

many months later, the effort to make a Democratic record in Congress side by side with the administration's record?

Senator MANSFIELD. Well, first, let me say that I think that President Nixon is doing a good job in moving carefully, deliberately, and cautiously. We passed a lot of legislation over the past eight years which still needs digesting, shaking down and the application of which could be rendered more effective through desirable changes through amendments and otherwise. As far as the Congress is concerned—and I can only speak for the Senate—we have developed in the Policy Committee a policy thesis which we brought before the chairman of the committees of the Senate and also last week before a well-attended Democratic Caucus. We intend to get more and more into the field of policy. We do not intend to oppose for the sake of obstruction. When we find that we differ from the administration, we will try to offer constructive alternatives, because the important thing is basically not the success of the Republican or the Democratic Party primarily but the welfare of the country, and the country is in trouble today.

Mr. MANKIEWICZ. Senator, you are the ranking Democrat, I believe, on the Foreign Relations Committee. That committee has now come out—brought out to the floor this national commitments resolution which says in effect that the Executive Branch cannot make a foreign policy commitment for the United States without the Legislative Branch—without the Senate participating. Do you see any connection between that and the sort of down-playing, for example, of the SEATO Treaty that seems to be going on? Secretary Rogers was out there and treated it rather perfunctorily and I believe some of the other representatives, too, and President Nixon wrote an article about SEATO some months before his candidacy, tending to feel that it was a little obsolete. Do you think that the commitments resolution will have the effect of weakening some of these regional treaties that date back to the fifties and before?

Senator MANSFIELD. Not at the moment. The purpose of the amendment is to strengthen the President's hand and to give the Senate a voice, and for the Executive

Branch and the Senate to work together so that there will be no more Vietnams. It is not applied to any particular President. It is applied to the office of the Presidency. As far as the Senate is concerned, we have allowed our constitutional powers to be eroded over the past four or five decades, and all we are asking is a chance to cooperate with the President so that we can develop, if possible, a better foreign policy. This takes no powers of the Presidency away from him. You mentioned SEATO. May I say, as the only remaining living signatory of that treaty, I never thought it was very good when it was signed in 1954; I don't think it is very good today because it is really a paper treaty with not much in the way of teeth.

Mr. HERMAN. Didn't—

Senator MANSFIELD. And I think it has been used maladroitly.

Mr. HERMAN. Didn't Secretary Rogers say, when he was out there, that if SEATO failed to act in an attack on any of the members of SEATO that the United States would be prepared to give assistance unilaterally?

Senator MANSFIELD. I don't know whether he said that, but the United States cannot do that because it has to act under its due constitutional processes. Speaking of the countries working together there, Great Britain, France and Pakistan, members of SEATO, have not done a thing to give it any life or to give it any strength.

Mr. MANKIEWICZ. Senator, do you expect to bring the commitments resolution to the floor soon in this session?

Senator MANSFIELD. Yes, about the 16th of June.

Mr. HERMAN. In the thirty seconds that we have left, Senator Mansfield, you mentioned the ABM vote, what is your reading? If it were to come up right soon, how would it go in the Senate?

Senator MANSFIELD. Right now it would be fifty-fifty, with perhaps a little bit in favor of those opposed to the ABM. When it comes up, if the administration applies the pressure which it has at its disposal, it could win by one, two or three votes, but the result could well be, on that basis, a pyrric victory. I hope a compromise can be worked out, because none of us want to embarrass the

President. None of us are against the ABM, as far as research and development is concerned, but we would like to have talks.

Mr. HERMAN. Senator, I have to cut in unilaterally and say thank you very much, Senator Mansfield, for being with us on "Face the Nation."

#### ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 27, 1969, at 12 meridian.

#### NOMINATIONS

Executive nominations received by the Senate May 26, 1969:

##### ASSISTANT SECRETARY OF THE ARMY

J. Ronald Fox, of Massachusetts, to be an Assistant Secretary of the Army.

##### U.S. ATTORNEY

Robert B. Krupansky, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years, vice Merle M. McCurdy, resigned.

##### DEPARTMENT OF THE TREASURY

K. Martin Worthy, of Maryland, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

#### CONFIRMATION

Executive nominations confirmed by the Senate May 26, 1969:

##### ATOMIC ENERGY COMMISSION

Theos J. Thompson, of Massachusetts, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1971.

## HOUSE OF REPRESENTATIVES—Monday, May 26, 1969

The House met at 12 o'clock noon. Rabbi Howard A. Simon, Har Sinai Congregation, Baltimore, Md., offered the following prayer:

*And the heaven of heavens shall not contain Thee.—I Kings 8: 27.*

This is testimony to the Lord's greatness, and to the potential for excellence He placed within man. Today we stand in admiration of three men who have realized this potential. They are the voice of America, a land of limitless possibilities. They are inspiration for the source of national development, this very Government. Lead us, O God, to transfer the mastery over things technological to the field of human relations, where we need to create understanding and love. May the labors conducted within these hallowed Halls serve to unite all America in love for one's neighbor; in a trust in tomorrow; in a belief in these United States created as one nation devoted to liberty and justice for all. Amen.

#### THE JOURNAL

The Journal of the proceedings of Thursday, May 22, 1969, was read and approved.

#### MESSAGE FROM THE SENATE

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

H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes;

H. Con. Res. 35. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator; and

H. Con. Res. 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, concurrent resolutions of the House of the following titles:

H. Con. Res. 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document; and

H. Con. Res. 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made."

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 99. Joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 126. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness;

S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments;

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes;

S. 1519. An act to establish a National

Commission on Libraries and Information Science, and for other purposes;

S. 1611. An act to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes;

S. 1652. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; and

S. Con. Res. 21. Concurrent resolution to print additional copies of parts 1 and 2, thermal pollution, 1968 hearings.

The message also announced that the Vice President, pursuant to Public Law 84-372, appointed Mr. INOUE as a member of the Franklin D. Roosevelt Memorial Commission in lieu of Mr. TYDINGS, resigned.

#### RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication:

The Honorable the SPEAKER,  
U.S. House of Representatives,  
Washington, D.C.

DEAR SIR: It is my duty to inform you that I have transmitted to the Governor of Illinois my resignation as a Representative in Congress from the 13th Congressional District of the State of Illinois, to be effective as of midnight, Sunday, May 25, 1969.

As you know, my resignation is caused by my having accepted the positions of an Assistant to the President and Director of the Office of Economic Opportunity.

I very much appreciate the privilege of having served with you and my colleagues in the House, and I thank you for your cooperation, fairness, assistance, and good will.

Respectfully,

DONALD RUMSFELD,  
Representative in Congress.

#### RABBI HOWARD A. SIMON

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

Mr. FRIEDEL. Mr. Speaker, from the very start of the settlements in the New World, as the American continent was then called, the people who came here declared their dependence upon Almighty God. Before this Congress was established by the present Constitution, the American Colonies established the Continental Congress and it is a matter of historical record that the Journal of that Congress, for September 6, 1774, carries an entry that a chaplain was in attendance and opened the session with a prayer. Thus from the earliest times to the present, every session of this great lawmaking body began with an invocation. I am pleased to note that the Rules of the House of Representatives, rule VII, so provide.

In conformity with this necessary requirement, and at my request, the Speaker of the House and the elected Chaplain invited a very brilliant and eloquent clergyman to deliver today's invocation. He is Rabbi Howard A. Simon of Baltimore, Md., associate rabbi of the Har Sinai Congregation—the oldest continually Reform Jewish Temple in the United States.

