUD with respect to public service grants inasmuch as both departments administer these funds with differing requirements and cost sharing ratios.

G–II. Mass transportation program

The Mass Transportation Program was initiated by Congress in 1964 and its authorizations were increased in 1966. This program represents an essential tool for achieving balanced local transportation programs and for overcoming the blighting impact of traffic congestion in metropolitan areas.

The present authorizations for the Mass Transportation Program are at the annual rate of $150 million for fiscal years 1967, 1968 and 1969. The objectives of this important program clearly require higher authorizations and longer term funding. NHC therefore recommends legislation authorizing additional mass transportation grants of $750 million per year for the next three years and recommends further that HUD undertake studies establishing the long-term requirements of this program. To provide mass transportation grants for 1969, we need the full appropriation this year of the $230 million that has been requested by the Administration.

CHAPTER H. NEW TOWNS AND RURAL HOUSING AND RENEWAL

H–I New towns

1. There is an urgent need for a program to develop New Towns. New Towns are planned communities designed to help meet the needs of the expanding metropolitan population and to provide an orderly dispersal of the population to relieve city congestion. New Towns are communities where people, employment, culture and recreation are planned in convenient relation to each other.

2. To achieve the objectives of the New Towns program, the law should recognize that it is also necessary to:

(a) Buy land at low cost and keep it available for resale at low prices.

(b) Achieve integration, both economic and racial.

(c) Minimize the amount of transportation required by assuring that there would be employment within the New Town itself for its residents, along with some employment in nearby areas; also, that there would be housing available for the lower-income service and domestic help.

(d) Achieve a layout and construction which provides for the separation of pedestrian and automobile traffic, safety of children, convenient playgrounds and other advanced technology. By internally relating homes, employment, and recreation, automobiles can be used for shorter trips and at non-peak road densities. By proper vehicular use relationships, we can reduce both travel peaks and daily trip lengths.

3. A public authority should generally be the instrument that would undertake necessary land acquisition and carry out the development of the New Town directly or through its long-term leasing or other disposition of land to private enterprise and to appropriate public agencies. It is desirable to permit certain non-governmental agencies to undertake a New Town program. This should include nonprofit private foundations or other public-interest type organizations; also, certain types of limited-dividend private organizations which do not operate under the compulsion to achieve quick and high profits. In addition, there is need for a separate governmental agency which would have all the powers, functions and responsibilities of the New Town.

4. Loans to public agencies or public-interest type organizations are required for periods of forty years, particularly in a program where the land would be leased and the rentals utilized to repay the loan. The legislation should be further amended to provide for such loans at a fixed rate of 3%.

5. With the passage of the 1966 Act, Congress recognized the need for a program to develop New Towns. While this legislation was a vital step in the right direction, it is only designed as an experimental program. Amendments are necessary to establish the New Towns program on a permanent basis. Accordingly, there should be a repeal of the present $250 million limitation as to the aggregate amount of mortgages which may be insured for New Towns. In addition, the requirements enumerated above should be stipulated as conditions to the financial aids available for the New Towns program.

6. Since there would be a substantial waiting period before the land authority would be collecting money under land leases, the loan should provide that payments of principal would not start until the time when monies would be available from the land leases. Likewise, interest should be treated as a developmental cost up to the point where sufficient monies will be recovered to carry the loan.

7. The 1966 Act extended to New Town programs the benefits of the Urban Planning Grant Program of the Housing Act of 1954. To the extent necessary to meet the needs

for planning on a permanent program of New Towns, there should be an increase in the present authorization for the Urban Planning Program.

8. In its large program of land acquisition, the Bureau of Public Roads should purchase excess land beyond the amount needed for the roads themselves. Since road-building programs result in the displacement of people from their homes, there should be recognition of the duty and responsibility of the Bureau to acquire land that is suitable for residential development and make it available to rehouse such displaced families. This relocation responsibility should be discharged similarly outside of New Towns wherever Federal highway programs displace large numbers of people. At large road interchanges, this program should include the acquisition of additional land for the development of New Towns where they are needed to rehouse displaced families and to meet the needs of our growing population. Such land can generally be acquired by the Bureau at low cost at the time when land is being acquired for new road systems.

H–II. Rural housing and renewal

As a general objective, NHC recommends a program of rural housing and rural renewal which will make available to rural areas the same kinds of financial assistance as are provided for urban housing and urban renewal. Specific proposals to achieve this objective are set forth below.

NHC recommends and urges that the Farmers Home Administration (a) implement its program of extending credit at a 3% interest rate for the construction of rental and cooperative housing in rural areas for people of all ages; (b) implement the new legislative authorization of consulting fees for services rendered to cooperatives by nonprofit organizations; and (c) give more sympathetic consideration to the existing cooperative housing provisions to alleviate the housing ills in the rural areas.

We further recommend that Congress be urged:

1. To provide rent supplements where they are needed, similar to the payments available under the rent supplement program of HUD.

2. To re-establish and increase by $50 million a direct-loan fund in the Farmers Home Administration loan program to supplement the mortgage insurance program and especially to keep the interest rates from going too high; such loan fund should be increased from time to time commensurate with the needs.

3. To give the Secretary of HUD authority to waive rules and regulations of HUD programs in order to give very small cities and towns an equitable share of HUD programs.

4. To provide an expansion of the low-interest loan program to predominantly rural areas under the Aiken-Poage Water and Sewer Act and add community facilities such as police and fire facilities, street lighting, and community centers.

5. To provide a new program of grants together with 3% loans for low-income families and individuals in rural areas for housing repair and rebuilding and for self-help housing, and appropriations for the existing program of grants.

6. To provide a small experimental program of aid to rural areas and small towns to establish public, cooperative or nonprofit transportation systems.

7. To provide that only the new farm home and the immediate lot (not exceeding 1 acre) would be encumbered in home mortgages under the Farmers Home Administration.

8. To provide a model housing program for rural areas and small towns of less than 5,000 population. We urge a program for small rural communities comparable to the model cities program.

9. To double appropriations for the Farmers Home Administration.

10. To increase the mortgage term to forty years for most rural housing loans.

NHC urges the Secretary of HUD to implement section 4(c) of the Departmental Act, assigning to the Director of Urban Program Coordination specific responsibility for continuing consultation with the Secretary of Agriculture and with industry and public interest groups—to the end of making federal housing and community facility aids for rural areas equivalent to those available in cities and metropolitan areas. We look toward greater use of HUD's experience through exchange of technical information as much as through new Executive and Congressional actions. Better coordination at the executive level between HUD and the Department of Agriculture should result in programs that meet sound standards of development appropriate to rural areas.

NHC supports the Rural Areas Redevelopment District Bill. We call attention to the items mentioned above as necessary to implementation of the plans of these Districts.

NHC is pleased to note that the President has asked the Secretary of Agriculture and the Director of the Bureau of the Budget to review all existing Federal programs to insure that rural areas receive an equitable share of their benefits. In addition, a National Advisory Commission on Rural Poverty has been established, and the Secretary of Agriculture has been asked to identify development problems in rural areas in order to coordinate the various Federal programs and avoid duplication. NHC supports these steps and urges the officials involved to take bold and comprehensive action.

H–III. Planning aids for multi-county areas

Recognizing that the Nation no longer consists of small towns and communities which can develop independently, the President and the Housing Bill of 1967 propose that Congress amend the Housing Act of 1954 to authorize $20 million to provide HUD-administered grants to States of up to ⅔ of the cost of technical assistance: (a) for comprehensive planning by multi-county planning agencies in non-metropolitan areas; and (b) for technical assistance to the multi-county planning agencies of the Department of Agriculture.

NHC urges Congress to enact the legislation recommended by the President. The proposed multi-county planning is necessary to achieve the sound development of smaller urban communities and surrounding rural areas. These areas should have opportunities and facilities which are comparable to those of large cities, so as to attract and retain residents and avoid further congestion in the large cities. However, it should be understood that this program should not encourage the pirating of industry.

H–IV. Migrant farm workers

In his recent message to Congress, the President has also called for the institution of an expanded program of self-help housing for migrant farm workers. He recommends the authorization of $35 million to provide such services as education and health and for the construction of 2,000 self-help housing units. NHC agrees that migrant farm workers are among the forgotten Americans, and urges Congress to support the President's recommendations.

CHAPTER I. URBAN TECHNICAL ASSISTANCE, RESEARCH, AND TRAINING

I–I Urban information and technical assistance

The 1966 Act recognizes the need to assist States to make available information and data on urban needs and assistance programs and activities; also, to provide technical assistance to small communities seeking to solve their urban problems. It provides for a Federal grant of 50% of the cost of an urban information and technical assistance program. Accordingly, the law authorized the appropriation of $2.5 million for the 1967 fiscal year and $5 million for the 1968 fiscal year for Federal grants for the urban information and technical assistance program. NHC recommends an appropriation of the full $7.5 million authorized, instead of the $6 million requested by the Budget.

I–II. Urban research and development

In his message to the Congress on Urban and Rural Poverty, the President observed that: "Less than one-tenth of one percent of our total research and development expenditures in government have been devoted to the field of housing and urban affairs. Yet, 70 percent of our citizens live in urban areas."

Recognizing that the failure to apply technological and scientific advances and resources to this vitally important area of American life must not continue, the President outlined a three-fold program to build a basic store of urban knowledge. NHC strongly supports the President's following three-point program which has now been embodied in the Housing Bill of 1967:

1. Legislation to authorize a new Assistant Secretary in HUD for research, technology and engineering. Under the new Assistant Secretary, an office for urban research, technology and engineering would be established in a form proven successful in other governmental agencies. HUD would also serve as an information source for state and local governments and private industry.

2. The Secretary of HUD would encourage the establishment of an Institute of Urban Development as a separate and distinct organization which would engage in seeking solutions to future urban problems and requirements.

3. The appropriation of $20 million in fiscal year 1968 for use by HUD for general research and an increase from $13 to $18 million for other studies and experimentation in the fields of housing, urban development and urban transportation.

I–III. Grants for training and fellowships

1. The shortage of trained professional and sub-professional personnel in the broad field of community development has long presented a serious problem in the development of effective action programs. Unless corrected, this problem will become increasingly acute as the dimensions and pace of community development activities increase.

2. The Housing Act of 1964 contained a two-part program intended to combat this shortage. The first part authorized $10 million, without fiscal year limitation, for matching grants to States. These grants were to be used by the States to assist in organizing, developing or expanding programs to provide special training in skills needed by those persons employed or to be employed by governmental bodies responsible for community development and to support research required for housing programs and needs. The second part of the program contained an authorization for the appropriation of $0.5 million annually for a three-year period beginning on July 1, 1964 to provide fellowships for the graduate training of professional city planning and urban housing specialists.

3. These were important first steps in meeting this problem. The Budget indicates, however, that with respect to the training program, in fiscal years 1966 and 1967 no Federal expenditures have been made or are anticipated. For fiscal year 1968, the Budget requests $5 million for the training program and NHC supports this request.

4. With respect to the fellowship program, the Budget indicates that no funds were appropriated in fiscal year 1966. For fiscal year 1967, the Budget contains an estimate of $0.5 million. Finally, the Budget requests

$0.5 millions in fiscal year 1968 for fellowships and indicates that this request is intended to carry out authorizing legislation which has not yet been proposed. The NHC recommends favorable action on this appropriation and the proposed authorizing legislation for fellowships in fiscal year 1968. NHS further recommends the three-year extension of the grant program for fellowships which is proposed by the Housing Bill of 1967.

5. NHC feels, however, that the foregoing program amounts are clearly inadequate to do the job. It, therefore recommends:

(a) That $100 million a year be authorized for training for four years;

(b) That the fellowships be increased to $2 million a year for four years; and

(c) That additional funds be provided for the training of sub-professionals in the broad field of community development.

This would be done through the Institute of Urban Development, as proposed by the President of the United States for establishment in the Department of Housing and Urban Development; and further, that the grant ratios be equal to those provided for in Title I of the Higher Education Act of 1965. NHC also recommends that research and training funds be made available directly to local communities without requirement for a local matching share.

CHAPTER J—PROGRAMS FOR GENERAL APPLICATION TO HOUSING

J–I. Equal opportunity for housing

1. Throughout its entire life, NHC has been committed to equal opportunity for all American families to secure good housing in good neighborhoods. It again reaffirms this position. While recognizing the slow but significant progress that has been achieved in recent years, it deplores the fact that this opportunity is still denied to millions of American families throughout every section of the land because of their race, color, creed or national origin, or because of the myths which exist as to their desire, or ability to pay for and maintain good homes. To overcome this denial of opportunity and to dissipate these myths are great challenges facing the Nation.

2. NHC has long supported the principle of a competitive housing market open to free bargaining by all American families without regard to racial or ethnic background. Many localities have been limited in achieving this objective, however, because of the lack of adequate supplies of low and moderate-cost living accommodations and by the congestion of many minority group families in limited sections of the community. To provide an adequate supply of housing, it is necessary to raise production to a minimum of 2.5 million dwelling units per year.

3. We applaud the past actions taken by the President and the Congress of the United States as steps in the direction of providing an equal opportunity for housing. We urge the Administration to take all necessary additional actions to achieve this objective. As a further necessary step in meeting this critically growing problem, the NHC approves and supports the President's message recommending to the Congress the enactment of a fair housing law in 1967. We recommend and urge that the Congress adopt and incorporate the President's recommendations in the enactment of a Civil Rights Act of 1967.

J–II. Workable program requirement

NHC endorses the principle that the requirement of a local workable program for community improvement be made a condition for approval of all federal assistance programs. NHC believes that the criteria for such workable programs should be reasonably flexible in relation to local conditions and should be judiciously administered with provision for recertification of such programs every two years.

Until the workable program requirement is extended as a condition for all federal assistance programs, NHC opposes any requirement that there be a workable program, or approval by the governing local body, before the undertaking of a program involving rent supplements, conventional public housing, or public-housing leasing of private housing.

J–III. Relocation

1. NHC has long recognized the need for coordinated relocation payments and practices within the various programs of the federal government. We, therefore, have given strong support to the Uniform Relocation Act now pending before Congress.

2. When home owners are being displaced through urban renewal or other governmental action, adequate payments should be made for the acquired home and for the relocation of the homeowner so the dispossessed homeowner will be able to get and own a decent home elsewhere.

3. When a small business is being dispossessed through urban renewal or other governmental action, affirmative action should be taken to assist its relocation either within the urban renewal area or elsewhere. If it is to be relocated within the urban renewal area, there should be a policy to establish a rental for the small business which it can afford. In order to achieve this, an appropriate write-down should be made in the disposition of property under the urban renewal program. While it is recognized that there are allowances under present legislation to cover the cost of relocation by a business which is displaced through urban renewal, we recommend this additional affirmative action to help assure the protection and continuance of a small business that is being displaced. NHC also recommends the full implementation and use of the 1965 amendments to the Small Business Act for businesses which are being displaced through urban renewal or other governmental actions.

J–IV. Uniform system for computation of incomes within HUD

At the present time the computation of incomes differs among the constituent agencies of HUD which are administering comparable housing programs involving income limits. For years public housing has recognized appropriate deductions or exemptions in computing the family income. Thus, there is a deduction from the income of a secondary wage earner which recognizes that there are expenses in earning such wages, so they do not represent a full increment to family income. Likewise, deductions are allowed for the amounts paid for the care of children or sick or incapacitated family members when these are necessary to permit employment of a wage earner. There are other limited allowable deductions for minors or dependent adults.

While these deductions or exemptions are made in the public housing programs, they are not now recognized in the FHA program involving comparable subsidies under rent supplements or under the 221(d)(3) program which involves lesser federal aid through below-market interest rates. NHC recommends that similar deductions and exemptions be allowed by FHA in computing family income in both the rent supplement and the 221(d)(3) programs.

J–V. Disposition of Federal lands

NHC recommends that local housing authorities have equal opportunity with Federal agencies for the acquisition of surplus Federal lands for low-rent housing needs.