We were all inspired by the words of the dynamic young minister who has so eloquently referred to the three intrepid astronauts, who at that time were almost

back to earth after having been to within 9 miles of the moon. Such accomplishments make all of us feel exceedingly humble.

Believing that it may be of interest to know something about the inspired religious leader whom we were privileged to hear today, I mention but a few facts. Only 6 years ago, he was called to Baltimore's Har Sinai Temple, which incidentally is my congregation. During this short time, he has endeared himself, not only to his own congregation, but also to the people of the city of Baltimore and the State of Maryland through his many and varied activities, among which is his chairmanship of the Clergy for Community Understanding of the City of Baltimore which has done so much to create an atmosphere and climate of good will between the various segments of the population of the largest city south of the Mason and Dixon Line.

Because of Rabbi Simon's comparative youth coupled with wisdom far beyond his years, he has a special rapport with children. He is currently writing a book for teachers that will assist them in the instruction of young people who are enrolled in the religious schools of the country. He also has a deep compassion for the aged and infirm and serves with distinction on a committee of the aged of the Union of American Hebrew Congregations.

A man of deep religious faith, he works for the interest of Reform Judaism by being the treasurer of the mid-Atlantic council. I am proud to say Rabbi Simon is a patriotic American. He is married to the former Donna L. Nelson and is the father of three lovely children, David, Ilene, and Karen.

I am sure I voice the sentiments of my colleagues when I say it was good to have had Rabbi Simon lead us in prayer this day.

#### PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, on behalf of the Committee on Rules, I ask unanimous consent that the committee may have until midnight tonight to file certain privileged reports.

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

There was no objection.

#### THE MANPOWER ACT

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

Mr. O'HARA. Mr. Speaker, I take this time to announce the introduction today of legislation known as the Manpower Act, which would revise and improve the existing manpower and training programs that are now federally assisted or federally sponsored, and would, in addition, provide two new components to a comprehensive manpower policy: a public service employment program, and an upgrading program to encourage upward mobility training by industry for those who are presently employed there.

There are, Mr. Speaker, 105 cosponsors of this legislation, and I hope that these bills will have prompt and careful consideration by the Congress. The intention of these bills is to insure that every man who is willing to work will have the opportunity for a decent job. I can think of no better investment we can make in the future of this Republic.

I ask unanimous consent, Mr. Speaker, for a special order at the conclusion of legislative business today during which I can discuss these bills at greater length.

#### UNIVERSITY OF MINNESOTA BAND CITED

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

Mr. ZWACH. Mr. Speaker, one of the most successful of our cultural programs with the Soviet Union has been the tour of the band from the University of Minnesota. The opening performance of this excellent group in Leningrad was an outstanding success. The great Philharmonic Society Hall was filled to capacity for this occasion, and the band was called back for six encores by the enthusiastic audience. Again and again throughout Russia they were most enthusiastically received by the respectful people.

It is my belief that this route of opening new relations and understanding could well be the route to produce a calmer world, conducive to the building of a lasting world peace.

Through this avenue of the excellent presentation of music, a new bond of appreciation and understanding of each other could well be the start of the atmosphere most necessary to the lessening of world tensions.

I highly commend this method and sincerely congratulate the members of the University of Minnesota Band in their role of peace-seeking ambassadors.

#### CONGRESSMAN DONALD RUMSFELD NEW DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY

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

Mr. PUCINSKI. Mr. Speaker, earlier today one of our colleagues, Congressman Donald Rumsfeld of the 13th Congressional District of Illinois, was sworn in as the new Director of the Office of Economic Opportunity. I am sure that I share with all of our colleagues here in the House a deep and sincere wish for good luck to him on this new and very difficult mission.

Congressman Rumsfeld is my congressional neighbor immediately to the north in the 13th Congressional District. I believe that he has taken on a most difficult task. There is no question that poverty continues to exist in this country. Hunger continues to exist. I applaud him for his courage in taking on this very difficult assignment, and as his neighbor, wish him Godspeed in the successful performance of his duties.

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

Mr. PUCINSKI. I yield to our colleague from Illinois (Mr. ARENDS).

Mr. ARENDS. I appreciate what the gentleman has said about our former outstanding colleague, Congressman Rumsfeld, being appointed to the high position as head of OEO. This position entails a lot of headaches and is a difficult assignment in view of all of us. May I add I am convinced that Don Rumsfeld will perform outstanding service to his country in the important job on which he has embarked, and with cooperation from us "on the hill," perhaps his load can be lightened to some extent. We know he will do an outstanding job and we wish him well.

Mr. PUCINSKI. I am sure that those of us on the Education and Labor Committee, which has jurisdiction over the poverty program, will be looking forward with anticipation to his suggestions for improving the programs he will administer.

I congratulate the chairman of our full committee, the gentleman from Kentucky (Mr. PERKINS), for delaying further consideration of the poverty program in order to give Mr. Rumsfeld an opportunity to appear before the committee and formulate some of the administration's policies. His is a most difficult task and I wish him luck in this new chapter in his public career. I think he will need every bit of his skill and luck to get this seemingly impossible job completed.

#### THE SS "HOPE"

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

Mr. HALL. Mr. Speaker, in 1958, President Dwight Eisenhower asked Dr. William B. Walsh, a Washington, D.C., heart specialist, to consider initiation of a non-governmental health program, aimed at the people in the newly developing nations. From this suggestion came Project HOPE, and the People to People Health Foundation.

This foundation, through contributions of interested citizens from all over the Nation, grew until it was able to finance the purchase of a mothballed U.S. Navy ship, which in turn became a floating hospital, completely equipped with the latest equipment medical science could offer and staffed with a permanent contingent of 135 U.S. medical specialists, supplemented during the course of its voyage by 150 volunteer physicians and dentists.

For the past 10 months, port of call for the SS *Hope* has been Ceylon. There, its staff has conducted a comprehensive medical teaching and training program. More than 1,700 patients were treated aboard ship, with another 3,000 given care in the ship's dental department. Some 70,000 children received immunization against diphtheria, whooping cough, and tetanus.

At the request of the Ceylonese medical authorities, *Hope* left behind a continuing program to assist in that nation's dentistry and hospital planning.

The day before the ship left Ceylon to return to Philadelphia, more than 20,000

people came to the dock to bid the ship and crew farewell.

Project HOPE, with almost a decade of experience abroad, has added a new dimension to medical teaching programs. It presents an opportunity for an honest exchange of ideas and a definite understanding, through the study of common medical problems, that bring people closer together regardless of their strange and varied backgrounds. Project HOPE, in the finest traditions of America, is helping people to help themselves.

President Eisenhower said:

I firmly believe Project HOPE is the single most effective step in presenting America as a warm and good friend.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 61]

Adair	Dickinson	Monagan
Adams	Diggs	Morton
Addabbo	Dowdy	O'Neal, Ga.
Albert	Duiski	Ottinger
Anderson,	Dwyer	Pepper
Calif.	Edwards, La.	Podell
Ashbrook	Erlenborn	Pollock
Ashley	Evins, Tenn.	Powell
Ayres	Fallon	Price, Tex.
Baring	Feighan	Pryor, Ark.
Bates	Fish	Randall
Beall, Md.	Fisher	Rees
Bell, Calif.	Ford	Reifel
Berry	William D.	Rivers
Blaggi	Foreman	Ronan
Bingham	Gallagher	Rooney, N.Y.
Blackburn	Gettys	Rosenthal
Blatnik	Giatmo	Roudebush
Bow	Goldwater	Roybal
Brock	Green, Oreg.	St. Onge
Brown, Calif.	Halpern	Sandman
Burleson, Tex.	Hanley	Scherle
Cahill	Hébert	Scheuer
Carey	Heckler, Mass.	Scott
Carter	Helstoski	Shriver
Cederberg	Hunt	Smith, N.Y.
Celler	Jacobs	Stafford
Chisholm	Kirwan	Staggers
Clark	Kluczynski	Stanton
Clausen,	Koch	Stephens
Don H.	Kyl	Stratton
Clawson, Del.	Landrum	Symington
Collier	Latta	Teague, Tex.
Colmer	Long, La.	Thompson, Ga.
Conyers	Lowenstein	Watts
Corbett	McCarthy	Whalley
Corman	McClure	Wiggins
Coughlin	Macdonald,	Wilson, Bob
Cowger	Mass.	Wilson,
Davis, Ga.	Mann	Charles H.
Dawson	Marsh	Wold
de la Garza	Martin	Wyman
Dellenback	Miller, Calif.	Young
Dent	Mollohan	

The SPEAKER. On this rollcall, 306 Members have answered to their names, a quorum.

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

#### ALBERT FUENTES

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

Mr. GONZALEZ. Mr. Speaker, for several days I have been importuning the House of Representatives and calling at-

tention to a malodorous situation that arose in the Small Business Administration in my congressional district.

As a result, one of the men involved, Albert Fuentes, who on March 3 was appointed special assistant to the Administrator of the Small Business Administration called me a liar about 9 days ago. This morning he was indicted with another person by the Federal grand jury in San Antonio.

Mr. Speaker, I will continue to address this House about some of the activities that have yet to be brought to light in conjunction with this man's activities as special assistant to the Administrator of the Small Business Administration, not the least of which has been another involvement in a swindling deal with another man with whom he took an assumed-name corporation, who has been indicted by the Bexar County grand jury. The Bexar County grand jury on top of the Federal grand jury is also looking into this matter.

#### DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL 1970

Mr. WHITTEN. 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. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes; and pending that motion I ask unanimous consent that general debate on the bill be limited to not to exceed 3 hours, 1½ hours to be controlled by the gentleman from Minnesota (Mr. LANGEN) and 1½ hours by myself.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. FINDLEY. Mr. Speaker, I make a point of order against consideration of H.R. 11612 until tomorrow noon, and I would like to be heard on the point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FINDLEY. My point of order is that taking up the bill at this time is a violation of rule XXI, section 6, which reads as follows:

No general appropriation bill shall be considered in the House until printed committee hearings and a committee report thereon have been available for the Members of the House for at least 3 calendar days.

I would like to state to the Chair that Friday afternoon of this past week, which was less than 3 full calendar days from this hour, I called at the office of the Appropriations Committee and asked for a copy of the appropriation bill and the accompanying committee report. I was given a document, which I am glad to present to the Chair, which carries the label "Committee Print," but has no report number and refers to no bill by number. I asked the committee if this was the only document available. I said I wanted a report which had a report number printed on it and which referred to a particular bill. I was informed by the chief clerk of the Appropriations Committee that such document would not be avail-

able until the next morning, that is Saturday morning. Inasmuch as section 6 of rule XXI explicitly says "at least 3 calendar days," I think it is only reasonable to assume from that the 3 days means three 24-hour periods, and three 24-hour periods have not yet elapsed since the committee report bearing the report number was made available to the Members of the House.

The SPEAKER. Does the gentleman from Mississippi wish to be heard?

Mr. WHITTEN. Mr. Speaker, may I say for the RECORD that we had until midnight Friday night to file the report and bill for printing. The bill and report were made available to every Member and the general public on Friday, May 23, and this is Monday, May 26. Three calendar days have elapsed since they were reported, which conforms to the rule.

The committee hearings were printed in five volumes: They became available April 7, April 26, May 7, May 19, and May 23. So the fact is that the 3-calendar-day rule has been carried out in all respects.

Mr. FINDLEY. Mr. Speaker, as a point of clarification, may I state that I called at the Appropriations Committee at 2:30 p.m. last Friday and was informed by the clerk that not until the next morning could I secure a report with a number printed on it.

The SPEAKER. The gentleman from Illinois (Mr. FINDLEY) makes a point of order against the consideration of the bill (H.R. 11612) making appropriations for the fiscal year ending June 30, 1970, and for other purposes, on the ground that printed committee hearings and the committee report on the bill have not been available for 3 calendar days as required by clause 6, rule XXI. It has been the uniform practice of the House in determining the expiration of a required number of days to include in such computation either the initial or terminal day, but not both. The chair has ascertained that the report on the bill was filed on Friday last, pursuant to the unanimous-consent agreement of Thursday, May 22, and that all five parts of the printed committee hearings on the bill were available for inspection by Members by Friday last. Thus, by counting either Friday last, the day the report was filed and all hearings were available, or today, the day of consideration of the bill, as well as Saturday and Sunday last, the 3-calendar-day requirement of clause 6, rule XXI has been complied with by the Committee on Appropriations. The Chair therefore overrules the point of order.

Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi.

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 consid-

eration of the bill H.R. 11612, with Mr. WRIGHT 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 unanimous consent agreement, the gentleman from Mississippi (Mr. WHITTEN) will be recognized for 1½ hours, and the gentleman from Minnesota (Mr. LANGEN) will be recognized for 1½ hours.

Mr. CONTE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred Members are present, a quorum.

The gentleman from Mississippi (Mr. WHITTEN) is recognized.

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

Mr. Chairman, it is with real pride that I present this appropriation bill to the House floor for perhaps the 17th or 18th time. When I began to handle this bill as chairman of this subcommittee, my knowledge of agriculture had come largely from study, in that I left the farm at an early age. Through the years I have enjoyed presenting this to the House of Representatives.

As a result of improvements through the years, a few provide so much for the rest of us, but those few do not get the same degree of attention as well they might. This is very well expressed in our report.

If the United States of America were a primitive, isolated village of 20 persons, and if one of those 20 produced all of the food—and much of the fiber for clothing—consumed by the other 19, that one man would be hailed by his fellows as the preeminent contributor to the commonweal. For they would see clearly—in these simple circumstances—that they depended on this single individual for the most basic necessities of life itself.

This great Nation is not, of course, a primitive village—far from it. Yet one American on the farm does, in fact, produce nearly all of the food and fiber consumed by 19 of his fellow citizens.

Not only is this fact little understood today by the 94.4 percent of our people who live in cities and towns, but the whole vast scope of our amazingly productive agricultural economy is a foreign subject to tens of millions of our citizens.

Many of our children undoubtedly think milk originates in cartons;

They may believe that meat and poultry begin their trip to market wrapped in plastic;

They are probably not aware that a woolen suit or cotton shirt did not just grow that way.

These children's parents would not make these mistakes, of course, but they, too, are likely to be unaware of conditions on the farm today, and of the fact that agriculture is still the very cornerstone of our modern way of life.

It has been pointed out in many previous reports of this committee that the economic welfare of the Nation's economy is dependent on the economic strength of each segment thereof. Time

has proved that labor and industry can be prosperous only to the extent that the agricultural economy is strong and healthy.