J–VI. Rat control

The President's message on Urban and Rural Poverty and the Housing Bill of 1967 contain a proposal for a much-needed program of rat control and extermination. The President has stated that he will request Congress to provide $20 million in fiscal 1968 for the initiation of this program. Recognizing the clear menaces of rodent infestation, NHC commends the President for his leadership in mounting a campaign to meet this problem and urges Congress to support the President's request.

J–VII. Federal controls on interstate sales of real estate

NHC supports the enactment of S. 275, introduced by Senator Harrison A. Williams of New Jersey which would provide for a full and fair disclosure of the nature of interests in real estate sold through the mails and communication in interstate commerce. This proposed legislation would prevent frauds and misrepresentation in the sale of such real estate.

In recent hearings before the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly, it has been shown that are increasing instances of deception and fraud inflicted upon the unwary public. This bill would provide effective protection of the public from being bilked into buying lots that are actually located in deserts, swamps, or other remote areas.

J–III. Support for international programs for housing

1. NHC is aware of the critical housing problems elsewhere in the world, particularly in the developing countries. We urge continuation and expansion of our Government's foreign aid programs for housing in the developing countries, particularly cooperative housing to provide ownership by moderate income families as contemplated by the Humphrey Amendment to the Foreign Assistance Act.

2. Further, we urge our Government to support efforts: (a) to elevate importance of housing in the economic development process by supporting efforts to establish within the framework of the United Nations a specialized international agency dedicated to solving the housing problems of the developing countries; and (b) to increase U.S. financial support to U.S. universities and other institutions for research and training programs to help solve these housing problems and supply the trained personnel so badly needed.

3. NHC applauds the leadership provided by the United States in the adoption of a resolution by the United Nations Social Development Commission giving emphasis to a demonstration program for the improvement of squatter areas; also, the resolution calling for a study to establish an International Housing Year.

J–IX. Appropriations requested by administration

NHC strongly recommends Congressional approval of the budgetary requests of the Administration for HUD programs. These funds are greatly needed to meet the critical problems of our urban areas and the shortage of adequate housing for persons of low and moderate incomes. In addition to the $750 million for urban renewal grants for fiscal 1969, we urge Congress to make full appropriations of the following amounts requested and previously authorized by Congress:

1. $412 million for supplemental and planning grants for the model cities program for fiscal year 1968, together with the $250 million increase authorized by Congress for urban renewal in model cities.

2. $40 million increase in contract authority for the Rent Supplement Program for the fiscal year 1968.

3. $230 million for Urban Mass Transportation grants in fiscal year 1969.

4. $50 million for urban planning assistance grants.

5. $20 million for urban research and technology.

6. $30 million for supplemental grants to encourage metropolitan growth planning.

7. $125 million for open space and beautification.

8. $42 million for neighborhood centers.
9. $6 million for urban information and technical assistance.
10. The amounts requested by the Administration for annual subsidies for low-rent public housing, water and sewer grants, direct loans for housing for the elderly and handicapped, community development training and fellowships, low-income housing demonstrations, and grants and loans to the State of Alaska for housing for low-income residents.
11. Adequate funds as requested by the Administration to permit HUD to fully and effectively discharge its important functions.

THE FOOD-STAMP PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I rise to bring to the attention of my colleagues the urgent need to continue to provide for the operation of the food-stamp program on a sound and fully operable basis. We will have the opportunity to make this crucial decision in the very near future.

In my own State of New Jersey, quite frankly, the program got off to a relatively late start. The first such program—in Mercer County—did not begin operation until June of last year. But, the success of the food-stamp program has led other counties to join.

As of March of this year, four counties were operating food stamp programs and another four, including Union County, are scheduled to begin operations in the near future. And, additional counties, Hudson included, want to be able to take advantage of the benefits as soon as possible.

In passing the Food Stamp Act of 1964, the Congress indicated to the States that it contemplated the progressive expansion of the food-stamp program to all areas of the country wishing to participate. This was to be a gradual process.

Now, there is a move in the House to change the rules. This new proposal would require the States to pay 20 percent of the cost of the free, or bonus, coupons. This—it is contended—is necessary to insure that the States and localities have control over the programs.

Mr. Speaker, the States and localities do now control the programs and their participation in them. It is strictly a voluntary program. The Department of Agriculture cannot, by law, start a single food-stamp program in any State unless the State and locality has requested it. Further, the State and locality must be willing to pay the cost of administering the program. If a county starts a program and then decides it is no longer needed, it can summarily withdraw. Frankly, I cannot see how this 20-percent requirement is going to give any more local control than already exists.

Mr. Speaker, this proposed cost requirement for the States is no minor change in the law. I submit that the move to require the States to match 20 percent of the cost of the bonus coupons will, in effect, end the program and, most assuredly, end it in those areas and States where it has had, and is having, the most beneficial impact.

Why anyone wants to halt this program is beyond my understanding. It has proved conclusively to be more effective than the free distribution of surplus food and, more importantly, it leaves intact the pride and sense of contribution of those families using the program. It has been well administered by both the Department of Agriculture and the States. Even taking into account the pilot program begun in 1961, the critics of the food-stamp program fail to point out any abuses or poor administration.

There is an additional important consideration. Would the legislature of your State appropriate funds to match the 20-percent requirement when they could easily go back to the free surplus food donations? And this overlooks the fact that the surplus food program was far more inefficient and less beneficial to the poor it was designed to help.

And, Mr. Speaker, the supporters of the move to eliminate the food-stamp programs try to console us with the fact that the States will be able to go back to distributing surplus food which the States do not contribute to the cost of. This seems to indicate that they are not really concerned about State control of the program.

There are several reasons why the States will be unwilling to match the 20-percent cost requirement, even though the program has proven so successful in the past and gives such great promise for the future.

In many cases, the States simply cannot afford it. In fact, if States were able to finance the kind of public assistance that is required to meet the needs of low-income people, then they would not need a food-stamp program.

If this situation is true in New Jersey—and it is—it is even more true for other States that now have substantial food stamp operations.

Some States cannot now even raise the revenue to take full advantage of Federal moneys available to help operate other public assistance programs. These are the States where the food stamp programs are most urgently needed. It is sheer folly to pretend that these States are suddenly going to find a new source of revenue to finance the cost of the coupons.

The State could, of course, pass this additional cost on to the counties. But, the counties most in need of the program would be those least able to pay and most would be forced to drop the program.

The stamp program is not a welfare program—it is a food program. It is a means of putting a national resource—our abundance of food—to work to meet a national need. It does not replace or lessen the need for the States to finance a public assistance program. It simply puts our overabundant food resources to work to help make up the deficiencies in State public assistance programs—deficiencies that arise out of the States' inability to fully finance such basic assistance.

Mr. Speaker, the district which I represent combines parts of two counties. Each of these will be severely affected by this proposed change in the Food Stamp Act. Union County is scheduled to begin a food stamp program on June 1, 1967. This means that unless the program is extended, the county will operate the program for a little more than a year. I seriously doubt that the county can afford to pay out 20 percent of the cost because of the already extentive and costly public welfare programs it now carries on.

On the other hand, Hudson County wants to begin participation after July 1. The county has a tremendous population of older people, many of whom could qualify to benefit from the food stamp program. Again, I feel that the comprehensive public assistance programs already borne by Hudson County preclude their paying 20 percent of the cost of a food stamp program.

Here then, in these two counties, the poor will be denied desperately needed assistance as a sacrifice to false economy, should the 20-percent requirement be enacted.

The supporters of this requirement point to the high cost of the war in Vietnam. I only have one question to ask. Is the economy of our Nation so weak and are we so hardened to poverty, that we would deny poor families a dignified way of helping themselves to get an adequate supply of food?

And, remember, they say the States can always go back to the commodity program. It is not a choice between spending or not spending dollars to assist low-income families to eat better.

Mr. Speaker, many false, yet superficially attractive, issues of economy and control have been raised in regards to the food stamp program. I think we should brush these aside and get right to the heart of the matter: Whether to end the program or not. I submit that the answer is that we do not want to and moreover we cannot afford to end it.

NEED TO REVISE SELECTIVE SERVICE LAW—LIV

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, some opponents of abolition of the draft have warned that a voluntary armed force would be composed of mercenary troops. General Hershey has also echoed similar sentiments. I am not quite sure what the general and these other individuals have in mind, unless they assume that those who would enlist would do so only for monetary reward, hence, qualifying them as mercenaries.

Today, we call upon many of our young men to perform what perhaps is the highest act of patriotism—to risk their lives in the defense of their country.

Their financial compensation, however, is extremely meager. Under a voluntary system, the man in uniform may also be asked to risk his life for this Nation, yet, because he may be paid what might approximate a living wage, should he thus be labeled a mercenary? Is this the term opponents of abolition would attach to those in the officer corps, who are adequately compensated? Obviously not.

Such statements are nothing more than unfair blanket indictments against all those who volunteer to serve in our Armed Forces. General Hershey should know better, particularly since he, himself, voluntarily enlisted in the Indiana National Guard when he was 16 years old. When there was a voluntary system of recruitment in the 1920's and 1930's, no one called those who enlisted "mercenaries." The economic life of many of the enlisted men would be far more rewarding, financially, in the civilian economy. There is nothing wrong in making military life more attractive and if this means increasing military salaries, then it should be done.

AN EDITORIAL FROM THE WOONSOCKET CALL, PERTAINING TO THE POST OFFICE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the postal service—and particularly its problems and what to do about them—has been the subject of nationwide attention ever since Postmaster General O'Brien called for a nonprofit corporation to take over our mail delivery system. There is no question that the situation is serious and steps must be taken to improve postal service. Postmaster General O'Brien's proposal and the need for immediate action to modernize the post office were discussed in a thoughtful editorial appearing recently in the Woonsocket Call which I would like to bring to the attention of my colleagues.

The editorial follows:

THE POSTMASTER GENERAL'S FRUSTRATION

If, as is probably the case, Postmaster General Lawrence F. O'Brien has tried to do his job conscientiously, one can understand his obvious frustration. He has proposed that the Post Office Department be turned into a non-profit government corporation headed by a professional executive.

O'Brien's idea is bereft of details, but he clearly suggests that something ought to be done to straighten out the department. Only a month ago he described it as being on the road to catastrophe, another example of his frustration.

That the postal service has deteriorated in recent years is no secret to anyone who uses it. The deterioration appeared to set in when deliveries were cut from two to one daily. The cause for the cutback at the time was said to be the increased volume of mail. The volume has continued to increase to the point where post offices in large metropolitan areas are virtually snowed under.

Right here in Woonsocket postal workers are handicapped by rather antiquated quarters, at least as regards size. This situation will hopefully be remedied when the government builds its new federal building. The volume in the Woonsocket office has increased over the years to the point where some areas don't receive a mail delivery until late afternoon.

The situation that exists in Woonsocket exists also in many, perhaps most, post offices throughout the nation. There is apparently just too much business under the existing setup.

There are some skeptics who contend that a private industry could take over the postal service and make a profit. That's a moot question. We have always regarded the mails as a service provided by government because it would be too costly for private enterprise. It has generally operated at a deficit, which is eventually made up from taxes.

That the postal service demands a complete overhaul is unquestioned. It is a labyrinth of old-fashioned and outmoded rules and regulations. Some segments have become dumping grounds for political appointees. Many of its facilities have outlived their usefulness.

A recipe for rejuvenation is in order, but Postmaster General O'Brien will have to be more specific if his proposal is to get the necessary attention.

A BILL TO AMEND THE SOCIAL SECURITY ACT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, one of the glories of an affluent society is its ability to adequately care for its senior citizens—to care for those citizens who generously contributed toward the greatness of our Nation and who have now reached the sunset of their lives.

Though ours is a most affluent society which possesses the ability to adequately care for its senior citizens, we have nevertheless failed to do so. It is shocking, I think, to learn that this country, which is the wealthiest in the world, uses less of its national wealth for the social welfare of its citizens than other advanced industrial nations and frequently less than many poor and developing nations. While West Germany and Luxembourg use 17 percent and 16.6 percent, respectively, of their gross national product for social welfare measures, the United States uses only 7 percent.

We have not adequately met our overall social welfare obligations and we have particularly failed to give our senior citizens a just return for their labors while sending billions of dollars overseas to care for others—many of whom may one day turn against us.

The failure, I believe, has been a legislative one. We have failed to take into account the problems inherent in a dynamic economy and society. Though our intent has been good, we have failed through the years since the inauguration of the social security program to make legislative provisions which would enable adequate and timely adjustments of social security benefits in accordance with changes in the cost of living.

Oh yes, we have made periodic increases in benefits in an effort to maintain the purchasing power of social security beneficiaries through the years but such periodic adjustments have been far too few, too little, and too late.

Rather than providing a realistic and elastic system of payments that closely adhered to the cost of living, we let our senior citizens get by as best as they could on a fixed pension while rising costs of living robbed them of their purchasing power.

Far too many of our senior citizens have known the agony of trying to sustain oneself on a fixed social security pension while the cost of living leaps far ahead. To illustrate, during a 7-year period, beginning in 1958, we experienced an increase of over 8 percent in the consumer price index while the cost of services, which mostly affects the elderly, increased over 16 percent. However, during the same period social security beneficiaries received no increase in benefits to offset these increases.

Therefore, Mr. Speaker, I am introducing a bill today that will provide for an automatic increase in benefits whenever there is a 3-percent increase in the cost-of-living index.

We are not speaking of a small segment of our society when we refer to our senior citizens who rely on social security payments to sustain themselves. There are almost 22 million Americans numbered in this group. They deserve our vigorous attention and support. We must assure them that their golden years will be lived in the dignity for which they worked so hard to attain and will not be darkened by poverty's long and ugly shadow.

Though many of our citizens have found other financial means to sustain themselves after reaching their sixties, the overwhelming majority of the population reaches retirement age with social security as their only benefit.

This problem of which we speak is becoming increasingly acute because people are living longer and longer and, consequently, must depend upon social security payments for more years of their life.

We cannot expect these people to manage today's living costs on yesterday's fixed income. Through the many years of their retirement, we must continuously adjust social security benefits to living costs. This should not be left to the cumbersome legislative process of periodic increases as voted by the Congress. It can only be accomplished by the establishment of an escalation clause whereby rises in the cost of living will be matched by automatic increases in benefits without the necessity of legislative action on the part of the Congress. An automatic increase provision in our social security law is essential for inflation strikes more rapidly than the Congress acts.

In addition to an escalation clause, my bill calls for an immediate 12 percent

across-the-board increase in all benefits. This will align benefits with today's cost of living while the automatic adjustments will meet future needs.

My bill also provides:

First. That the minimum benefit be raised from $44 to $80 per month. We must keep in mind that the minimum affects the neediest persons receiving benefits.

Second. That persons with 25 years of coverage, 100 or more quarters, will receive a minimum benefit of $100 per month and $150 for a couple.

Third. That outside earnings limitation be increased from the present $1,500 per year to $2,000 and that our pensioners be allowed to earn $3,000 before the dollar-for-dollar withholding from social security benefits becomes effective.

Fourth. That the taxable earnings base be automatically increased whenever there is a 3-percent increase in the national earning level. Many of the most serious shortcomings of the benefit structure in the past have been directly attributable to the chronic and continuing inadequacy of the base. The base has persistently failed to keep pace with the rising wage levels.

Fifth. That veteran pensioners be allowed this increase in social security benefits without a reduction in their veteran pensions.

Sixth. That under the Internal Revenue Code, increased social security benefits not be counted as income as computed by private trust and pension plans when determining benefits under their programs.

Mr. Speaker, the time to modernize our social security system is now. We must provide a program that will be responsive to tomorrow's needs and the growth of our economy. I believe that the bill I offer today will help to accomplish this.

JUDGE QUILICI COMPILES HISTORY OF ITALIAN-AMERICAN LAWYERS IN CHICAGO

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Honorable George L. Quilici, judge of the circuit court of Cook County, has written a brief history about the Italian-American lawyers of Chicago.