Agriculture is the principal source of new wealth. It is the main provider of basic raw materials which support all segments of business and industry. Reliable estimates indicate that each dollar of wealth taken from the soil generates \$7 of income throughout the rest of the economy.

Agriculture is our largest industry. Its assets exceed those of any of the next 10 largest industries. It employs more workers than any other major industry. It employs seven times the number of people in the mining industry, 23 times the number in the oil and coal industry, and five times the number in the automobile industry. In addition, it supports directly another 10 percent of our non-farm population which supplies the farmer with his needs and processes and markets his products.

Agriculture is one of the major markets for the products of labor and industry. It spends more for equipment than any of the other large industries. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry and is five times that of the automobile industry.

But over the years, in spite of Government farm programs, industry and labor's share of the consumer's food dollar has risen substantially. Compared with 1950, retail food prices were up almost 40 percent by 1968. But during that same period, prices received by farmers, while fluctuating from year to year, remained unchanged in the aggregate.

In 1950, the farmer's share of the retail food dollar was 47 cents. By 1968, it was down to 39 cents. Taking several specific examples:

The farmer receives only 3.3 cents of the retail cost of a loaf of bread, which averaged 22.4 cents in 1968.

In the same year, he received only 23 cents of the \$4.60 retail price of a cotton business shirt.

The farmer's component of the 87-cent-per-pound average retail price of beef was only 52 cents per pound.

One of the important contributions of American agriculture to the national economy has been its contribution to our balance of payments abroad.

Total agricultural exports increased from \$4.5 billion in 1960 to \$6.3 billion in 1968. Exports for dollars rose from \$3.2 billion to \$4.7 billion during this period. During the calendar year 1967, agricultural exports for dollars exceeded agricultural imports by \$585 million. This more than offset the trade deficit for commercial trade of \$400 million in 1967.

From 1961 through 1968, agricultural exports contributed over \$32 billion to our balance of payments. Even though only about 22 percent of total exports are agricultural commodities, they account

for over 50 percent of our favorable trade balance.

The efficiency and productivity of U.S. agriculture has made this country the world's largest exporter of food to the many nations of the world. In recent years the export of U.S. agricultural commodities has increased to the point where production from one out of each four acres is sold abroad. In addition to supplying much needed foreign exchange, this has contributed to the domestic economy by providing about 1 million jobs in the agribusiness fields.

American agriculture continues to make a major contribution to the national welfare through the production of bountiful supplies of high quality and low-cost foods for the Nation's consumers. Food is one of today's best bargains.

This is apparent at the supermarkets, where city consumers can choose from thousands of safe, wholesome, and delicious foods—products of the farms of our 50 States. Using only 17 percent of their income, American consumers can select foods with a knowledge of nutrition and balanced diets that makes this a Nation of healthy and well-fed people. Many people in the world spend half or more of their available income on food. In underdeveloped areas people spend most of their time grubbing a living from the earth.

In 1929, 23.4 percent of consumer income in the United States went for food. This decreased to 22.2 percent in 1950,

20 percent in 1960, and 17 percent last year. This steady decrease has occurred despite the increasing portion of food costs which go for marketing and related services. If the 1960 level of 20 percent had continued through 1968, U.S. consumers would have had \$18 billion less to spend for the products of industry and labor.

#### HUNGER AND MALNUTRITION IN AMERICA

Few subjects have attracted as much publicity and created as much public outcry in recent months as the alleged existence of hunger and malnutrition in America. No one—least of all the members of this committee—would wish even one of our fellow citizens this misfortune of going to bed hungry.

Last year, this committee recommended and the Congress approved total funds of approximately \$1.2 billion for the various food distribution programs of the Department of Agriculture. Appropriations recommended by the committee in the current bill, plus amounts available from section 32 funds, will provide a total of nearly \$1.5 billion for the operation of these programs in fiscal year 1970.

Through the years, real progress has been made in improving public health and extending life expectancy in this country. The food distribution programs for which funds are carried in this bill have made a real contribution to this progress. The following figures indicate the story:

TOTAL DEATHS REPORTED IN THE UNITED STATES FROM SEVERAL NUTRITIONAL CAUSES

	1966	1956	1949	1945	1940	1935
Beriberi.....	14	25	47	46	63	7
Pellagra.....	21	70	321	914	2,123	3,543
Scurvy.....	0	7	22	18	26	30
Active rickets.....	3	6	65	93	161	261
Malnutrition: General or multiple deficiencies <sup>1</sup> .....	150	588	799			

<sup>1</sup> Changes in the system of reporting deaths have altered the reporting of nutritional diseases from time to time.

RELATIVE LIFE EXPECTANCY IN THE UNITED STATES, MALES AND FEMALES, 1900-66 (in years)

Year of life	1966		1949-51		1929-31		1900-1902	
	Male	Female	Male	Female	Male	Female	Male	Female
1.....	65.3	71.9	64.2	68.6	56.6	58.6	48.5	50.0
50.....	22.0	26.8	21.5	24.7	21.0	21.0	19.1	20.3
70.....	10.7	13.1	10.5	12.0	9.0	10.2	8.7	9.6

It is this committee which has initiated and supported additional efforts to seek out and to care for especially needy cases of malnutrition and hunger. In 1967, the chairman of this subcommittee recommended and the Congress approved the following provision:

CONFERENCE REPORT NO. 746 ON DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1968

Amendment No. 37: *Food stamp program*.—The managers on the part of the House intend to offer a motion which will provide \$185 million for this program, \$23,200,000 from prior year balances and \$161,800,000 by direct appropriation. Of the amount provided, \$5 million may be used in needy areas in this program where it may be required to meet problems resulting from the need for special considerations for extremely low-income families.

In 1968, he recommended and the Congress increased the appropriation by \$50,000,000 and passed the following provision:

1969 APPROPRIATION BILL (H.R. 16913—PUBLIC LAW 90-463) FOR DEPARTMENT OF AGRICULTURE

\*\*\* and (4) not more than \$45 million (including not to exceed \$1 million for State administrative expenses) for (a) child feeding programs and nutritional programs

FOOD DISTRIBUTION PROGRAMS—COMPARISON OF BUDGET ESTIMATES AND APPROPRIATIONS (INCLUDES SPECIAL MILK, SCHOOL LUNCH, FOOD STAMP, AND DIRECT DISTRIBUTION PROGRAMS)

Fiscal year	Budget	Appropriation	Difference
1969.....	\$1,114,468,000	\$1,128,499,000	+\$14,031,000
1968.....	945,535,000	939,625,000	—5,910,000
1967.....	600,600,000	701,455,000	+100,855,000
1966.....	669,900,000	672,900,000	+3,000,000
Grand total, 4 years.....	3,330,503,000	3,442,479,000	+111,976,000

authorized by law in the School Lunch Act and the Child Nutrition Act, as amended; and (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food: *Provided*, That in making such determinations, the Secretary shall take into consideration the age; income; location and income of parents, if a minor; and employability.

It is this latter provision of law which has authorized the Secretary of Agriculture to provide free and reduced-price food stamps in several States recently.

This committee has long been active in trying to help with nutritional education. Back in 1950, the committee was responsible for an appropriation to prepare and issue one of the first bulletins on the subject of human nutrition, "Family Fare."

It had come to the committee's attention that 36 percent of the young men being called into the draft in World War II had defects which could be attributed to faulty nutrition. So the committee recommended and the Congress agreed to redirect funds which had theretofore been used for a bulletin on keeping livestock healthy to the development of a book on human nutrition.