Judge Quilici is a former law partner of the Honorable Arthur J. Goldberg, the U.S. Representative to the United Nations. He was elected judge of the municipal court of Chicago in 1940 and was reelected in 1942, 1948, 1954, and 1960. He was elected judge of the superior and circuit court in 1962. The superior court was eliminated under the judicial article and he is now judge in the circuit court of Cook County.

One of the most respected members of the Chicago judiciary, Judge Quilici has had an outstanding career. He was the famous prosecutor of the vote fraud cases and served as commissioner on character and fitness of the Illinois Supreme Court. He has been the recipient of many awards including the Star of Solidarity and the Commendatore al Merito della Republica from the Republic of Italy, the American Legion Citation of Merit, and the Chicago Industrial Council Community Services Award.

Judge Quilici received his LL.B. degree from DePaul University, and his J.D. degree from Northwestern University and John Marshall Law School. He has served as president of the Public Housing Association of Chicago and the Justinian Society of Lawyers, and has given generously of his time and effort to numerous civic and community activities.

In compiling a brief history about the Italian-American lawyers in Chicago, Judge Quilici has made a valuable contribution to the maintenance of accurate records about the development and growth of Italo-American participation in the field of law, jurisprudence, and the courts of Chicago.

It is my pleasure to insert the text of Judge Quilici's publication, which follows, in the CONGRESSIONAL RECORD.

THE ITALIAN-AMERICAN LAWYERS OF CHICAGO

The United States Census of 1870 lists no Italian lawyer in Chicago (lists one physician). The U.S. Census of 1900 lists 7 lawyers, (17 physicians). By 1920 there were, still, fewer than 40, but the rate of increase was rapidly accelerating.

Giovanni E. Schiavo in his book "The Italians In Chicago", published in 1928, lists 65.

At the end of 1966, there are over 500 Italian lawyers in Cook County. This figure is reached by counting 431 listed in Sullivan's Law Directory (1966–67), adding those admitted to the bar since publication, and estimating those not listed, either because they are with various businesses and corporations, or are located in suburban towns.

The yellowed, and crumbling pages, of the Chicago City Directory of 1900, lists as lawyers: Angelo Cella, John J. Mandioni, Onofrio Serritella, Emil Ferrio.

Also listed with Italian sounding names are: Frank O. Campe, Frank V. Campe, John Ela, Michael F. Cure, William A. Lemma, William Flora, Frank Crozi.

Which of these were Italian, we do not know.

The Clerk of the Illinois Supreme Court states that there is no record of Mandioni or Ferrio having been admitted to practice. Emil Ferrio appears on early Justinian letterheads. It is possible that he (and perhaps Mandioni, also) may have been admitted to practice elsewhere, such as Indiana.

The earliest lawyer we are certain about, to date, was Angelo Cella. He was admitted to practice on March 16, 1892. Nothing is known about him.

Onofrio Serritella was admitted October 22, 1894. Tragically enough, shortly after the turn of the century, he was slain by an enraged client, who believed that an abstract of title, examined, and certified, by Serritella, was defective.

It was almost one-half century later, that violence, once more, struck down a lawyer.

William John Granata was capable, personable and popular. He had made important strides, politically and professionally. He had served as an Industrial Commissioner of Illinois.

He was axed down October 8, 1948, in the prime of life, at midnite, in the doorway of 188 West Randolph Street where he maintained his apartment, in downtown Chicago. The perpetrator of the maniacal crime was never ascertained.

The duty of the historian requires the inclusion of tragic events.

What kind of men, and lawyers, were these pioneers and founders? Many were born in Italy. Arriving here, they had to start learning the language. Their first earnings went to re-pay, more often than not, those who had loaned them the passage money. Many had had only a minimum of elementary education.

The others were the sons of immigrants—first generation American born.

With the loving sacrifices of their parents, and their own industry and endurance of handicaps, they worked their way through schools, and to a law degree.

Admitted to the bar, they had to compete for law business, with the long established lawyers. There having been no Italian lawyers, the expanding law business of the Italian merchants and industrialists, was, of course, handled by non-Italians.

It was under these conditions, that the pioneers struggled to make a beginning.

The political field, also, was pre-empted by others. But the beginnings were made, and built upon, as will, presently, be seen.

First, an over-all glance of these individuals. They were, variously, tall and small, lean and heavy, bushy-haired and bald, earnest and lighthearted, somber and funloving (and liking a glass of wine, or two), affable and ready to leap to the fray, articulate and oratorical. In short, they were human beings. They were competent, and zealous of their profession.

They had a profound feeling for the mother country, Italy, and were intensely proud and loyal American citizens.

Many may be seen in the two photographs; one taken at the Formal Annual Ball (Ballo di Natale) February 16, 1928; the other of "The Italian Lawyers Committee For Italian Relief dated December 5, 1931. (The photographs appear herein-after.)

These lawyers are the ones who paved the way for the sons and grandsons in the profession today.

We have said, above, that political "beachheads" were established, and built upon. We, therefore, start with the Judges.

Who were, and are, they? Of what Courts, and when?

JUDGES

Bernard P. Barasa, Municipal Court, 1916 to 1924.

Francis Borrelli, Municipal Court, 1922 to 1946.

Alberto N. Gualano, Municipal Court (June to Dec.), 1922 to 1922.

John J. Lupe, Municipal Court, 1923 to 1935; Superior and Circuit Court, 1935 to present.

Francis B. Allegretti, Municipal Court, 1924 to 1932; Superior Court, 1932 to 1948.

John A. Sbarbaro, Municipal Court, 1926 to 1932; Superior Court, 1932 to 1960.

Nuncio Bonelli, Municipal Court, 1932 to 1950.

George L. Quilici, Municipal Court, 1940 to 1962; Superior and Circuit Court, 1962 to present.

Michael L. Rosinia, Municipal Court, 1946 to 1947.

Joseph A. Pope, Municipal Court, 1949 to 1956; Superior Court, 1956 to 1961.

Alexander J. Napoli, Municipal Court, 1950 to 1960; Superior and Circuit Court, 1960 to 1966; U.S. District Court, 1966 to present.

Daniel A. Covelli, Superior and Circuit Court, 1951 to present.

Felix Buoscio, Municipal Court and Associate Judge Circuit Court, 1957 to present.

Alfred J. Cilella, Circuit Court, 1958 to 1964.

P. A. Sorrentino, Superior and Circuit Court (April), 1962 to present.

Mel R. Jiganti, Associate Judge Circuit Court, 1962 to present.

Richard A. Napolitano, Associate Judge Circuit Court (July), 1963 to present.

Nicholas J. Bua, Associate Judge Circuit Court, 1963 to present.

Robert L. Massey, Circuit Court, 1964 to present.

Circuit Court Magistrates (1966–67): Frank W. Barbaro, Russell Dolce, Louis J. Giliberto, Frank S. Loverde, James P. Piragine, Joseph A. Salerno, Frank M. Siracusa, Adam N. Stillo.

The first Judge was Bernard Philip Barasa. He was born at Negaunee, Michigan, (not far from Lake Superior), in the mining country. April 15, 1875. He attended the University of Michigan, and Kent College of Law. He was admitted to the bar 1905.

He served as Judge of the Municipal Court of Chicago 1916–1924. He voluntarily retired from the bench, and returned to a successful practice.

He was one of the most popular vote-getters of his time.

It was a period of political party factions. Judge Barasa was a candidate, either as an independent, or with factional support, for State's Attorney, for member of the Board of Review (predecessor to the Board of Tax Appeals), and for Mayor of Chicago.

In each instance he received wide support, but because of party divisions, fell short of election.

He received many honors, but of course, his greatest pride were his daughter, and his two sons—all lawyers.

Kathryn Barasa served as an Assistant City Attorney. She married Samuel A. Rinella (who is, now, President of The American Academy of Matrimonial Lawyers).

The Rinellas are the parents of two sons—each a lawyer: Bernard B. Rinella, with the Rinella firm, and Richard A. Rinella, an Assistant State's Attorney.

This is a mile-stone, marking the first Italians achieving three generations of lawyers.

To complete the impressive law picture of this family, there are Judge Barasa's two sons, both in the private practice, J. Laurence Barasa, and Bernard L. Barasa, formerly, Secretary Industrial Commission of Illinois.

To the Barasa family goes the honor of "First Family of the Law."

(Judge Barasa died at Daytona Beach, Florida, in March 1964, just short of reaching the age of 89.)

Judge Francis Borrelli was born February 2, 1880. He was of small stature. Nevertheless, this little man won fame, by pitching several no-hit games, for the University of Michigan teams. He served 24 years on the Municipal Court bench, retired in 1946, and died in California past 75 years of age.

Judge Alberto N. Gualano was born at San Vicenzo Al Volturno, Campobasso, Italy, in 1868. He served on the Municipal Court 6 months, by appointment of the Governor, to fill an unexpired term. He failed of re-election in November 1922.

After many years of practice in Chicago, he retired to California, where he lived to be past 90 years of age.

Judge Francis B. Allegretti was born in Trevigno, Potenza, Italy, March 21, 1881. He was admitted to the Bar 1904. He served on the Municipal Court, and was, then, elevated to become the first to serve on the Superior Court. He retired, after 24 years as a Judge, in 1948. He now lives at Sugar Grove, Illinois, and was 86 years of age on March 21, 1967.

Four judges died while in office:

Municipal Court Judge Michael L. Rosinia, took office in December 1946. Less than one year later—on September 24, 1947, he died. He had served as The City Prosecutor, when it was a separate city office, with a large staff of assistants, under his administration. He was an unselfish, cultured, genial gentleman, and his loss was greatly mourned.

Superior Court Judge A. Sbarbaro, also, one of the most beloved and popular members of the bench, lost his life in a commercial plane explosion, over southern Indiana, while Florida-bound, on March 17, 1960. No trace of his remains was ever found.

Judge Joseph A. Pope, an able Judge, and a quiet, easy going person, in his early 50's died suddenly in his Chambers on September 19, 1961.

Judge Alfred J. Cilella, who previously had rendered outstanding public service, as member of the Legislature, Alderman, Committeeman, and as Judge of The Juvenile Court (then The Family Court) died at the age of 54, on August 4, 1964. He was greatly interested in the problems of the young, and in efforts to help them.

Judge Nuncio Bonelli served 18 years on the Municipal Court. He too, was an humanitarian, and a friend of the underprivileged youth. He died in Chicago September 23, 1958.

We let the dead rest for the moment, and turn to the living.

The Honorable Helen M. Cirese is a distinguished lady, and a member of still another "law-family".

Judge Cirese was the first Italian woman admitted to the Illinois Bar (1921).

She has served as President of the West Suburban Bar Assn.; President of The Women's Bar Assn. of Illinois; President of The National Assn. of Women Lawyers.

Miss Cirese was elected, and served, as Justice of the Peace, in Oak Park, Illinois, 1945–1961.

She was associated in the law practice with her two brothers, the late Charles C. Cirese, and Eugene L. Cirese, her present partner.

Circuit Court Judge John J. Lupe, now sitting in Chancery, is the "Dean" of the Judges. He has served continuously since 1923. He was the first Italian to be elevated to the Appellate Court (1946).

Judge Lupe is affectionately regarded by all, for his benign and gentle spirit, and respected for his vast legal learning.

Next in seniority, of the living Judges, is George L. Quilici, who has served on the bench since 1940.

The nomination of Judge Alexander J. Napoli, by President Johnson, as the first Italian Judge of the United States District Court, met with universal acclaim.

Judge Napoli brought to the Federal Bench, a distinguished record of service on the Municipal Court, the Superior and Circuit Courts, and as Chief Justice of the Criminal Court.

These historical "firsts" are recorded:

LAWYER "FIRSTS" CHICAGO (COOK COUNTY) ILLINOIS

First judge (Municipal Court): Bernard P. Barasa (1916).

First woman (admitted to bar: Helen M. Cirese (1921).

First Judge (Superior Court): Francis B. Allegretti (1932).

First Illinois Commerce Commissioner: William Parrillo (1941).

First Illinois Industrial Commissioner: William John Granata (1941).

First Chief Justice (Criminal Court): John A. Sbarbaro (1942).

First Justice (Appellate Court): John J. Lupe (1946).

First Secretary Industrial Commission: Bernard L. Barassa (1953).

First Member of Congress: Roland V. Libonati (1957).

First dean of Law School: Philip Romiti (1960).

First dean of Law School (De Paul University): Philip Romiti (1960):

First elected to county office (Clerk of Probate Court): Anthony G. Girolami (1961).

First Judge (U.S. District Court): Alexander J. Napoli (1966).

First-First assistant States Attorney: Louis B. Garippo (1966).

First President Joint Civic Committee of Italian Americans (President Emeritus at time of death, Aug. 28, 1965): Joseph Barbera.

By 1921 there were about 40 Italian lawyers. Their offices were in the lower-rent older buildings (now gone) on north Clark, Dearborn and LaSalle Streets.

Many were in the Ashland Block (155 North Clark) present site of the Greyhound Bus Station; others in the City Hall Square Building, now part of the site of the new Civic Center, and in the Reaper Block (northeast corner of Washington and Clark Streets), and in similar buildings. With few exceptions, they were all north of Madison Street.

On the other hand the large law firms that represented big business and industry, the banks, insurance companies and the railroads, were all south of Madison Street—the "line of demarcation."

In the fall of 1921, John De Grazia called a meeting of lawyers, in his offices in the Ashland Block, for the stated purpose of organizing a bar association of Italian lawyers. 30 answered the call.

The Justinian Society of Advocates was chartered by the State of Illinois, in October 17, 1921. (The name was amended to Justinian Society of Lawyers—on September 3, 1953.)

On the charter, the incorporators are: John De Grazia, Helen M. Cirese, Joseph R. Orrico and George L. Quilici.

De Grazia, the founder of the Society, was elected President, two terms, and served 1921–1923.

The original officers and members were:

ORIGINAL MEMBERS (1921) JUSTINIAN SOCIETY

John De Grazia, president.
George L. Quilici, treasurer.
Spiro Chiesa, vice president.
Joseph R. Orrico, secretary.

Charles C. Arado, Francis Borrelli, John A. Brizzolara, Vincent Chisesi, Helen M. Cirese, Anthony T. Clementi, Rocco R. Covello, Guy C. Crapple, Francis J. Cuneo, Vito B. Cuttone, Rocco De Stefano, Joseph M. Fiore, Alberto N. Gualano, Frank Ingraffia, Thomas H. Landise, John J. Lupe, Frank Mirabella, Nicholas A. Pope, Jerry Priore, Michael A. Romano, Michael L. Rosinia, John A. Sbarbaro, George J. Spatuzza, Horatio Tocco, Henry M. Tufo, Gerard M. Ungaro.

The Justinian Society became inactive, about the time of World War II, and remained so for a number of years.

It was in the late 40's, and early 50's that men, such as Richard Altieri, initiated steps to re-activate the Society, and to up-date its purposes and functions. Without interruption, the Society has continued, and prospered ever since.

The Italian lawyers have honored the profession, served well the community, and reflected credit on their progenitors.

It is not the purpose of this history to deal with the contemporary Bar. That is left to the historian, who will write History II.

This history is of the Bar of 35 years, and more ago. But reference is made to some of a later period, to note accomplishments of significance.

George L. Quilici, was elected the second President of the Society (1923) and was, in turn, succeeded by George J. Spatuzza, who became the third President (1924).

Spatuzza is a sagacious lawyer, and an important political figure. He served for many years as the Supreme Grand Venerable of the Order Sons of Italy in America.

His lawyer son, John G. Spatuzza, served as Grand Venerable, State of Illinois, of the same Order. Also, served as President of the Justinian Society, giving the Spatuzzas the unique distinction of being the only father and son combination to have done so.

The Libonati family is another notable one, in our legal record. Michael Libonati, the senior brother, and first of the three brothers to become a lawyer, lost his life in

World War I. Elliodor M. Libonati, a highly competent lawyer, died in 1954.

Roland Victor Libonati, the surviving brother, served as the youngest commissioned officer in the U.S. Army in World War I. He was elected to, and served many terms, in both the House of Representatives, and the State Senate of Illinois. He was elected as the first Italian Congressman from Illinois (1957). His son, Michael, a brilliant scholar, is finishing his law studies at Yale.