The debate in the House on this subject can be found in the CONGRESSIONAL RECORD of April 27, 1950, pages 5925 to 5927.

This pamphlet now is the No. 1 bulletin of the Department of Agriculture. Testimony before the committee shows that about 12 million copies have been sent out over the United States. According to the Director of Information of the Department of Agriculture, it has been the most popular bulletin nearly every year since 1950.

#### TOTAL SPENDING FOR FOOD ASSISTANCE PROGRAMS

The total food distribution expenditures by the U.S. Department of Agriculture during fiscal year 1969 will exceed \$1.2 billion. Since 1960, total funds for combating rural poverty and pushing rural development have increased nearly threefold to \$2.3 billion.

This committee has no authority or desire to relieve parents of the legal obligation to provide for their children. However, this committee and the Congress have generally provided more money than requested in the budget for food distribution purposes, as indicated by the following figures, for the past 4 years:

The amounts included in the bill and the current year, are shown in the following table:

FOOD ASSISTANCE PROGRAMS  
[In thousands]

	Fiscal year 1969, estimated	1970 bill
<b>A. Child feeding programs:</b>		
1. Cash grants to States:		
(a) School lunch (sec. 4)	\$162,041	\$168,041
(b) Special assistance (sec. 11)	10,000	44,800
(c) School breakfast	3,500	10,000
(d) Nonfood assistance	750	10,000
(e) State administrative	750	750
(f) Nonschool food program	5,750	10,000
(g) Special milk	103,314	89,000
(h) Special sec. 32	43,941	89,000
Total, cash to States	330,046	332,591
2. Commodities to States:		
School lunch (sec. 6)	64,325	64,325
Sec. 32 <sup>1</sup>	80,500	90,411
Sec. 416	144,872	146,838
Total, commodities	289,697	301,574
3. Federal operating expenses:		
School lunch	2,161	3,100
Nonschool feeding	500	750
Special milk	681	
Total operating expenses	3,342	3,850
Total, child feeding	623,085	638,015
<b>B. Family feeding programs:</b>		
1. Food stamp program		
	279,908	340,000
2. Direct distrib. to families (reg program):		
(a) Sec. 32 <sup>1</sup>	142,141	225,028
(b) Sec. 416	116,539	140,000
Total, DD to families	258,680	365,028
3. Nutritional supplement (special packages):		
(a) Special sec. 32—Food stamp areas	1,000	11,000
(b) Sec. 32 <sup>1</sup>	7,318	22,000
(c) Sec. 416	500	1,500
Total, special packages	8,817	34,500
Total, family feeding	547,405	739,528
<b>C. Direct distribution to institutions:</b>		
1. Sec. 32 <sup>1</sup>	1,967	3,800
2. Sec. 416	43,000	29,000
3. VA, Armed Forces, penal	17,875	21,000
Total, DD to institutions	62,842	53,800
<b>D. Nutrition aide program</b>		
	10,000	30,000
Total, food assistance program	1,243,332	1,461,343

<sup>1</sup> Includes related administrative expense.

EXTENT OF MALNUTRITION AND HUNGER

Today's publicists of the malnutrition problem are claiming that countless millions of our fellow Americans are hungry. It is clear that the facts about the extent of malnutrition must be ascertained before effective action can be taken to meet the problem. Certainly the search for facts should not be interpreted as a failure to understand or sympathize with the plight of the undernourished among us. Further still, the search for facts has not delayed action by Congress on the recommendation of this committee. For many years, this committee has tried its best to determine the facts regarding the true extent of hunger and malnutrition in the country and to act on them. The record set forth heretofore provides ample evidence of this.

A great many books and pamphlets—including one called "Hunger, USA"—have been given wide distribution recently. In addition, on May 21, 1968, and again on June 16, 1968, the Columbia Broadcasting System—CBS—presented a television program "Hunger in America" which was viewed by millions

of people. The assertions made in these books and on that program were shocking to all of us.

This committee, after providing the foregoing funds and authority, then set about to determine the facts on which the books and program were based, in order to find a way to seek out and provide for alleviating the suffering of the unfortunate individuals portrayed therein. The committee's professional surveys and investigations staff conducted a lengthy inquiry into these matters. These trained professionals conduct their studies on a completely independent and unbiased basis. After this investigation was ordered, the members of the committee had no further influence on the conduct of it, or the results and data contained in the staff's final report.

This special report has been received, and has been published in full in part V of the hearings on this bill. The facts presented are, in their way, as shocking as the allegations in the books and programs which preceded the report. It appears that many of the incidents de-

scribed or photographed were staged, as though for a Hollywood production.

Our country's press and other news media are free—they have been throughout our history, and always should be, but somehow we must make them responsible. The first amendment to our Constitution provides that Congress shall make no law abridging the freedom of the press—and this wise declaration by our founding fathers has stood the test of time for nearly two centuries—though at times, it seems some take this provision to be a license to say anything—whether true or not.

But rights carry responsibilities with them. A responsible press—newspaper, magazine, radio, or television—should have as its first guiding principle a duty to inform its readers or viewers fairly, objectively, and truthfully. Does not the public have a right to expect that this will be done?

The Nation's best interests are simply not well served when appeals to emotions are substituted for reasoned calls for responsible action.

MALNUTRITION A COMPLEX PROBLEM

As noted above, this committee and the Congress have been attempting to eradicate malnutrition in America for many years. And there can be no doubt that the Federal programs and funds provided—amounting to nearly \$1.5 billion for fiscal year 1970 alone—have done and will continue to do a great deal of good in meeting this problem. Yet malnutrition persists, at least in some instances.

There is no single answer to the problem, because malnutrition may have many different causes. The final elimination of hunger from America will require that—in the last analysis—the circumstances of individual hungry people must be examined. For example:

If the real problem in some cases is that the food stamp office is too distant from home—and local transportation is inadequate—then a car pool run by a local service organization would do more to solve the problem than a new Federal program;

If food is available, but certain individuals do not know how to prepare it properly, then education, not more food, is the answer;

If certain people, through habit and custom, are eating the foods their mothers prepared for them when they were children—and these foods are not sufficient to provide an adequate nutritional diet—then education again is the answer.

If certain children receive their only good meal of the day at school because their parents are deliberately not caring for them properly—and there are such cases—then the laws of each of the 50 States, which make it a criminal offense to neglect one's children, should come into play.

And if wealthy teenagers are subsisting on soft drinks and hamburgers, some parental leadership is all that is indicated.

These examples do not exhaust the subject. Many others could be cited. But the point is clear: malnutrition is a complex problem, with no single solution. If more Federal assistance is required to

solve a part of the problem, then it should be provided. But it cannot do the job alone.

There is no lack of research findings on proper nutrition. And there is no lack of written materials describing good nutritional practices in easily understood terms. As pointed out earlier in this report, about 12 million copies of a single Department of Agriculture bulletin, "Family Fare"—which the committee initiated nearly 20 years ago—have been distributed to families throughout this Nation and are available to others who need them. And there are many other bulletins on this subject.

But despite these efforts—and despite the appropriation of billions of dollars over the years for food assistance programs—it is clear that, in some cases, the message is just not getting across.

The purveyors of easy answers should bear in mind two fundamental truths:

First, massive new Federal programs and large additional appropriations will be good only to the degree they are directed to the real problem areas.