Judge Felix M. Buoscio is the Supervising Judge of the Traffic Center. He has two lawyer sons: F. Ronald Buoscio, and Harry R. Buoscio, an assistant Corporation Counsel of the City of Chicago.

Magistrate Frank S. Loverde has a son, Charles M. Loverde, practicing law, and, also, a brother, Joseph J. Loverde.

Horatio Tocco, Sr. is the top expert on Immigration and Naturalization. He has received many honors, including the highest award of the Government of Italy, that of Commendatore. He is, and has been, since 1929, the attorney for the Consul General of Italy in Chicago.

His son, Horatio Tocco, Jr., a lawyer, is a leading Savings and Loan, banker and executive.

Other highly successful Business, Banking and Financial lawyers include: David S. (Cesario) Chesrow, James V. Sallemi, Alfred E. Gallo, Peter D. Giachini, Nello Ferrara.

The stories of their climbs to the pinnacles of success, would, in each case, require writing to fill a book, as is the case of many listed below.

ON THE FACULTIES OF LAW SCHOOLS

De Paul University: Philip Romiti (dean), S. John Insalata, N. A. Giambalvo.

Loyola University: James Marchese Forkins, Vincent F. Vitullo, Ronald J. Salamone.

John Marshall Law School: Alphonse Cerza.

Chicago Kent College of Law: Dean J. Sodaro.

MEMBERS OF THE STATE LEGISLATURE OF ILLINOIS

Anthony Scariano, Nicholas S. Zagone, Victor A. Arrigo, Lawrence X. Pusateri, (Winner of First Justinian Law Scholarship (1953) and Past President Justinian Society. He is on the Board of Managers of the Chicago Bar Association.)

FORMER MEMBERS OF LEGISLATURE

State senate: Anthony J. De Tolve.

House of representatives: Andrew E. Euzzino.

OTHER NOTABLES

Gerard M. Ungaro (financier, corporation executive and philanthropist).

Dominic Tesauro: (Regional Administrator, U.S. General Service Administration. Has an outstanding record of service in U.S. Army, Military Government, in Italy, in World War II.)

LONG TIME MASTERS-IN-CHANCERY

Henry E. (Pieruccini) Perry, Anthony J. Mentone (president, Chicago Library Board), Anthony A. Pacelli, Samuel L. Montelione (son, Anthony S. Montelione, is an assistant State's attorney).

OTHER NOTEWORTHY ACHIEVEMENTS

Peter R. Scalise (member, Chicago Commission on Human Relations).

Antone F. Gregorio (member Illinois Supreme Court Commission on Character and Fitness. Past president, Justinian Society).

William J. Russo (assistant commissioner, Illinois Commerce Commission).

Antonia Rago Herbert, Michael Fio Rito (arbitrators, Industrial Commission of Illinois).

Armand Chiappori (former arbitrator, Illinois Industrial Commission).

John De Feo, Joseph T. Lavorci (recognized trial lawyers representing insurance carriers in negligence litigation).

Charles C. Arado (erudite writer on legal and philosophical subjects).

Maurino R. Richton (mayor of Chicago Heights, Ill.).

Paul C. (Ceffalio) Ross (political leader and ward committeeman).

John J. Moreschi (veteran labor attorney).

Lawrence N. Marino (former assistant U.S. district atty., past president, Italo-American National Union).

Maurice R. Marchello (writer and columnist).

Robert S. Clementi (expert in real estate law, as was his father, Anthony T. Clementi. Clementi is also a past president of the Justinian Society, of which his father was a charter member.)

Emil Caliendo (served as an industrial commissioner of Illinois (starting 1953), by appointment of the Governor).

Giuseppe Zaffina (promoter of opera in Chicago, past president, Justinian Society).

Richard P. Fredo, James S. Montana (former assistant probate judges. Montana established the first (for a number of years, starting 1953) Justinian Annual Law Scholarship Award).

Guy C. Guerine, and his brother George N. Guerine (old settlers of Melrose Park, Ill., and holders of public offices there, for many years).

Paul Comito (department head of the Chicago Title and Trust Co.).

Italian lawyers have moved "south of Madison Street," and have become partners in law firms of the greatest consequence. Some are listed here:

PARTNERS IN LEADING LAW FIRMS

Baker, McKenzie and Hightower: Michael A Coccia.

Bodell, Sears, Foster, Sugrue and Crowley: N. A. James Giambalvo. (Mr. Giambalvo is, also, on the faculty of De Paul University).

Eckhart, McSwain, Hassell and Husum: Marie A. Palumbo.

Hill Sherman, Meroni, Gross and Simpson: Charles F. Meroni, Anthony R. Chiara.

Kirkland, Ellis, Hodson, Chaffetz and Masters: George H. Dapples, Caryl P. Bonotto.

Ross, Hardies, O'Keefe, Babcock, McDugald and Parsons: John B. Angelo.

Spray, Price, Hough and Cushman: Theodore W. Grippo.

Winston, Strawn, Smith and Patterson: Charles J. Calderini, Richard J. Faletti.

Nor were the lawyers so preoccupied with the law as to forget romance.

Some husband and wife lawyer pairs are:

Frank Martoccio, Julia Palermo; Donald D. Panarese, Genevieve Cacciatore; Emile J. Rago, Catherine Barbino; Samuel A. Rinella, Kathryn Barasa; Joseph O. Rubinelli, Mary Jane Saccone (head of the inheritance tax division of the office of the Illinois attorney general).

At the close of this work is an appendix:

A. Names from Justinian letterheads, dating before 1935, of lawyers not otherwise named herein.

B. Those whose whereabouts are unknown, and are considered "missing."

There follows "In Memoriam" naming the revered dead.

To preserve some idea of their personalities and activities, a few are selected for this purpose.

Rocco DeStefano, was a giant of the criminal defense bar. Although a kindly man, with a twinkle in his eye, when the twinkle turned to firey flash, the thunder pealed. He was articulate and a formidable debater. Often, without compensation, he represented indigent unfortunates, in the interest of justice.

Michael A. Romano had served as an Assistant State's Attorney. He was eloquent, handsome and debonair. He was interested in, and had much talent for the theatre. After much preparation in drama schools, he left his law practice, and went to Hollywood. He appeared in several movies. Later he returned to Chicago, where in addition to maintaining a law office, for a number of years, he played roles in radio dramas. He was found dead in bed, having died in his sleep.

Robert Romano, also a former Assistant State's Attorney, and member of the Illinois Legislature, now deceased, was his brother.

Stephen A. Malato, with his handsome, rugged features, and his shock of gray hair, was one of the most colorful of all. He was a man of dignity. He spoke in measured tones. He had a great feeling for the common people.

Early in life he married Nina Van Zandt, the "widow" of August Spies.

On May 4, 1886, a street rally was in progress at the Haymarket Square—Desplaines and Randolph Streets. The police marched on the meeting. A bomb exploded killing and injuring a number of them. The police, then, fired on the crowd killing and wounding many.

Spies, and the other "anarchists," although not present at the occurrence, were charged in a conspiracy indictment, convicted and sentenced to hang.

While an appeal was pending, Nina Van Zandt, visiting the doomed men, fell in love with Spies. She was in her teens, and had attended Vassar College.

Because she felt that, somehow, it might help save him, and the others, she "married" Spies, by proxy, when the authorities refused to permit a ceremony in the jail.

The appeal was lost. The sentences of some of the condemned, were commuted.

Spies, Fischer, Engel and Parsons, were hanged, together, at the old jail, at Hubbard and Dearborn Streets, on November 11, 1887.

John Peter Altgeld was elected Governor in 1892. On June 26, 1893, Governor Altgelt pardoned the "Haymarket" men, who were serving commuted sentences of life imprisonment. This created a great furor. Those were days of turbulence, unrest, and high feelings.

It was in this climate, that Malato married Spies' "widow," Nina Van Zandt.

Later many came to recognize that the Haymarket "trial" was a legal travesty.

Malato served in the legislature, and he was a highly respected lawyer.

On the high bluffs, overlooking Lake Michigan (near South Haven), Malato possessed a pleasant estate, where he grew fruit trees and cultivated flowers.

His pleasure was to invite friends, for good food, good wine, and stimulating conversation.

Joseph Barbera was born at Campobello di Mazzara, Province of Trapani, Sicily, in 1905, and brought to the United States as a youngster.

He established a brilliant record as a scholar, was Valedictorian of his class, receiving his Law Degree from De Paul University College of Law.

He was admitted to the Bar in 1933. His skill as a trial lawyer was soon recognized. Barbera specialized in the field of Personal Injury (Negligence) cases. As his victories mounted, and his reputation expanded, cases poured into his office by referral from other lawyers.

Barbera was of medium height, swarthy, and possessed piercing eyes. He spoke fluently and persuasively.

He had the deserved confidence of the courts, and the respect of lawyers. He was ethical, and his word was good. Even his adversaries, whom he had stung on frequent occasions, with heavy verdicts, mourn his loss.

He served as President of the Association of Plaintiff's Lawyers in Illinois.

He was elected as the first President of the Joint Civic Committee of Italian Americans. This Committee united some two score societies, lodges, civic and professional organizations, for joint action in promoting their common interests.

One of the things brought about by his

dynamic leadership is the annual Columbus Day State Street Parade, now recognized as one of the largest and most colorful in the country.

Barbera was re-elected President, year after year, and then honored as "President Emeritus".

In 1957 he was knighted "Cavaliere", by the Republic of Italy.

Joseph Barbera, the distinguished lawyer, and honored citizen, was justly proud of his Sicilian-Italian ancestry, and he would fight untiringly in defense of his inheritance.

He became a leader in the movement against the defamation of Italian Americans, by certain newspapers, and TV programs such as the unspeakable series "The Untouchables".

Barbera gave generously of his vast energies and resources, to the efforts to end these irresponsible and scurrilous doings, injurious to millions of decent Americans.

In these struggles the timid were silent, and the indifferent looked the other way.

Barbera is gone, but the fight is an unending one. New leaders will continue to rise.

Joseph Barbera died August 28, 1965, at the age of 60, after a long and wasting illness. The spirit of the great man lived with him to the very end, and lives today in the memory of those who knew and honored him.

His lawyer-nephew, John J. Milano, and his associates, now conduct the Barbera offices, in a manner that would be sure to please the absent one.

Joseph I. (Imburgio) Bulger was tall, handsome and dapper. He had a fine mind, and was soft spoken.

He was a leading trial lawyer, who had experienced many courtroom dramas.

He was President of the Italo American National Union.

He owned twin engined planes, and an air-port, and was a skilled pilot. He had flown his planes across oceans, and around the world.

On December 2, 1966, he was Florida-bound, on a night flight over Tennessee. His plane became ice-encrusted in a severe storm. His last words, heard at radio towers, were "The plane is out of control. I am flying up-side down. I am about to crash." His body was recovered in the wreckage.

It is by co-incidence, that this history begins with a tragedy—the slaying of the first lawyer, about whom anything is known, and ends with a tragedy—the plane disaster that so recently, took Bulger's life.

The historian who will write of the succeeding generation of lawyers, will have a wealth of material to exceed the pages of this modest volume.

APPENDIX

ADDITIONAL MEMBERS OF THE BAR

(Found on old Justinian letterheads (before 1935)

A. STILL PRACTICING

Joseph F. Barsano, C. Jerome (Bisesi) Bishop, Paul Broccolo (formerly justice of the peace), Joseph B. Carracci, Anthony V. Champagne, Samuel J. Coco, Francis J. Cuneo (formerly assistant State's attorney), G. J. De Vanna, John A. Filpi, Joseph M. Fiore, James Gimabrone, Peter A. Grosso (formerly assistant State's attorney), Mario H. Guidarelli, Frank Ingraffia, Louis J. Leo, Anthony J. Mercurio, Anthony J. Muffoletto, Nicholas A. Pope, Donald J. Rizzio, Henry E. Sasso, Joseph (Scuccimarie) Scoville, Scott Vitel (Salvatore Vitello), James Yacullo.

B. NOT LISTED IN SULLIVAN'S LAW DIRECTORY (1966–67)

Anthony W. Alfini, Albert E. Bucciere, California (former assistant State's attorney), Anthony Caliendo, Coast Guard, Washington, D.C. (lately at Milwaukee, Wis), George R. Caruso, Arizona, Rocco R. Covello, Ettore A. Ferrai, Louis Littiere, Peter L. Morici, James Percival Pio, Aurelio A. Porcelli, California, Biagio Raimondi, Florida, Joseph A. Sambreno, Anthony J. Schiavone, Dominic H. Valens, Vito J. Viviano.

IN MEMORIAM

(Deceased members of the bar (alphabetically))

Paul Altier, Robert Altiri.

Bernard P. Barasa (judge), Joseph Barbera Leo Bartoline (legislature), Nuncio J. Bonelli (judge), Francis Borrelli (judge), John A. Brizzolara, Joseph (Imburgio) Bulger.

Benjamin Caruso (assistant U.S. district attorney), Nicholas E. Caruso (legislature), Spiro Chiesa, Vincent Chisesi (assistant city prosecutor), Alfred J. Cilella (judge).

Charles C. Cirese, Michael Costabile (city attorney of Chicago Heights), Guy C. Crapple (assistant U.S. district attorney), Vito B. Cuttone (assistant State's attorney), Anthony T. Clementi.

Frank De Bartolo, John De Grazia (founder of Justinian Society), Rocco De Stefano, Michael R. Durso (legislature).

Emil Ferrio.

Gabriel C. Garro, Cairoli Gigliott (publisher), William John Granata (commissioner Illinois Industrial Commission), Alberto N. Gualano (judge).

Sabatino Insalata.

Thomas H. Landise (assistant State's attorney), Elliodor M. Libonati, Michael Libonati, Salvatore Lo Sasso.

Stephen Malato (legislature), Carlo Merlo, Frank Mirabella, Joseph Munizzo (assistant attorney general), Charles V. Muscarello.

Frank P. A. Navigato, William Navigato (assistant U.S. district attorney), Joseph H. Nicolai (assistant State's attorney).

Joseph R. Orrico.

Vincent Pace, William Parrillo (commissioner, Illinois Commerce Commission), Patrick Petrone (alderman), Joseph A. Pope (judge), Jerry Priore.

Frank H. Repetto, Michael A. Romano (assistant State's attorney), Robert Romano (legislature), Michael L. Rosinia (judge), Ugo Rutili, Philip Salerno.

John A. Sbarbaro (judge), Charles Schavone (referee), Onofrio Serritella, Robert Solari.

Joseph Taglia (assistant attorney general), Henry Tufo.

SAVING THE FOOD STAMP PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, one of the best things which has happened in a long time for the poor people of Chicago was the initiation of the Federal food stamp program 2 years ago, on April 1, 1965. Before that time, we had the commodities distribution system in effect, but it was a completely unsatisfactory way of meeting the food requirements of our needy people; in fact, it had the opposite effect by forcing very poor families to subsist largely on whatever surplus agricultural commodities were given out free by the Department of Agriculture each month—flour, cornmeal, lard, dried beans, powdered eggs, powdered milk, and so forth.

But since April of 1965, families in Cook County whose incomes are sufficiently low, compared to family size, to make them eligible for the food stamp program have had the opportunity to obtain a good, well-rounded, nutritious, American standard of living diet for the same amount of money they would normally spend for food on an austere diet.

This is a great thing for the children of needy families of Chicago and Cook County, for it means that the child can enjoy a good breakfast before going to school and a good dinner at night, in addition to the lunches served in school. The advantages of good nutrition for our youngsters should be obvious to all.

PARTICIPANTS IN COOK COUNTY NUMBER 85,000

In Cook County, about 85,000 men, women, and children are now enjoying the good food which is within their reach in the grocery stores under the Federal food stamp program. Most of these people are in families on public assistance, but thousands of them are not on welfare—including elderly persons on social security who do not qualify for welfare but do not have enough income to enable them to buy the food they should have for good nutrition. Similarly, large families where there is employment income but not enough to feed the family properly and still meet other necessary expenses, can also qualify for food stamps. For instance, a family of 10 can have an income up to a maximum of $490 a month and still qualify for some help on food costs, if the liquid assets of the family are $600 or less. For a family of four, the income limit is a little more than $60 a week.

In most cases, however, those on the food stamp program in Chicago are families on public assistance. Our welfare standards in Illinois are relatively high compared to many other States, but as any social worker will quickly concede, the food budget provided for under our welfare program, while sufficient to keep people from actually going hungry, would not provide the kind of diet American families would regard as adequate.

AVERAGE COUPON BONUS IS $5.11 PER MONTH

According to information provided by the Secretary of Agriculture, the average value of bonus coupons received by people in Cook County participating in the food stamp program is $5.11 per month, or about 27 percent of the total expenditures for food made by, or for, such a person each month. Thus, the people themselves pay an average of 73 percent of their monthly food costs out of their own funds in order to participate in the food stamp program.

It should be noted that the higher the income an eligible family may have, the more it must pay of its own money for the food coupons, and the smaller the value of the bonus food coupons it receives. So those families at or near the top limit of income eligibility receive a comparative small bonus in food coupons, while those at the lower end of the income scale receive the major share of the benefit. The idea is to assure each family an adequate diet regardless of its income, and in a country which can produce such a tremendous abundance of food—so much, in fact, that we can help feed the hungry in many other lands—it is incumbent upon us to make sure

that our own needy people can eat properly.

PLEDGE OF SUPPORT TO CONGRESSWOMAN SULLIVAN

I am grateful to the gentle lady from Missouri, the Honorable LEONOR K. SULLIVAN, of St. Louis, who is the chairman of the Subcommittee on Consumer Affairs, on which I also serve, on the House Committee on Banking and Currency, for having initiated the food stamp legislation in 1954 and for working for many long years to make it into a reality.

I will certainly support her efforts to remove from her bill, H.R. 1318, the crippling amendments added to it by the Committee on Agriculture when this legislation comes before the House. One of those amendments would limit the authorization for appropriations for the program to 1 year only—placing this great program is jeopardy next year again and every year thereafter until new legislation could be passed to authorize further appropriations. The other amendment is even more serious, and would require the States to pay 20 percent of the value of the bonus coupons under the program.

For Cook County alone, it would mean a cost to the State of nearly $100,000 a month for the continuation of the program at present levels, or more than $1 million a year, just for Cook County's program. For the State as a whole, with 53 counties now participating and 14 more scheduled to enter between now and June 1 and 35 additional counties seeking to have the plan extended to them, the cost would be astronomical under the Agriculture Committee amendment. It would be at least $2 million a year, and probably higher.

I have received a letter from Gov. Otto Kerner which indicates that the State could not fund the added costs under this amendment in view of the very high expenditures Illinois is already making for welfare, including the very substantial costs to the State of its present obligations in participating in the food stamp program.

EXCELLENT LETTER FROM GOVERNOR KERNER

Mr. Speaker, the Governor's letter spells out this problem very clearly, and I submit it at this point in my remarks, as follows:

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
Springfield, Ill., April 24, 1967.

Hon. FRANK ANNUNZIO,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANNUNZIO: Through the National Governors' Conference and other sources I am advised that the House Agriculture Committee has sent the Food Stamp Bill (HR 1318) to the floor with an amendment which will require State welfare agencies to pay for 20 per cent of the value of the "bonus" stamps.

I shall greatly appreciate anything you can do to have this provision eliminated from the Bill. It will have the effect of negating for all practical purposes, the significant role the Stamp Plan has played in providing the poor with diets more in line with those purchasable by other low-income persons not requiring welfare aid.

I am not informed of the reasons behind this proposal of the Agriculture Committee. If the intent is to force those States which have been using the Stamp Plan as a substitute, at least in part, for increasing their public aid grants for food up to the standards the States themselves say are necessary for minimum subsistence, I fear the result will only be to depress diets of the poor in these States back to pre-Stamp Plan levels. These States, presumably, are granting aid below their standards because at the present time they cannot finance aid at the level of their standards. It follows that other measures are indicated to correct the problem in such states, rather than deprive the poor of an existing help in the situation.

In the case of Illinois—which bases its public aid food allowances on an adaptation of the U.S. Department of Agriculture's Low Cost Adequate Diet *and which grants 100 per cent of this standard*—the bonus stamps have meant for the poor in Illinois just what the word "bonus" implies. It has given them not an expensive table, nor even a liberal table, but one which has not required the close figuring in expenditure of each dime and nickel necessary to manage on USDA's Low Cost Adequate Diet. This has meant a lot in our efforts here in Illinois to motivate persons on our public aid rolls who have any potential for employment, or for other improvements in their condition, to undertake educational and training programs and move off public aid into self-supporting status.

Currently, food allowances in our direct maintenance grants are costing us about $6.4 million per month for some 364,000 persons receiving help through the federally-aided programs. This money provides a grade school child on the Aid to Dependent Children program with about $23 per month for food; a teenager with $28; an ADC parent with about $25; and an adult on the program for the Aged, Blind or Disabled with about $25. As noted previously, these sums will provide an "adequate diet" but they obviously take some figuring and here is where the "bonus stamps" provided by the Federal Stamp Plan have had the plus value mentioned.

Illinois is now spending something over $1 million a year *in State* moneys for operating expenses of the Stamp Plan. With our food allowances already established at an adequate level, we could not possibly justify diverting from other urgent items of need in our public aid programs an additional amount of at least $2 million per year which would be required by the Agriculture Committee's amendment. Its adoption would compel us to two alternatives, both undesirable: (1) withdrawal from the Stamp Plan or (2) lowering of our food standard to accommodate for the moneys diverted to paying the proposed 20 per cent of bonus Stamp Costs.

The Stamp Plan is now in effect in 53 Illinois counties and will be spread to an additional 14 counties as of June (Attached is a list of the total of 67 counties in which the plan will be in operation as of June). As of March, the value of the bonus stamps received by persons participating in the Plan was $772,884. At this rate—and the value will go up as the plan expands both geographically and in recipient participation—the Agricultural Committee's proposal would require us to pay for the bonus stamps at least $2 million per year.

You will note from the list of Illinois counties that the Illinois program is operating in rural areas as well as in the highly urbanized areas. Contrary to assumptions in many quarters, the poor in rural areas have just as much a problem in securing an adequate diet as do the poor in the cities and larger towns.

I am sure you will have before you, in connection with Social Security Act amendments on other measures, information concerning the wide range now existing in State standards for basic maintenance grants to the poor. After you deduct such fixed cost items as rent and utilities, you will note how very limited the food purchasing power of most of the poor people in this country is. Until the States have the time and means to bring these standards up to minimum levels, the Food Stamp Plan is a very necessary and practical approach to meeting one of the most pressing problems of poverty.

In summary, the amendment proposed by the House Agriculture Committee would defeat one of the most important moves that has been made in recent years to improve the condition of the poor in this nation. With the States already strained in obtaining sufficient revenues to finance their existing share of public aid costs, they cannot assume the additional outlay that would result from enactment of the Agriculture Committee's amendment.

I shall appreciate anything that you can do to assure continuation of the Food Stamp program under the present arrangements. We are counting on it materially as an important aid in developing our Illinois public aid programs in the years immediately ahead.

Sincerely,

OTTO KERNER, *Governor.*

Illinois counties participating in food stamp plan program

County	*Effective date*
Alexander	May 1966.
Bond	January 1967.
Calhoun	January 1967.
Champaign	February 1967.
Clark	February 1967.
Clay	January 1967.
Clinton	January 1967.
Coles	February 1967.
Cook	April 1965.
Crawford	January 1967.
Cumberland	February 1967.
DeWitt	February 1967.
Douglas	February 1967.
Edgar	February 1967.
Edwards	January 1967.
Effingham	February 1967.
Fayette	January 1967.
Franklin	June 1966.
Gallatin	July 1961.
Greene	January 1967.
Hamilton	June 1966.
Hardin	June 1966.
Iroquois	February 1967.
Jackson	May 1966.
Jasper	January 1967.
Jefferson	May 1966.
Jersey	January 1967.
Johnson	May 1966.
Lawrence	January 1967.
Macon	February 1967.
Macoupin	January 1967.
Madison	December 1965.
Marion	January 1967.
Massac	May 1966.
Monroe	January 1967.
Montgomery	January 1967.
Moultrie	February 1967.
Perry	January 1967.
Piatt	February 1967.
Pope	May 1966.
Pulaski	May 1966.
Randolph	January 1967.
Richland	January 1967.
Saline	December 1965.
Shelby	February 1967.
St. Clair	December 1965.
Union	May 1966.
Vermilion	February 1967.
Wabash	January 1967.
Washington	January 1967.
Wayne	January 1967.
White	May 1966.
Williamson	December 1965.

Counties to be added June 1967: Adams, Brown, Cass, Christian, Hancock, Logan, Mason, McDonough, Menard, Morgan, Pike, Sangamon, Schuyler, Scott.

COMMITTEE AMENDMENTS MUST BE DEFEATED

In conclusion, Mr. Speaker, I think those of us from urban areas who have helped to pass much legislation of value to the farmers of this country must make

it clear by our votes on the crippling amendments proposed by the Committee on Agriculture to Mrs. SULLIVAN'S bill, H.R. 1318, that we do not intend to have the very successful food stamp program dismantled on the spurious grounds that this country cannot afford to continue it.

The fact that 14 of the 35 members of the Committee on Agriculture voted against H.R. 1318 in committee even after the crippling amendments were added to this bill indicates that the 20-percent "sharing" idea must have won their support not as a way of improving the program but of ending it.

I have assured Congresswoman SULLIVAN of my continued enthusiastic support for her humane efforts to assure good diets for all Americans, and I will certainly vote with her to knock out the committee amendments to H.R. 1318. I hope all of my colleagues from Cook County, and from other areas of Illinois which have food stamp programs in operation, or where they are scheduled to start, or where the localities have requested the plan, will join me in making the Illinois delegation 100 percent in favor of continuation of this successful program without the committee amendments.

COMMUNITY SELF-HELP THROUGH COMMUNITY ACTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REES. Mr. Speaker, President Johnson, in his message to Congress on poverty, underscored the importance of individual communities analyzing the problems they face and developing a strategy for their own self-help effort, through a community action agency.

These agencies play a vital role in the attack on poverty through programs they have shaped to answer their own needs.

I have been gratified to note that a number of these agencies have included consumer education programs as part of their local war against poverty. The poor in the slums pay more for what they buy than those who live in more favored circumstances. This is unfortunate, but it is also very much a fact of life. The reasons are not difficult to identify. The poor are unable to buy in quantity, their choices are limited, and they are often the victim of sharp salesmen who take advantage of their lack of knowledge and their inexperience.

Locked in poverty, their reduced purchasing power helps to keep them in poverty. The consumer education programs seek to overcome these barriers. Homemakers are taught how to shop, where to shop, what to shop for. They are taught how to secure their full money's worth, so that every dollar can go further.

Most homemakers automatically check sizes and prices, and read the fine print in contracts. However, when you have never been exposed to these shopping techniques, when no one has ever told you that buying 5 pounds of sugar may be cheaper in the long run than buying 2 pounds, the full value of what money you have is never available to you. Consumer education seeks to correct this inequity. A number of buying clubs have been set up in various cities, an outgrowth of these consumer education programs. Their purpose is to combine the money of housewives so that staple foodstuffs can be purchased in bulk and then distributed to the members at a saving. Hopefully, these buying clubs contain the element of self-destruction for after the members learn how money can be saved through careful shopping, they will no longer need the club to do their shopping for them. A few dollars saved every week may appear as a minor victory, but when people learn how to handle their own resources, they are in a more favored position to move out of poverty.

Consumer education programs are only a small part of community action, but they are indicative of the many levels on which the problems of poverty are being attacked. This diversity of attack, this molding of local programs to meet the individual needs of a poverty area, are strong points in community action and offer sound reasons why the war on poverty should be supported.

ACCELERATED RESEARCH IN WATER POLLUTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HOWARD. Mr. Speaker, Chairman JOHN A. BLATNIK'S inquiry into the status of the Nation's water pollution control program brought to light some excellent testimony. One of the valuable contributions to the overall inquiry came from Roy Gaunt's very able presentation of the capabilities of industrial research. His discussion of the need for accelerated research and its impact on industry is of great interest to all of us. His statement follows:

ACCELERATED RESEARCH IN WATER POLLUTION

I am Roy E. Gaunt, manager of the water province department of the Westinghouse Electric Corporation. This department coordinates the firm's activities related to management of water resources. We draw upon people and technology in our own department and througout the company for broad analyses of water problems and for research and development. Similarly, we utilize our own resources and other facilities of the company for production of equipment—including equipment for desalting, other methods of water purification, waste treatment, detection and measurement of pollution, pollution abatement, and so forth.

We appreciate the opportunity, as an interested private firm, to participate in the committee's review of the national program for clean water. Since this is an overall review, rather than an inquiry into specific legislation, it may be appropriate to suggest three very broad points which, it seems to me, need increased emphasis.

First, we need widespread recognition of the full dimensions and cost of the increased effort that lies ahead.

Our nation's need for usable water will expand from about 400 billion gallons a day, the amount we withdraw from lakes and streams now, to about *12 hundred billion* gallons a day within this generation. Our ability to satisfy this crucial need is threatened by an ugly tide of pollution which already has rendered many streams and lakes unfit for many uses, and endangers many more. Yet we are confronted with the recent judgment of Assistant Secretary of Interior DiLuzio that despite greatly increased efforts, we may be losing more water battles than we are winning. That is, new and additional sources of pollution tend to offset all our present efforts to prevent and reduce pollution. In the net, we are not improving our water resources but are barely holding our own, if that.

We are doing better compared with past standards of performance but we are not making nearly enough progress to meet tomorrow's needs.

I am not sure that any of us—industry, Federal government, state and local officials—can escape some share of the responsibility.

It has been estimated, for example, that industry withdraws about 20 percent of the water used daily, but contributes about 40 percent of the pollution. Mr. M. A. Wright, president of the United States Chamber of Commerce, has cited one study to the effect that business alone will have to spend $32 billion by the year 2000 to meet water conservation needs. While industry has enormously increased expenditures for pollution control, it has not yet remotely approached that pace.

It seems to me we need to move toward full acceptance in production economics of the cost of preventing pollution. In the past, the measurement of such cost often did not include the toll taken by waste products, or the cost of preventing this toll. In the future, we must count as a normal cost of production the cost of acceptably disposing of the wastes caused by production. Just as we include the cost of maintaining clean equipment, so must we include the cost of maintaining a clean environment. And the public must understand that pollution control is a proper part of the cost, and hence the price, of industry's output—and this cost will be very large, indeed.

But industry is not the only polluter, and may not be the major one. We must also find the way and the financial means to greatly expand and improve the treatment of municipal wastes. The city, no less than industry, must consider that a normal cost of its operations will be adequate disposal of its wastes.

Only ten years ago, it was considered a somewhat revolutionary step to appropriate $50 million a year in Federal funds to help build municipal waste treatment plants. Today, this program has been increased threefold—but, again, the tendency has been to underestimate, rather than to overstate, the cost and scope of the actions required. A 1965 survey of the Conference of State Sanitary Engineers showed that 5,300 municipalities still had no treatment facilities, or inadequate facilities.

Systems that are adequate today will clearly be inadequate tomorrow—as population increases and urbanization expands, we not only will have to expand capacity, but we will have to provide much more advanced treatment. Yet, contract awards last year for sewage treatment facilities (in constant dollars) were actually less than those for any of the previous four years, and more than 20 percent below the level reached in 1962 and 1963. In view of the need, it is somewhat

startling that this effort is declining. A study by a Congressional committee showed that only 11 major cities would need more than $450 million for waste treatment facilities during fiscal 1968 alone.

Over-all, various studies suggest that expenditures of approximately $100 billion will be needed to curb water pollution over the next three decades or so. Somehow, the full dimension of the need—and the crucial import of what is at stake—must be gotten across to more people. Certainly this committee deserves much credit for its leading role in the effort to alert the nation.