Second, American family life must be preserved. If all needy children were to be fed in institutions—as some have suggested—they would not be hungry. But what would this do to the fabric of family life, and the traditions inherited by our future generations?

Our pioneer forebears believed in being their brothers' keeper. It took a strong back of many men to raise high the roof beam of each frontier cabin. From our earliest days down to the present time, Americans have believed in providing for those—the children, the elderly, the sick, the disabled—who could not provide for themselves.

But the true greatness of America has also sprung from the sweat of the brow of countless millions in the last two centuries. The continent was not spanned, and our great cities were not built, by men who stood aside and waited for others to do the work.

All of us share in the responsibility to extend a helping hand to those among us who are hungry and in need. We must provide the funds and other means necessary to do this. We must not, however—through Federal programs—encourage our people to forsake their traditions of independence and self-reliance. Further, we must be certain that Federal funds for these purposes will provide the maximum benefits to those in real need.

#### THE FOUNDATION OF OUR FOOD SUPPLY

All of the controversy about hunger and malnutrition today has taken for granted the availability in the United States of a plentiful supply of nutritious food. We, in fact, have such a supply—the most abundant the world has ever seen. But we must not forget that the continued availability of these ample food supplies is not automatic. Future supplies to feed the rapidly growing population of this Nation and the world, including the hungry and the undernourished, will be determined by the economic viability of our agricultural producers, and the continued productivity of our soil and water resources.

Regardless of all else, it is an irrefutable fact that our bountiful food supply

can continue only so long as the income to farmers and ranchers is sufficient to keep them productive and efficient—in fact, to keep them in business. Our current programs of price supports, low-cost loans, research, and regulatory activities are directed toward this end. These basic programs benefit all of us—the poor and the hungry as well as the better off—equally as much as the farm producer upon whom they must depend for their basic necessities of life.

Further, the needy and the hungry—as well as all Americans—cannot long be fed unless our basic soil and water resources are preserved. The future welfare of all our people regardless of income or station in life is entirely dependent on the preservation of the basis for continued food production.

William Jennings Bryan is reputed to have once said:

Burn down your cities and they will arise again as if by magic. But destroy our farms and the grass will grow on the streets of every city in the land.

#### NEED TO CONSERVE OUR FOOD PRODUCTION CAPACITY

Three-fourths of our land area is in private ownership and 60 percent is in farms and ranches. Therefore, our farmers and ranchers are the principal managers of the Nation's soil and water resources for all the people. If this Nation is to survive and prosper, we must continue to assist these custodians of our natural resources to reforest our lands, protect our watersheds, harness our streams for electricity, and conserve soil and water.

If we leave to future generations a fertile land, this country will be able to meet its future domestic problems, international threats, and financial needs. Money alone is of no value. It must be supported by natural resources adequate to generate new wealth for future generations.

In our private lives, we all can live prosperously for a short time if we cash in all our insurance, use all our savings, and mortgage our assets. As a Nation, we can do the same if we are willing to "cash in" on our land, leaving to our children what is left—like previous generations have done in India, China, and the rest of the world we help to feed and clothe today.

It is considered good financial practice for a successful industrial concern to invest a portion of its income in the maintenance and preservation of its basic productive plant. It is equally important that our Nation invest a portion of its wealth in the protection of our food production capacity and its preservation for future generations.

#### SOIL AND WATER CONSERVATION

Remarkable progress has been made in soil and water conservation in the United States in the last 25 years. The major part of the soil conservation job still lies ahead, however. The United States continues to suffer heavy soil erosion losses. Some 120 million acres are endangered seriously, and only about a third of our land is safeguarded adequately. More than half the estimated \$1.2 billion average annual flood water and sediment damage in the United States occurs on

the headwater streams and small tributaries. And sediment causes costly damage to the Nation's 10,000 major water storage reservoirs. The amount of erosion-produced sediment dredged annually from our rivers and harbors exceeds the volume of earth dug for the Panama Canal.

Increased farm production resulting from tremendous advances in science and technology tends to obscure the fact that, to meet food and fiber needs of a few years hence, this country will need the production equivalent of around 200 million more acres, based on current yields. Since we do not have additional acres of cropland available in the United States, this production must come largely from increased yields on existing cropland. This is in the face of continuing annual losses of some 400,000 acres of cropland because of erosion, and three times that amount each year through conversion of good farming land to urban and industrial uses.

Nearly one-fourth of the people of the Nation face problems of water shortage, poor water, or both. The rate of water use predicted for 1980 is nearly twice what it was in 1955. In some areas of this country we are already finding that expansion of population and industry is limited by the lack of adequate sources of water.

An official of the Department recently described one of the Nation's major problems of water conservation as follows:

The Nation is concerned about its water problems but it seems that very few people are aware that 70 percent of the Nation's water budget that comes as rain or snow is lost by evapotranspiration from vegetated lands. Only 30 percent of our water budget becomes massed flow into streams and reservoirs.

For example, during the average growing season in New York State a half million gallons of water will evaporate from an acre of potatoes, regardless of the kind of crop produced, since the evaporation is largely determined by solar radiation. The farmer who produces 500 bushels of potatoes per acre is producing 1 bushel of potatoes for every thousand gallons of water evaporated. If his yield is only 50 bushels of potatoes per acre, he will use 10,000 gallons of water for each bushel of potatoes produced.

Today's 200 million Americans are figuratively and literally "abusing the privilege" where the use and handling of water is concerned. Our lake and rivers have become catch basins for the residues of our factories, automobiles, household and agricultural chemicals, for human wastes from thousands of villages, towns, and cities. How well we clean up this situation and learn to handle it without restricting man's means of providing our high standard of living may well determine the future of our Nation.

As we approach this problem, we must keep in mind that the power to control water quality or quantity is not only the power to make or break business but is a power over the life of the Nation itself. We must also keep in mind that agriculture's claims and responsibilities for the use of water are second to none, for agriculture provides our food, clothing and shelter, the basic necessities for life.

In addition, agriculture has a great

responsibility in the use of water, for land is the great gathering place and reservoir for storage of water. Just a few years in the future we will need three times the water we use today, all of which points up the need to protect and manage the quality and quantity of our water supply.

Yet, in the face of all of these facts, the 1970 budget recommends severe cutbacks in the watershed programs of the Soil Conservation Service and the agricultural conservation program, which have as their sole purpose the preservation of our soil and water for future generations of Americans. The specific reductions will be discussed in more detail later in this report.

#### THE ORIGIN OF OUR PRESENT FARM PROGRAMS

Throughout history there has been a major war nearly every generation, and an economic or financial depression has occurred with about the same regularity. Many believe that the reason is that each new generation fails to recognize the lessons learned by the one which preceded it.

This Nation seems to be in somewhat the same situation with regard to agriculture today.

The seeds of the great depression of the 1930's were sown in the agricultural depression of the 1920's which followed the First World War. The failure to maintain farm exports or to support farm prices during this period, and thus to maintain farmers' purchasing power, weakened banking and business throughout the country. Yet, people frequently fail to remember the lessons of the terrible financial crises of the 1920's and 1930's. It was graphically illustrated in 1921, in 1929, and again in 1937 that, if the farmer's prices and purchasing power collapse, the whole economy suffers both in the cities and in rural areas.

Let us briefly review the history of farm prices in the late twenties and the thirties, when a drop in the purchasing power of those engaged in agriculture not only wrecked farming but dragged down the economy of the whole Nation.