Second, we need not only an expansion of effort, but broader coordination in planning and management.

Whenever we look at water, we are confronted with a somewhat bewildering complexity and diversity.

There are many different uses for water. It slakes our thirst, nourishes parched lands, cleanses man's habitat, generates power, keeps industry turning, produces food, provides recreation, and serves as a medium of transportation for man and animal. There are many different threats and problems—floods, temporary droughts, permanent shortages, and an ever changing and complex burden of pollution from a seemingly endless variety of sources. There are many possible alternative actions to help to meet these problems.

And there are myriads of units at all levels of government and industry which are involved in these matters. In the past three years alone, the Congress has passed more than 15 major acts dealing with water resources—to expand research, encourage planning, strengthen enforcement, provide for water quality standards, enhance recreational uses, expand the saline water program, expand municipal waste treatment, and so forth. These and many previous acts are administered by at least 22 separate Federal bureaus and offices, scattered through five cabinet departments and three independent agencies. Add to this picture an almost infinite variety of state and local statutes, and state and local agencies, and the complexity of the governmental arrangement becomes apparent.

The point here is that all these diverse uses, and problems, and possible solutions by a variety of agencies, are closely interrelated, and sometimes even conflicting. All of these factors, then, point to the urgent need for coordinated planning and management on a much more comprehensive scale than has been typically evident in the past—a total systems approach.

Consider a few of the questions that arise. In improving water quality, for example, is it more efficient overall to treat wastes partially and discharge them into the stream, relying on aeration and other natural processes for improvement, plus treatment as needed by downstream users; or is it more efficient on the whole to treat waste completely and reuse the water in a closed cycle within a city or plant? What would be the relative costs and benefits of diluting pollution by increasing stream flow? In mitigating flood damage, what are the relative costs and benefits of improved watershed practices, construction of dams, flood plain zoning, flood forecasting, and even flood insurance? What will be the effects of these various developments upon recreation and scenic attractions, pollution, or other water supply problems downstream? How do we balance the need for water for irrigation with the increase in pollution this is likely to bring? Can we meet future needs more economically by tapping more ground water, or ocean water, or building reservoirs, or transporting water, or eliminating wasteful uses, or reducing pollution?

Since rivers and pollution are unaffected by state or municipal boundaries, and the actions of each unit within a river basin may affect and be affected by many others, broader coordination is needed than is provided now under the various programs for state water quality standards and municipal treatment plants. How will the standards in one state relate to standards in another state on the same river? What is the priority and total systems planning involved in determining which municipal plants should be built first, to provide what degree of treatment?

A piecemeal, uncoordinated approach to water problems will not suffice. The logical approach would be to consider an entire river basin as a single system, which it is. Then we could review the water uses and water needs within the basin well into the future, and develop the relative costs and benefits of many alternative ways of meeting these needs. From these considerations the most efficient overall plan could be developed—a reservoir here, this type of industrial waste treatment there, improved watershed practices particularly in this zone, such a degree of municipal waste treatment here, and so forth. And the priorities as to timing could be established—which steps are most important, which steps can and should be taken first.

I am reminded that in 1908, a commission appointed by President Theodore Roosevelt recommended "prompt and vigorous action" by the states and the Federal Government to develop comprehensive water management plans for all the nation's river basins. Only recently, however, has legislation been enacted to encourage establishment of river basin commissions. And far too few of our rivers even now have the benefit of a commission with adequate authority to plan, decide, enforce, and manage on a comprehensive basis.

Third, in water resources research, we need more emphasis upon pushing through to problem-solving.

There are many studies which lead mainly to more studies, to large accumulations of paper data on too many small fragments of a problem. Too many of these studies are not designed to follow through to explore, or recommend, or test, or demonstrate, possible solutions to the problem.

I do not suggest that basic data are not valuable and necessary. It is very helpful, for example, to know the amount of a particular pollutant in a certain portion of the Ohio River; it is more helpful to know the distribution of this pollutant throughout the river; it is even more helpful to know the distribution of many pollutants throughout the river, and where they come from, and how they affect all the uses of the river. But it is most helpful of all to explore, and test, and demonstrate, what can be done about it.

As Commissioner Quigley of the Water Pollution Control Administration testified last year, we need not only more research but "more practical research." Support for research by Federal agencies is subdivided among several units and further subdivided by somewhat different statutory programs within these units.

In this connection, it seems to be that the technical capabilities and problem-solving orientation of modern industry need to be applied more fully to the analysis and solution of many water problems. Industry has a potential for research and development in water purification, in waste treatment, in instrumentation and measurement of water flows and pollutants, in automation of water systems, and in broad-scale systems analysis which has not been fully tapped. The blame for this, if blame there be, may rest in part with both industry and government. Industry has not shown the initiative in this area which is justified by the magnitude of the problem; and government, perhaps, has been too inclined to turn for the most part to government, or universities. In defense, space, and other fields, government, and industry have demonstrated a more effective partnership.

I might mention that at Westinghouse, we have developed a research proposal which puts into effect the principles I have discussed here. We call it full-scope stream pollution control. In summary, the project would be divided into four phases: first, selection of a stream site with typical, varied pollution problems and water uses; second, development of a highly sophisticated, automated, electronic system for continual instrumented surveillance of the stream, to detect and measure all meaningful pollutants, and their flow within the stream; third, development and installation of the most economic and effective techniques to prevent or abate all significant pollution, to bring the selected stream to acceptable water quality standards; and fourth, continued monitoring to test the effectiveness of these techniques, detect new or emerging problems, and develop new remedies as indicated.

Where existing methods and equipment are adequate to identify and solve specific pollution problems, these would be employed. They would be modified or improved as required. When no existing method can measure specific pollutants, or provide adequate abatement, the most efficient techniques would be developed through further research. The entire project would be designed as an on-site laboratory to demonstrate that a *coordinated* effort *can* achieve effective control of stream pollution; and to provide complete data on the most effective and economic monitoring and abatement techniques, which could then be applied or modified to solve specific similar problems on many streams throughout the country. We are confident such a research, development, and demonstration project could have significant nationwide impact.

In conclusion, I will simply reiterate three principles which we believe should guide the complex effort to assure adequate supplies of clean water: a greatly expanded investment by all involved, more coordinated and comprehensive planning and management, and more emphasis upon pushing through to develop and demonstrate actual full-scale solutions. We believe these principles are essential to success in the quest to provide adeno longer take for granted, a commodity quate supplies of a commodity which we can which offers almost countless benefits to our developing society.

INCREASE IN SOCIAL SECURITY BENEFITS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today introducing a bill to increase social security benefits by an average of 50 percent.

The case for such legislation is obvious to all who are concerned that our elderly citizens live in dignity and comfort. Out of 21 million Americans receiving monthly social security benefits, 14 million are retired workers and their dependents. Yet, of these, some 5 to 7 million have incomes which fall far below the poverty line.

To most beneficiaries, social security is the major source of income, and to nearly half it remains virtually the only source of income. But because of the low level of present benefits, many bene-

ficiaries live in abject poverty. Last year, benefits paid to retired single individuals averaged only $84 a month, or $1,000 a year; and to retired couples $142 a month, or $1,704 a year. This is an intolerable situation in a country as affluent as ours.

My bill contains two major new provisions for raising social security benefits to a level which will bring our older citizens out of poverty and into a retirement of dignity and self-respect. The most important of these would finance a part of the proposed increase from general tax revenues. By 1977, 35 percent of social security benefits would be funded from this source. In the light of the needs of our citizens and the future good prospects of our economy, this is both a realistic and a fair proposal. The other provision would insure that benefits automatically keep pace with rises in the cost of living.

In specific terms, the bill establishes minimum monthly benefits at $100, as against the present average of $84. For those whose lifetime earnings averaged between $1,200 and $3,000 a year, the bill provides for a 50-percent increase in benefits. For those who earned more than $3,000 annually, the bill provides for somewhat smaller, but still substantial, increases. Also, to insure that retirement benefits accurately reflect earning power during the most productive years, the bill provides that benefits can be calculated on a basis of average earnings during the 10-consecutive-year period when earnings were highest. Present law requires that the average be based on the entire working life, leaving out only the 5 lowest years.

In addition to these changes in the benefit structure, my bill corrects a number of other deficiencies in the existing law. The present $255 limit in lump-sum death payments is clearly outdated and falls far short of present-day funeral costs. To correct that situation, my bill provides that the lump-sum death benefit be equal to the highest monthly amount payable to a family or to three times the primary insurance amount, whichever is lower. The bill also provides that widows of beneficiaries receive the same pensions as their husbands received, instead of just 82½ percent as under present law.

The low limit placed on supplementary earnings by social security beneficiaries places many in straitened circumstances. Under present law, a beneficiary can earn only $1,500 and still receive full benefits. For every dollar he earns in excess of $1,500, he loses $1 of benefits for every $2 earned. For every dollar he earns in excess of $2,700, he loses $1 of benefits for every dollar earned. My bill would raise these limits substantially. The $1,500 limit would be raised to $2,400, and the $2,700 limit to $3,000. A special provision for widowed mothers would allow them to earn $3,600 without any loss in benefits.

It is one of the sadder aspects of present social security law that older, widowed Americans cannot remarry without one of the couple losing his benefits. My bill would correct this by allowing both partners in a marriage occurring after age 55 to retain the full benefits they had as single people.

The bill also closes a number of gaps in the benefits provided for the disabled. In particular, it extends disability benefits to young people who have suffered a disability before age 22, to disabled widows in certain cases, and to dependent sisters, and disabled dependent brothers of retired, disabled, or deceased workers.

These are some of the major provisions in the bill which I introduced today. I feel, as do many inside and outside Congress, that a basic overhaul of the structure of social security benefits is essential if we are to meet the needs of our people. I hope that Congress will give favorable consideration to the many worthwhile provisions contained in my bill.

ACTION ON THE WESTERN FRONT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PICKLE. Mr. Speaker, I believe it is time that we in Congress proceed with the task of renovation of the west front of the Capitol.

Since the appropriations were denied for this project last year, there has been a lot of loud opposition and criticism. Personal conflicts have crept into the issue, very little progress has been made this year, and the problem now seems at a standstill.

The west front is now in a sad state of disrepair. The latest report by the American Institute of Architects acknowledges this fact. I say that it is time to stop squabbling and proceed with the work.

I have read several speeches and articles concerning the plan, and noticed that there is criticism that the west front has fallen into disrepair due to a lack of proper maintenance. If this is the case, I would hope that it was done in good faith and on the assumption that the problem would soon be attacked on a scale larger than simple upkeep. I do not condemn anyone for shortcomings or overzealousness in official duties, nor for a desire to preserve historic traditions and monuments, but I submit that the time for action has come.

In light of the serious need for repair on the west front, I am glad to see that the Speaker and the Commission for Extension of the U.S. Capitol have recommended that the repair include an extension to provide more space in the Capitol. I agree that we need this room badly. As a member of the National Capitol Visitors' Commission, I am painfully aware of the cramped and crowded conditions all visitors must endure in visiting the Capitol. The public facilities here are entirely inadequate. It is estimated that between 10 and 11 million people enter the Capitol in a single year. On a heavy day, the count has been estimated at 50,000 visitors.

In light of figures like this, I look with disbelief on the challenges made to the need for more facilities in the Capitol. In the busy summer months, there simply is not room for people to sit down and relax; restrooms and water fountains are scarce; eating is virtually out of the question for all but the hearty.

In jest and disillusionment, some have suggested that the National Visitors' Center Commission should study transportation systems designed to zoom tourists into the Capitol, give them a quickie tour, and swiftly redeposit them several miles from Capitol Hill. If we are thus going to preserve the "greatest symbol of our country," only to have it effectively inaccessible to most of the American public, then I say we are flouncing about in a sea of illusion.

To any Member who suggests that tourist conditions here are not as bad as I indicate, I would suggest that you visit the Capitol some morning as a private citizen. Stripped of the privilege to go to the head of any line, I wonder how long it would take for the inadequacies to appear?

INSTANT REHABILITATION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BINGHAM. Mr. Speaker, so often we have heard criticisms about our Federal housing programs because of their "human removal" policies in an attempt to rehabilitate our slum areas. Because some of these criticisms are justified I have long believed that we should concentrate our vast resources on developing new methods and techniques to overcome the massive dislocation of families.

Thus, I followed with great interest the recent demonstration experiment of "instant rehabilitation" on a tenement house in New York City. Within 48 hours this decaying tenement with crumbling plaster, broken windows, leaky pipes, and so forth was transformed into clean and decent housing. Even more important, the families living in this tenement were not displaced but were moved temporarily into a downtown hotel. Then, only 48 hours later, they were moved back into their familiar apartment which had been completely renovated.

This "instant rehabilitation" process was developed through a grant from the U.S. Department of Housing and Urban Development. Of great importance is the fact that the cost involved in rehabilitating these apartments was actually lower than conventional rehabilitation. With the help of rent supplements these families will be able to remain as tenants in this now-modernized building.

I am convinced that this project on East Fifth Street represents a major breakthrough in our housing industry. The application of this technology will

save both time and money as well as present a useful alternative to "human removal" in our efforts to rebuild slum areas. I sincerely hope that we will see more of this type of innovation and imagination in our housing program across the country.

Several informative articles have been written about this exciting experiment and I now insert them in the RECORD:

[From the Washington Post, Apr. 15, 1967]

MANY USES SEEN FOR "INSTANT REHABILITATION"

(By Leroy F. Aarons)

NEW YORK.—Bleary-eyed workmen cheered from the fire escapes. Mayor John Vliet Lindsay and Robert C. Weaver, Secretary of Housing and Urban Development, beamed. Schoolchildren chanted "This Land Is Your Land."

And 10 families of a grubby Lower East Side neighborhood marched into glistening new apartments Thursday in a tenement that 48 hours earlier was a squalid hovel.

The "miracle" of East Fifth Street—dubbed "instant rehabilitation" by HUD, which had concocted the whole idea—was complete.

At 10 a.m. Tuesday the 10 families, most of them Puerto Ricans, were removed to a hotel, and an army of 300 workmen invaded the five-story, 72-year-old tenement at 633 E. 5th st.

In the following 48 hours—working around the clock—they demolished the entire interior of the building, installed new walls, floors, lighting, heating and plumbing, and lowered complete pre-fabricated kitchen-bathroom packages for each apartment through a hole in the roof.

By 9:52 a.m. Thursday, eight minutes ahead of schedule, 20 ancient one-bedroom units had been transformed into a handsome mixture of 15 one- and three-bedroom apartments.

Rents in the building will rise from a range of $42 to $72 a month to $73 to $110. Tenants will be aided with welfare money and rent supplements.

While HUD officials claimed that the instant rehab technique was $1500 to $2000 cheaper than conventional rehabilitation methods, this was no more than an optimistic forecast. Still to be determined were the precise costs of 300 workmen working long hours at time-and-a-half and double-time (some as many as 20 hours straight), materials, equipment and all the other accoutrements of housing construction.

Some housing experts have questioned whether tenements like the ones on Fifth Street (more than 40,000 of them, ruled obsolete 65 years ago, dot the New York landscape) are worth saving. Clustered together with no space between them and little space in front or behind, they tend to lock the slums in from all sides.

Experts are also concerned that individual rehabilitation, without intensive social services for entire neighborhoods, tend only to perpetuate slum conditions.

But for the moment, these questions were swept aside in the truly impressive achievement of the rehab experiment. HUD, in concert with a team of city agencies, private industry and a foundation, had proven that a building could be renovated in a fantastically short time without sacrificing quality. The new apartments are attractive and the interior materials, from walls to the kitchen sink, appear both functional and durable.

The experiment made these additional points:

Off-site assembly of pre-fabricated materials and units is a practical technique which can save hours of time in hauling items like refrigerators and bathtubs up staircases and installing them piece-meal. The technique was devised by Edward K. Rice, a West Coast engineer, and his firm, Conrad Engineers, with a grant from HUD.

The instant rehab approach avoids disruptive relocation and allows tenants to reclaim their apartment in a matter of days. Conventional rehabilitation takes an average of six months.

The reduction in time cuts rental losses to owners and reduces the interest on construction loans and mortgages. This saving, estimated by HUD at roughly $1500 a unit, is the main basis of a lower-cost claim for the new technique.

The technology devised by Rice—a systems approach to construction and use of ready-made units—might well have application to other types of buildings and even in new construction.

Weaver, a long-time advocate of rehabilitation over massive demolition, gave a national thrust to the local pilot project.

"The whole point of what has been going on here in the past few days is a demonstration of what can and must be repeated many hundreds and even thousands of times across this city and in many cities," he said at today's ceremony. "It is not the only alternative . . . But it is one answer—and one that we have been looking for as a way to get moving toward saving buildings, and therefore saving neighborhoods for the people who live in them."

[From Newsweek, Apr. 24, 1967]

SLUMS: INSTANT RENEWAL

At 10 o'clock one crisp morning last week construction engineer Edward K. Rice blew a whistle outside a squalid tenement on New York's lower East Side and the first members of a 258-man renovation crew filed into the building. Their seemingly hopeless assignment: to transform the 72-year-old slum structure into a modern dwelling in just 48 hours.

As an electronic clock ticked off the seconds in the project headquarters next door, demolition men started dumping debris into the street. Then, following a carefully plotted schedule, relays of carpenters, plumbers, electricians, painters and laborers swarmed into the building to race the 48-hour deadline through the day and night. "Hurry up, hurry up," the workers called to each other. Finally, as the last touch was completed, Rice stopped the clock—at exactly 47 hours, 52 minutes, and 24 seconds.

The frenetic project was staged by the U.S. Department of Housing and Urban Development to introduce a revolutionary new approach to urban renewal that it calls "instant rehabilitation." By showing that even the most wretched tenements can be remade into decent homes quickly and economically, the department hopes to foster a continuing series of similar projects in big-city slums across the country.

Cost Cutter: Instant rehabilitation is designed to telescope normal techniques that displace tenants for six months or more. It is also expected to be cheaper. Last week's well-rehearsed lower East Side project cost $11,000 per apartment vs. an average price of $13,200 when conventional renovation methods are used and $21,000 when an entirely new building is erected.

Before beginning work at 633 East 5th Street in downtown Manhattan, government and construction officials spent a year in advance planning with New York Carolyndale Foundation, which bought the building last year specifically for the experiment. Engineers even made trial runs on a pair of adjoining vacant buildings to develop their techniques. Once everything was ready last week, the building's 31 occupants—mostly Puerto Ricans—were moved into the nearby Broadway Central Hotel, their belongings were stored aboard moving vans and their pets were left with willing neighbors.

First, a 60-man demolition crew on leave from tearing down the old Metropolitan Opera House stripped the building to its basic walls and floors. As they progressed from the rear to the front of the house on each floor, electricians moved in right behind them to install new wiring and carpenters to put in finished fabricated walls and window units. Then, as floodlights cast an eerie shadow across the scene on the first night, a 230-foot-high crane lowered preassembled kitchen and bathroom units down three shafts in the building. Finally, all the pipes were connected, plastic-coated flooring was laid, a vermin-proof garbage chute was installed, and the corridor walls were painted a bright light blue.

Doubts: There are some critics who argue that the HUD renewal project is inherently futile because the ancient tenements, no matter how they are spruced up, are still flimsy in basic construction and obsolete in design. At ceremonies celebrating the completion of last week's project, HUD Secretary Robert C. Weaver conceded that "instant rehabilitation . . . is not the whole answer by any means. But it is one . . . way to get moving toward saving buildings and therefore saving neighborhoods for the people who live in them."

Certainly there were no objections from the tenants of 633 East 5th Street, who were overjoyed by the contrast between their rat-infested old apartment and their sparkling new quarters (although rents will go up from a current low of $42 a month to $72, no tenant will be obliged to pay more than 25 per cent of his income). Nine-year-old Miriam Davila was almost breathless with excitement as she surveyed her family's new three-bedroom unit. "It's going to be clean," she said, "with no rats and roaches and I'm going to hang a picture of Little Bo Peep on the wall and I'm going to put a statue of St. Mary on the bureau and I'm going to wash the walls all the time so they'll be clean . . ."

[From the New York Times, Apr. 14, 1967]

"INSTANT REHABILITATION" PROVES INSTANT SUCCESS—48-HOUR, $1-MILLION PROJECT DELIGHTS LOWER EAST SIDE TENANTS—MAYOR TO DESIGNATE 10 MORE BUILDINGS

(By Steven V. Roberts)

Mrs. Willie May Grier's four children burst into their new apartment yesterday and their cries of delight echoed through the freshly painted halls of the ancient tenement.

They dashed from room to room, turning on the bathroom-sink faucets, pulling open the refrigerator, sliding the closet doors back and forth.

"It's beautiful, lovely, gorgeous," said Mrs. Grier.

"I like it here," said 6-year-old Daniel. "There's a lot of room."

Forty-eight hours earlier the tenement at 633 East Fifth Street had been a decaying hulk of crumbling plaster, broken windows, leaky pipes and moldering garbage.

But through a revolutionary engineering process called "instant rehabilitation" the building had been outfitted with entirely new walls, floors, window frames, appliances and electrical and plumbing systems.

The demonstration culminated a year of experimentation with materials and work methods on two adjoining tenements, 635 and 637. A lengthy plumbers' strike and the city's insistence that the heating system in the first two buildings did not meet safety standards delayed the final test, which was first scheduled for late last summer.

ONE MILLION DOLLAR GRANT

Conrad Engineers, a California concern, directed the experiment with a $1-million grant from the Federal Department of Housing and Urban Affairs. The buildings are owned by the Carolyndale Foundation, which holds a $568,400 mortgage insured by the Federal Government.

At a crowded ceremony in the middle of

East Fifth Street yesterday, Mayor Lindsay announced that the city would soon designate 10 more buildings to be renovated by the same process. He also urged his officials to find ways "to put this system on an operational basis for wide application in New York City."

In the shadow of a closed synagogue, Puerto Ricans and Negroes, who have largely replaced Jewish immigrants in the tenements of the Lower East Side, sat in rows of folding chairs. On the fire escapes of the renovated building lounged the burly workmen in hard hats who had given them hope for a new life.

Robert C. Weaver, Secretary of Housing and Urban Development, presented the keys to the first apartment to Mrs. Percenia Davila and her two children.

In his remarks Mr. Weaver said that instant rehabilitation "is not the whole answer by any means" to the problem of slum housing.

"But," he continued, "it is one answer—and one that we have been looking for as a way to get moving toward saving buildings, and therefore saving neighborhoods for the people who live in them."

The experiment began Tuesday morning when the 12 families occupying No. 633 were moved to a hotel and their belongings were put in storage. At 10 A.M. Edward K. Rice, the president of Conrad, blew a whistle and a wrecking crew entered the structure.

Only the skeleton of floors, stairways, and a few walls were left by the evening. Three holes were cut in the roof and preassembled bathroom and kitchen units were lowered by a 250-foot crane as floodlights lit the scene.

On Wednesday, walls and floors were covered, electric and plumbing lines connected, and closets installed. By 8:30 P.M. painting had begun.

Yesterday morning, 47 hours 52 minutes and 24 seconds after work had begun, some paint was still wet and the backyard was littered with refuse, but otherwise the building was ready for the tenants to return.

Mr. Rice estimated that he needed about a month to study a building before he starts, and about two months to assemble enough kitchen and bathroom units. He said the cost should come to about $11,000 an apartment, compared with $13,000 for conventional rehabilitation and between $20,000 and $23,000 for new construction.

Rents in the old apartments ranged from $42 to $72 a month. They will go up to an average of $85 a month, but the families, in their renovated apartments will pay only 25 per cent of their income for rent. The Federal rent subsidy program will make up the rent.

Housing experts generally agreed yesterday that the experiment had been useful in discovering new work methods to cut the time for rehabilitation. This virtually eliminates the problem of relocation, which has plagued every redevelopment project in the city.

They agreed also that valuable new products, such as highly durable wall and floor coverings and expandable window frames, had been devised.

Defenders of rehabilitation point out that it preserves neighborhoods to which people are attached. But critics insist that some neighborhoods are not worth saving. They agree with the elderly resident of the area who said yesterday: "If I could have a new apartment I'd move out of the neighborhood."

COMMISSION TO STUDY POSTAL SERVICE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GIAIMO. Mr. Speaker, the Commission appointed by President Johnson to study the postal service has won richly deserved praise for the exceptional qualifications and caliber of the men who are serving on it. The New Haven Register, in a recent editorial, correctly described it as a "prestige Commission." Under consent I place the Register's editorial in the RECORD at this point:

A PRESTIGE COMMISSION TO STUDY POSTAL SERVICE

President Johnson has appointed a prestige commission to study the Post Office Department and determine what should be done to make the postal service more efficient. As it so often happens, a president, free of political considerations, can secure the volunteer services of men of proven ability for such a task. This procedure is not followed in appointments to paid positions, where patronage is usually a key factor.

The chairman of the commission is Frederick R. Kappel, former chairman of the American Telephone and Telegraph Corp. Other members include George Baker, dean of the Harvard School of Business Administration; W. Beverly Murphy, president of the Campbell Soup Company; Rudolph A. Peterson, president of the Bank of America; Fred Borch, president of the General Electric Company; J. Irwin Miller, board chairman of the Cummins Engine Company; Ralph Lazarus, president of Federated Department Stores; David Bell, vice president of the Ford Foundation; George Meany, president of the AFL–CIO, and David Ginsburg, Washington attorney.

The Commission has men of wide experience in communications, finance, law, industry, retail sales, industry and labor. Bell, as a former federal budget director, should be able to make a special contribution.

The commission is empowered to study every phase of postal operations. It will consult postal and other federal officials, heavy users of the mails, members of Congress and groups representing postal workers. It will also delve into a proposal by Postmaster General Lawrence O'Brien that the office be removed from the cabinet and that the postal service be set up as a special corporation answerable to the Congress.

The Post Office Department as now constituted has stirred increasing public criticism as operating deficits mount and service deteriorates. The opportunity is here to do something about it. The commission can be expected to fulfill its assignment within the allotted time of one year. What Congress will do with the recommendations is something else again.

REMARKS OF GENERAL WESTMORELAND

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HOLLAND. Mr. Speaker, most of us in the Congress have been receiving letters from self-appointed strategists among our constituents, who, though usually civilians themselves, insist that only the military should be consulted on how to conduct a war, and who demand that "the generals be allowed to win without interference from the civilians." I was delighted to see that no less authoritative a military figure than General Westmoreland, who certainly understands the Vietnam situation better than most, has reaffirmed the fact that in this war in particular, political factors are inextricably mingled with the military considerations, and that they should not be "sorted out," if, indeed, they could be.

Since it is fairly obvious that some of the administration's critics are using the Vietnam war to boost their own political plans, and doing so in the name of "keeping politics out of the war effort," it is very worth while, I believe, to call General Westmoreland's words to public attention. The general is, of course, directly in the soundest military tradition. Ever since the great Prussian military genius, Clausewitz, pointed out that "war is politics carried on by other means," thoughtful military men, like thoughtful civilians, have realized that political and diplomatic considerations are every bit as compelling in making strategic and tactical decisions as are purely military considerations. Those who deny this premise are usually civilians who want to ride into office on military coattails, and who make claims for the military that military men know better than to make for themselves.

Under unanimous consent I place General Westmoreland's answer to this basic problem at this point in the RECORD:

TEXT OF GENERAL WESTMORELAND'S REMARKS AT AP MEETING

(Gen. Westmoreland answered written questions submitted at the annual meeting of the Associated Press. Following is a partial text of the questions and answers:)

POLITICAL ASPECTS OF WAR

Q. Could you run this war without political help and could you win this war if given a free hand in military decisions?

A. As a military man, this is a bit of an awkward question. I think it is impossible in view of the nature of the war, a war of both subversion and invasion, a war in which political and psychological factors are of such consequence, to sort out the war between the political and the military. Political factors must be considered, they must be considered in selecting targets. They must be considered in our actions involving nearby so-called neutral countries. They must be considered in the means that are used in pursuing the war. The reason for this is not only because of the complexity but also because of our national policy to confine this war to that of a limited war, and this means that from time to time the means are limited. And that policy has been made loudly clear: that it is not our intention to expand the war. We want to keep it as a limited war and therefore political factors have to be considered and the decisions involved are necessarily above my levels. Since I deal in military factors, I am responsible only for fighting the ground war in South Vietnam and only that air war in the so-called expanded battle area.

FOR THE FIRST TIME AN AMERICAN UNDER SECRETARY OF STATE MAKES AN EXTENDED VISIT TO AFRICA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as Chairman of the African Subcommittee of the Committee on Foreign Affairs I am happy to announce that this month for the first time an American Under Secretary of State will make an extensive tour of Africa. I have felt for a long time that in our many engagements in other parts of the world we had grown more and more negligent in our attention to the new emerging nations of Africa.

Under Secretary of State Nicholas deB. Katzenbach will visit 11 African countries May 10 to 27. He will be accompanied by Mrs. Katzenbach, Deputy Assistant Secretary of State for African Affairs Wayne Fredericks, whose knowledge of and friendships in Africa are unsurpassed, and several officials of the Department of State. Mr. Katzenbach will make his first stop in Senegal and will proceed to Guinea, Ivory Coast, Ghana, Congo(K), Zambia, Kenya, Somalia, Tanzania, Uganda, and Ethiopia.

Mr. Katzenbach's trip will allow him to see a significant cross-section of African countries and to meet many African officials and other personalities. It reflects his longstanding desire to visit Africa and to see at first hand some of the interesting developments and trends in that continent.

I am certain that Under Secretary of State Katzenbach, having seen Africa at firsthand and having talked with many African leaders, whose maturity of political judgment cannot fail to impress him, will return to Washington a stout champion of the cause of Africa.

CONGRESSIONAL REDISTRICTING

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ECKHARDT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ECKHARDT. Mr. Speaker, today we have acted improvidently in considering H.R. 2508 under a closed rule, as I previously pointed out in debate upon the rule; and it is appropriate here to show how this harsh procedure, infrequently employed, has blocked all reasonable opportunity on the Democratic side to improve the bill.

The population deviation in the Texas congressional districts is about 20 percent between the largest and the smallest districts. The three-judge Federal court in *Bush* v. *Martin*, 251 F. Supp. 484 (1966) has required legislative action to correct deficiencies in Texas' districting plan. The first reapportioned legislature is now redistricting pursuant to the decision.

Thus, the court has ordered redistricting but has left the matter to the legislature to remove deficiencies. The court has not itself redistricted with subsequent application of the order in an election. Therefore, the court's order is not held to be "in full force and effect" under the language of the bill. The bill does not apply unless an election has been held on a districting plan directed by the court.

Therefore, the negative implications of this bill are to overturn the court's decision in Bush against Martin, and the effect is to encourage the Texas Legislature to flaunt the court's wise pronouncements in that case. The legislature might even be encouraged to expand the deviation from 20 to 30 percent, the full leeway allowed in the bill.

I think this would be most improvident. To use a predetermined scale of permissible imbalance of representation has already met the Supreme Court's rebuke in *Roman* v. *Sincock*, 377 U.S. 695; and we are encouraging the Texas Legislature to whistle in the darkness which has been created this day by a murky piece of legislation.

Therefore, I sought to strike out the temporary phase authorized in the bill, which would permit 30 percent spread in district population, and sought to leave only the 10 percent leniency for Congresses convened under districting pursuant to the 1970 census.

I also sought expressly to preserve "in full force and effect" all court orders directing redistricting so that the progress made toward the goal of one man, one vote would not be impaired.

I would have done this by a motion to recommit with instructions to first, strike out all the provisions of the bill not directly related to the 10-percent leniency provision designed as a permanent guideline; and, second, correct the last sentence so as to respect all final and valid court decisions directing redistricting.