After the First World War ended, the Government announced that it would no longer support the price of wheat. Wheat which had brought \$2.94 a bushel in Minneapolis in July 1920, brought \$1.72 in December 1920, and 92 cents a year later. Agricultural prices in general collapsed. Cotton fell to a third of its July 1920 price and corn by 62 percent. The "Yearbook of Agriculture" of 1922 shows that the total value of agricultural products dropped from \$18,328,000,000 in 1920 to \$12,402,000,000 in 1921. As a result of the agricultural crash of 1920-21, 453,000 farmers lost their farms. Many others remained in serious financial trouble which, in turn, was reflected by failures of local banks.

Average wheat prices for the years 1924-27 stayed in a range between \$1.19 and \$1.44 a bushel as compared to a parity price of approximately \$1.40 for that period. Corn prices in these same years varied between 70 cents a bushel and \$1.06 a bushel versus a parity price of about \$1. Cotton prices were 12.5 cents a pound in 1926 but averaged 20.7 cents for the other years, compared to a parity price of 19.1 cents. In 1928 these prices

were: wheat, \$1; cotton, 18 cents; and corn, 84 cents. By 1931 wheat was 38 cents; cotton, 5.5 cents; and corn, 32 cents—roughly one-third of the pre-1928 price levels. Starting in August of 1929, wheat prices for the dominant futures on the Chicago Board of Trade fell from \$1.43 average price to 76 cents in November of 1930, a drop of over 50 percent in 15 months. The Dow Jones stock price averages followed by declining from a high of 381.2 in September to a low of 41.2 in July of 1932. The decline of the price of wheat on the commodity exchanges was particularly significant since there were nearly \$250 million of open contracts in October 1929, almost 2½ times the number of contracts in normal years. A great many of these speculators were ruined.

It has been said there were more suicides during this period among those that did not know what a farm was as a result of the breakdown in farm or commodity prices—which had led to a fall in prices and values throughout the economy—than in any other period in our history.

It was a sad way to learn it, but people at that time came to realize that real wealth starts with material things—corn, wheat, cotton, food crops of all kinds, and other raw materials—and that the general economy was primed by the sale of raw materials since, in general, the total national wealth averages some seven times the sales value of the farm or raw material production.

The people of the United States should have learned several important lessons from these experiences of the twenties and thirties.

First, when farmers cannot get a fair return for their products, the land suffers. The price of producing food, clothing, and shelter must be paid, either by a fair price from those who consume them or by further depletion of the land from which they come. Congress, reacting to the terrible depletion of our soil and water resources because of the poor financial position of many farmers, passed the Soil Conservation and Domestic Allotment Act of 1936. Yet today these same facts are being overlooked and we are being requested to devote less attention to our soil and water conservation efforts.

To make this point clear, one might draw a comparison between the farmer's position in this situation, and the activities of a typical American businessman.

If a businessman cannot make enough return on his investment to replace his depleted capital and keep his plant in operation, sooner or later he will go out of business. A rundown, inefficient factory and rusty outmoded equipment will eventually drive him to the wall. This is an economic fact well recognized by those engaged in industrial production.

The farmer, too, can deplete the fertility of his land and reduce his productive capacity—perhaps for a number of years in some instances—and stay in business. But sooner or later, he, or his successors, will have a wornout farm which will no longer produce the food and fiber which the consumers need from that farm unit.

In drawing this comparison, one thing must be kept clearly in mind. If a factory and its equipment go out of production, another businessman can come along and rebuild the factory and purchase new equipment in a relatively short time. But our soil and water—our agriculture production plant—are irreplaceable in our lifetime, and in the lifetimes of our children and our children's children. It takes nature as much as 10 million years to create a single inch of productive topsoil in many areas of the world.

Second, we sometimes seem to forget that some form of effective control over farm production and marketing is necessary. In 1937 heavy crop production caused surpluses and low prices for wheat and cotton, and a severe drop in commodity prices precipitated another economic decline throughout the economy. Based on this experience, Congress passed the Agricultural Adjustment Act of 1938.

The stated objective of this act was to: "regulate interstate and foreign commerce in cotton, wheat, corn, tobacco, and rice to the extent necessary to provide an adequate and balanced flow of such commodities. Such a flow can follow only from the leveling out of the recurrent surpluses and shortages that burden and obstruct interstate and foreign commerce in such products."

This law provided loans for storable commodities, generally called basics, the overproduction of which can be carried over to adversely affect succeeding crops for a number of years. Cotton, for instance, can be readily stored for 50 years without deteriorating to any noticeable degree. These storable or basic commodities were designated by Congress as corn, wheat, cotton, rice, tobacco, and peanuts.

In addition to providing crop loans so as to support prices, this law also provided that there must be an agreement by those receiving such loans to limit productions so as to have a workable program.

Third, many in this country seem to have forgotten that one of the major aims of the act of 1938 was to establish and maintain a fair relationship between the farmer's income and costs of production. This was necessary to maintain a reasonable relationship with what labor and industry received as the result of various laws passed by Congress to guarantee bargaining rights and minimum wages.

The principle of adopting special laws to help certain groups was not new. In the early history of this Nation, laws were passed providing tariffs to protect industry. It was recognized at that time that early industry in America, with its lack of capital and know-how, with its lack of developed markets, and with many other disadvantages, could not compete with the well-established industry in the mother country of England or in other countries.

Also, about 60 years ago, the American people began to realize that labor needed some protection relative to wage rates, working conditions, and hours set by industry. At that time the Congress began to enact laws on minimum wages and the right to organize and to strike.

Through the years these advantages have been increased greatly by various laws passed by the Congress.

This Nation learned in the great depression of the twenties and thirties that, in order to retain the purchasing power of those engaged in agriculture and allow them to stay in business to provide food essential to the general welfare, there had to be some provision in the law to maintain a balance between industry, agriculture, and labor, particularly since industry was protected by high tariffs and could place its markup or margin of profit over and above its cost, including raw material and labor.

Thus the Congress included in the act of 1938 a formula to maintain such a balance. To operate this program, the Congress created the Commodity Credit Corporation—a huge corporation first organized under the laws of the State of Delaware in 1933 with paid-in Government capital—and later made it a Federal Government corporation.

Under this program, the producer can borrow for his storable or basic commodities, the major commodities, at a fixed percentage of parity. This level is usually set by the Secretary of Agriculture within limits fixed by the Congress, and usually varies in percentage depending upon the commodity and the supply needed. At the end of the year, the farmer can repay his loan, claim his commodity and sell it on the open market if the price is advantageous. If not so deemed by the producer, the Government can foreclose on the loan and take title to the commodity. With such loan assurance under this plan, the price on the domestic market usually is sustained because the Commodity Credit Corporation is not authorized to sell below the support price.

Now, one might well ask: "Why does the farmer need the protection of these laws and programs? Why can't he just add his margin on top of his costs, just as any other businessman would do—even though those costs are higher because of laws protecting industry and labor?"

There are two fundamental reasons why he cannot do this:

In the first place, there are millions of farmers. Under a completely free system, no individual farmer-businessman could have any say as to the prices he would receive for his product. These prices would be determined by market forces over which he could not have even a small amount of control. For an individual farmer to say, "I am going to sell at a certain price because my costs are going up" could price him completely out of the market if he were not competitive.

In the second place, farmers and ranchers do not produce unique products. One farmer's wheat or cotton or tobacco of a certain grade and type is usually the same as another farmer's wheat or cotton or tobacco of the same grade and type. Each is competing in a nationwide market for that particular grade and type of wheat or cotton or tobacco. There is no opportunity to compete in the open market in the normal private enterprise manner.