I could not offer this as an amendment under the closed rule after the vote calling for the previous question. I could not offer it as an instruction in a motion to recommit because the Republican side controlled such single permissible motion under the rule which our Rules Committee had brought out.

I regret that therefore this bill could not be changed so as to make it effective and constitutional. It does, however, have this limited effect: It will encourage State legislatures to act unconstitutionally under the illusion that Congress can afford equal protection by defining "equal" as "70 percent equal."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLYNT (at the request of Mr. LANDRUM), for Thursday, April 27, 1967, on account of official business.

Mr. NELSEN (at the request of Mr. GERALD R. FORD), for the balance of this week, for personal reasons.

Mr. BOW (at the request of Mr. GERALD R. FORD), for April 27, 28, and May 1, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY, for 15 minutes, and to revise and extend his remarks and include extraneous matter.

Mr. PATMAN, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. DELANEY, for 30 minutes, on Tuesday, May 2, 1967; to pay tribute to a former colleague, the Honorable James A. Roe.

(The following Members (at the request of Mr. BUTTON) to address the House following the legislative program and any special orders and to revise and extend their remarks and include extraneous matter:)

Mr. CURTIS, for 60 minutes, on May 1.

Mr. LIPSCOMB, for 60 minutes, on May 4.

Mr. PIRNIE, for 60 minutes, on May 9.

Mr. FRASER (at the request of Mr. KAZEN), for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

Mr. HAGAN (at the request of Mr. KAZEN), for 1 hour, on May 1; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. HORTON.

(The following Members (at the request of Mr. BUTTON) and to include extraneous matter:)

Mr. MATHIAS of California.

Mr. FINO.

Mr. BLACKBURN.

Mr. MCCLORY.

Mr. HOSMER.

(The following Members (at the request of Mr. KAZEN) and to include extraneous matter:)

Mr. ROYBAL.

Mr. LONG of Maryland.

Mr. KORNEGAY.

Mr. RARICK.

Mr. BROOKS.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 286. An act to permit duty-free treatment pursuant to the Trade Expansion Act of 1962 of dicyandiamide and of limestone when imported to be used in the manufacture of cement.

ADJOURNMENT

Mr. KAZEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Friday, April 28, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

702. Under clause 2 of rule XXIV, a letter from the Acting Director of Civil Defense, transmitting a report on property acquisitions of emergency supplies and equipment, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended, was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PHILBIN: Committee on Armed Services. H.R. 5894. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes (Rept. No. 216). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 9330. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 9331. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 9332. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN:

H.R. 9333. A bill relating to taxation by States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 9334. A bill to designate a portion of the San Francisco-Stockton ship channel as the John F. Baldwin ship channel; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 9335. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 9336. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9337. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 9338. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 9339. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 9340. A bill to revise the quoto control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 9341. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ (by request):

H.R. 9342. A bill to permit tacking of citizen ownership of vessels for trade-in purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9343. A bill to amend section 510(a)(1) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

By Mr. GUBSER:

H.R. 9344. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

Mr. HANSEN of Idaho:

H.R. 9345. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

By Mr. HARSHA:

H.R. 9346. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. IRWIN:

H.R. 9347. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KEE:

H.R. 9348. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.R. 9349. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 9350. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 9351. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9352. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains and for other purposes; to the Committee on Agriculture.

H.R. 9353. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 9354. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. REES:

H.R. 9355. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. RIVERS:

H.R. 9356. A bill to authorize certain construction at military installations and for other purposes; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 9357. A bill to provide for the issuance of a special postage stamp in commemoration of the Illinois Sesquicentennial; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 9358. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ST GERMAIN:

H.R. 9359. A bill to amend title II of the Social Security Act to provide a 12-percent, across-the-board benefit increase with an $80 minimum ($100 for 25 or more years of coverage) and subsequent cost-of-living increases, to liberalize the retirement test, to provide for increases in the amount of covered earnings to reflect general earnings level increases, and for other purposes; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 9360. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 9361. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 9362. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALKER:

H.R. 9363. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 9364. A bill to amend title II of the Social Security Act to remove the limitation on the amount of outside income which an individual may earn while receiving benefits, and to provide that a woman who is otherwise qualified may become entitled to widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 9365. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain amounts paid as educational expenses; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 9366. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

H.R. 9367. A bill to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions; to the Committee on Interior and Insular Affairs.

H.R. 9368. A bill to establish a National Institute of Criminal Justice; to the Committee on the Judiciary.

H.R. 9369. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 9370. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 9371. A bill to amend title 5, United States Code, with respect to the determination of average pay for retirement purposes and the computation of retirement annuities,

and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9372. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 9373. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. O'NEILL of Massachusetts:

H.R. 9374. A bill to prescribe the geographical limits of the naval districts and to provide that the commandants thereof shall be officers not below the grade of rear admiral; to the Committee on Armed Services.

By Mr. PRICE of Texas (for himself, Mr. ANDERSON of Tennessee, Mr. ANDREWS of North Dakota, Mr. BUSH, Mr. BURTON of Utah, Mr. DON H. CLAUSEN, Mr. HALL, Mr. HANSEN of Idaho, Mr. REIFEL, Mr. MCCLURE, Mr. SMITH of Oklahoma, Mr. STEIGER of ARIZONA, and Mr. CARTER):

H.R. 9375. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 9376. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. SHIPLEY:

H.R. 9377. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 9378. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 9379. A bill to amend the Oil Pollution Act of 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. BLATNIK:

H.R. 9380. A bill to authorize the expenditure of appropriated funds for insurance covering the operation of motor vehicles in foreign countries; to the Committee on Government Operations.

H.R. 9381. A bill to repeal certain provisions of title 5 and title 18, United States Code; to the Committee on Government Operations.

H.R. 9382. A bill to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment; to the Committee on Government Operations.

By Mr. BRASCO:

H.R. 9383. A bill to protect the public health from the misuse of dangerous drugs and to assist law enforcement activities in the identification of dangerous drugs by amending the Federal Food, Drug, and Cosmetic Act with respect to the coloring and marking of stimulant, depressant, and narcotic drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 9384. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in ocean-going vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9385. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. CULVER:

H.R. 9386. A bill creating the Dubuque Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Dubuque, Iowa, Grant County, Wis., and Jo Daviess County, Ill.; to the Committee on Public Works.

By Mr. FINO:

H.R. 9387. A bill to amend title 5, United States Code, to provide annuities for surviving spouses without reductions in the annuities of retiring employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 9388. A bill to provide that a flag or other appropriate device shall be furnished to families of members of the Armed Forces serving in Vietnam; to the Committee on Armed Services.

By Mr. HANSEN of Idaho:

H.R. 9389. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 9390. A bill to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUPFERMAN:

H.R. 9391. A bill to amend section 376(a) of title 28, United States Code; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 9392. A bill to amend the Export Control Act to require that the identity of export licensees be made available to the public upon request to the Committee on Banking and Currency.

By Mr. McCARTHY:

H.R. 9393. A bill to establish in the U.S. Capitol an educational center whose sole purpose will be the fostering of greater knowledge, interest, understanding, and inspiration of the significance and meaning of American history that was made in the Capitol of the United States; to the Committee on House Administration.

By Mr. McCLURE:

H.R. 9394. A bill to provide for the issuance of a special postage stamp to salute the Boy Scouts' XII World Jamboree "For Friendship"; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS of Maryland:

H.R. 9395. A bill to amend the act of October 10, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 9396. A bill to provide for the establishment of a national cemetery at the Fort Necessity National Battlefield site, Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. POLLOCK:

H.R. 9397. A bill to remove the prohibition on the attendance of Indian scholarship students at sectarian colleges and universities; to the Committee on Interior and Insular Affairs.

By Mr. RARICK:

H.R. 9398. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. REES:

H.R. 9399. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 9400. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 9401. A bill to amend title II of the Social Security Act to increase the amount of monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 9402. A bill to create the National Capital Airports Corporation, to provide for the operation of Washington National Airport and Dulles International Airport by the Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi:

H.R. 9403. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 9404. A bill to revise the quota system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 9405. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 9406. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mr. GUDE (for himself and Mr. MATHIAS of Maryland):

H.R. 9407. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; to the Committee on the District of Columbia.

By Mr. HARSHA:

H.R. 9408. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

By Mr. JARMAN:

H.R. 9409. A bill to amend title 4 of the United States Code in order to increase the penalty for certain acts against the flag of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 9410. A bill to prohibit misuse or exportation of the flag of the United States in certain instances and to prohibit public display of the flag of a foreign government engaging the United States in war or armed conflict; to the Committee on the Judiciary.

By Mr. SMITH of Oklahoma:

H.R. 9411. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 9412. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 9413. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 9414. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANNUNZIO:

H.R. 9415. A bill to reclassify certain posi-

tions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM:

H.R. 9416. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 9417. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLANCY:

H.R. 9418. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOLE:

H.R. 9419. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DONOHUE:

H.R. 9420. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.R. 9421. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 9422. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 9423. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ:

H.R. 9424. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS:

H.R. 9425. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HULL:

H.R. 9426. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUNT:

H.R. 9427. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 9428. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Alabama:

H.R. 9429. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KLUCZYNSKI:

H.R. 9430. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 9431. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS of Maryland:

H.R. 9432. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio:

H.R. 9433. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 9434. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RYAN:

H.R. 9435. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SANDMAN:

H.R. 9436. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHADEBERG:

H.R. 9437. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHEUER:

H.R. 9438. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 9439. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 9440. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WATKINS:

H.R. 9441. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WRIGHT:

H.R. 9442. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H.R. 9443. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CULVER:

H.R. 9444. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD of Massachusetts:

H.R. 9445. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 9446. A bill to provide for the transportation of parcels at no cost to the sender from the United States to combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RANDALL:

H.R. 9447. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 9448. A bill to establish the Commission on Labor Relations; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 9449. A bill to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products, to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 to 100 percent, and for other purposes; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 9450. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 9451. A bill to amend the provisions of law relating to educational assistance to federally impacted areas to preserve the benefits of existing law insofar as they relate to the impact resulting from an international boundary relocation; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.J. Res. 538. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. McCLURE:

H.J. Res. 539. Joint resolution to provide for the designation of the first week of August in 1967 as Boy Scout's World Jamboree for Friendship Week; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.J. Res. 540. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. REIFEL:

H.J. Res. 541. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1967 as Bible Translation Day; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 542. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H. Con. Res. 327. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. BRADEMAS:

H. Con. Res. 328. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. ERLENBORN:

H. Con. Res. 329. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. ESCH:

H. Con. Res. 330. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. GIBBONS:

H. Con. Res. 331. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. HATHAWAY:

H. Con. Res. 332. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

By Mr. REID of New York:

H. Con. Res. 333. Concurrent resolution establishing a joint committee to conduct a study on means of providing for earlier availability of funds for educational assistance programs and of information relating thereto; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 9452. A bill for the relief of Gaspare and Pietra LoBaido; to the Committee on the Judiciary.

H.R. 9453. A bill for the relief of Antonin and Carolina Monaco, and their daughter, Patrizia Monaco; to the Committee on the Judiciary.

H.R.9454. A bill for the relief of Calegero and Maria Piro; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9455. A bill for the relief of Andrea Caporrimo; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 9456. A bill for the relief of Monique C. Howell; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 9457. A bill for the relief of Kim Dan Heng; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 9458. A bill for the relief of Julita S. Manela; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 9459. A bill for the relief of Mrs. Ghitlea Milman Kilimik; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 9460. A bill for the relief of Elwyn C. Hale; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 9461. A bill for the relief of Demitre Ganas; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 9462. A bill for the relief of Our Lady of Guadalupe School in San Bernardino, Calif.; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 9463. A bill for the relief of DC1c. Benjamin Benitez Amaba, U.S. Navy; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 9464. A bill for the relief of Emilio Victor C. Yerre; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 9465. A bill for the relief of Jose Porfirio De La Rosa; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 9466. A bill for the relief of Antonio Tavares da Silva Praticante and his wife, Margarida Praticante; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Soil Stewardship Week

EXTENSION OF REMARKS
OF
HON. A. S. MIKE MONRONEY
OF OKLAHOMA
IN THE SENATE OF THE UNITED STATES
Thursday, April 27, 1967

Mr. MONRONEY. Mr. President, next week is being observed throughout America as Soil Stewardship Week. This is a nationwide observance which places emphasis on man's obligation to God as a steward of the soil, water, and related resources.

This is the 13th consecutive annual Soil Stewardship Week sponsored by the Nation's 3,000 local soil and water conservation districts and their national association and cooperating church groups. During the period of April 30 to May 7, observances are being held in literally hundreds of thousands of churches of all denominations.

It is fitting for the Senate of the United States to pause a moment in its deliberations to observe Soil Stewardship Week and pay tribute to its sponsors. This includes the 87 soil and water conservation districts in my home State of Oklahoma.

The people who serve on the governing bodies of these local units of State government deserve our praise for the leadership they are providing in our home communities for keeping before the people the relationship between soil, God, and man. They are performing a great patriotic service. I propose that the Senate take this occasion to say, "Thank you."

Secretary of Agriculture Orville L. Freeman has called upon all Americans to observe Soil Stewardship Week by considering what they demand of the land, and of the men and women who fulfill those demands. I join him in this appeal. In urging widespread observance, Secretary Freeman said:

Seventy-five percent of the American land is cared for directly by the American people. This is the privately-owned land of farms and ranches, producing food, fiber, wildlife and timber and providing much of our outdoor recreation. This is the land that makes America a symbol of abundance around the world.

Upon our privately-owned countryside we place increasing demands:

More food for a growing population.

More homes, as our cities choke from overcrowding.

More water, as our needs double and triple in the years ahead.

More space for recreation, as millions of us seek refuge from the tension of our growing cities.

We ask much of our land: Utility, beauty, and refreshment, as well as high productivity. And we receive them because the men and women who work the soil are good stewards.

Their stewardship is seen in green fields that once were gullies, and clear streams that once ran full of silt. The curved and contoured face of our countryside is a testimony to the care of our farmers and ranchers.

Stewardship also joins us with the future. Our great-grandchildren have a right to receive the land in good condition because they, in their turn must live upon it.

A better land and a better life upon the land are among the finest goals a man can work for. This is a part of creative conservation where the goal we must reach is enhancement of man's total environment.

During Soil Stewardship Week let us remember with gratitude the men and women who keep our countryside "America the beautiful."

Mr. President, this statement by the Secretary of Agriculture eloquently outlines the importance of soil and water conservation to the future welfare and security of all people. Soil Stewardship Week will give each of us an opportunity to renew our dedication to this great national cause.

Fino Introduces Bill To Safeguard Civil Service Widows

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 27, 1967

Mr. FINO. Mr. Speaker, today I am introducing legislation to eliminate the inequities in our Federal civil service retirement system under which a civil servant must gamble on whether or not he will outlive his wife in deciding what kind of retirement benefits to elect.

Under the present civil service retirement laws, a retiring worker must play the equivalent of Russian roulette with his wife's future. If he thinks he will outlive her, he gambles and gets more; if he is wrong, she's in grave financial straits.

The principle that a husband should not have to gamble with his wife's future is recognized in the social security system. A beneficiary cannot opt to deprive a wife or widow of her rights under social security. Separate and widows' benefits are a guaranteed right under social security. My bill adopts this principle by providing that the spouse of any retired civil service employee will be entitled to a 55-percent part of the deceased spouse's annuity. This will safeguard the wives of retiring civil service employees.

Full Support Against Soviet Discrimination

EXTENSION OF REMARKS
OF
HON. ROBERT McCLORY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 27, 1967

Mr. McCLORY. Mr. Speaker, the CONGRESSIONAL RECORD recently included a copy of a statement endorsed by various Members of the House of Representatives, criticizing the discrimination practiced by the Soviet Union against its Jewish citizens. The statement, together with a list of the Members of the House who had signed it when originally circulated by the gentleman from New York [Mr. BINGHAM], appears in the CONGRESSIONAL RECORD of April 24. This statement and list were again inserted in the April 26 CONGRESSIONAL RECORD by the gentlewoman from New York [Mrs. KELLY].