An industrial concern, on the other

hand, can create a special demand for and distinguish or differentiate its products. It can create and cater to many different markets instead of one. For example, Americans do not regard automobiles as a standardized product—if they did, we might all be riding in a uniform version of the "people's car."

This differentiation of product by industry also makes advertising feasible. One businessman, through advertising, can convince consumers that his detergent or headache remedy is best for all, and the price may even become a secondary consideration.

It is for these reasons that the people of this Nation and especially its legislative leaders must review the record, must fully inform themselves as to the reasons for our present farm programs, and must remember the disadvantaged position of agriculture in our modern-day society.

It is for these reasons that our people must never forget the painful lessons of the past and the reasons why the present farm programs were placed on the statute books and have been in operation since the great depression of the 1920's and 1930's.

We must not forget the lessons of history and suffer again through the same mistakes and failures that our forefathers did. We must use the experience gained from those lessons to preserve the progress we have made in developing the finest agricultural system ever known to man.

#### COMMITTEE ACTION ON BILL

The bill includes an appropriation of \$130,182,000, plus a transfer of \$15 million from section 32 funds, for research for the coming fiscal year. This is an increase of \$1,063,700 over funds available for fiscal year 1969 and a decrease of \$449,300 in the revised budget estimate for fiscal year 1970. With a constantly increasing population, increased research is absolutely necessary if we are to maintain our standard of living, our health and our food supply.

The committee has included an additional \$100,000 for contract research on avian leukosis in poultry, making a total of \$837,500 available for the coming fiscal year. Avian leukosis continues to be the most baffling and costly of all poultry diseases, costly to producer and consumer alike, and is now rapidly becoming the No. 1 disease threat to broiler and egg production. Condemnations of poultry because of avian leukosis have increased from 6.5 percent of all birds condemned in 1962 to 35.2 percent of all birds condemned in 1967. The number of birds condemned due to this disease has increased tenfold during this same period. Current research efforts have produced new and important leads which offer promising approaches to better understand the complex disease.

An increase of \$100,000 for additional food and nutrition research is proposed, which will provide a total of \$400,000 for this purpose in the next fiscal year. These funds will enable the Department to up-date the handbook on nutrition, "Family Fare," which provides the latest information on vitamins, proteins, minerals, and other important nutritional factors. More than 12 million copies of

this bulletin, first prepared for distribution in 1950 at the direction of this committee, have been distributed throughout the Nation since that time. We expect efforts to be made in the coming year to make this essential information more readily available to those who need it. Much valuable information has already been developed through research. What is needed most urgently now is an expanded effort to get undernourished people to put it to use.

The committee has also added \$50,000 for a cooperative Federal-private industry cane sugar refining research project at the Southern Utilization Laboratory in New Orleans, La. In the past several years there has been a definite change in the nature of raw sugars resulting from changing farm operations. Hand labor has been replaced with mechanical devices. Chemicals are now more widely used for weed and insect control and for fertilizer. These changes have slowly rendered the old and well-known processing techniques less effective. Research on the basic chemistry of the processes and on the identification of the trouble-causing constituents is needed to improve the processes and develop new ones.

The sum of \$50,000 has been added to the bill for expanded research on bovine mastitis. This will provide a total of approximately \$500,000 for the next fiscal year. Mastitis, an infectious disease of the udder, is the most serious animal health problem of the dairy industry, resulting in losses estimated to be as much as \$500 million a year which are costly to both producers and consumers. The disease is caused by numerous microorganisms and is influenced by many environmental conditions. The primary effect is reduction in milk production and the loss resulting from milk that is unfit for human food. It is recommended that the additional funds be used to intensify contractual research on a method for the measurement of the milk-ejecting hormone as developed by scientists now working on this problem in Massachusetts.

Through the years, the committee has strongly supported the wholesaling and retailing research program of the Department. This work was discontinued by the Department last year, however, despite such support. In view of the extreme importance of this research, which enables the 200,000 independent grocers who handle about 58 percent of the Nation's retail food sales to compete with the larger chains to the benefit of their customers, the committee has included \$100,000 to reinstate this research at about 50 percent of its former level. This will permit the most essential features of this work to be continued. Such wholesaling and retailing research conducted by the Federal Government is the only means of enabling independent and small businesses to compete with the few large corporations which have the capability of satisfying their own needs for such research.

Also, the Department's planning studies of wholesale food markets in the larger urban centers of the country need to be continued and strengthened wher-

ever possible. These studies, which have been completed or are underway in some 62 major cities throughout the United States, a list of which appears on page 236 of part 4 of the hearings, are making a significant contribution to the location, design, and operation of the new markets involved. This is of great benefit to the Nation's consumers by providing them higher quality food at lower costs.

The committee has also provided an additional \$100,000 for operation of the new Water Quality Laboratory at Durant, Okla. It appears uneconomical not to adequately staff this new laboratory, when it is in the public interest to keep current our water quality knowledge. Since agricultural and other chemicals are essential to our food supply, we must develop accurate and authentic data on this matter as rapidly as possible.

The committee calls attention to the fact that more pollution research can and should be undertaken at the National Sedimentation Laboratory, since the location and facilities available will enable the Department to move ahead immediately. Operations at the Big Spring, Tex., Research Station should be continued at not less than the current level in the coming fiscal year.

A fund of \$50,000 has been included in the bill to enable the Department to continue planning for the Soil-Water-Plant Research Facility at Ithaca, N.Y., and to initiate planning for the Akron, Colo., Soil and Water Research Center. If additional planning funds are needed for these purposes in the coming fiscal year they should be obtained by transfer from the Agricultural Research Service's contingency research fund.

An increase of \$300,000 is provided for the construction of a central refuse incinerator and modernization of other facilities at the Beltsville Research Center. Modernization and improvement of facilities, many of which are 30 years or more of age, is needed to protect the approximately \$50 million real property investment at the Center.

The sum of \$360,000 is also recommended to undertake the construction of additional facilities at the Soil and Water Research Laboratory at Morris, Minn. The plans for this location, which were funded several years ago, have been completed and construction is ready to proceed. It is important that the research on surface water pollution to be performed at this Laboratory be gotten underway as soon as possible.

For plant and animal disease and pest control the committee recommends an appropriation of \$89,493,000 for the next fiscal year, an increase of \$2,853,500 over the 1969 appropriation and a decrease of \$1,683,500 in the revised 1970 budget request.

An additional \$250,000 is recommended for plant and animal quarantine inspection activities. The volume of foreign trade and travel continues to go up and is expected to increase in the future.

An increase of \$100,000 is included in the bill for cooperative activities with Central America on foot-and-mouth disease and rinderpest. The proposed increase would provide technical assistance, advice, and cooperative surveillance

with the Central American countries and Panama. Working arrangements would be provided through the International Regional Organization for Plant and Animal Sanitation.

An additional \$49,500 is provided for expanded work to assure the safety and potency of veterinary biologics under the Virus-Serum-Toxin Act. The increase proposed would be used to contract for the preparation of new standards and reagents and the replenishing of existing standards and reagents. These testing materials would be used by the department and by licensees to evaluate veterinary biological products.

The committee recommends an increase of \$100,000 for expanded enforcement under the Federal Insecticide, Fungicide and Rodenticide Act. Under this act, the Department seeks to protect the public from misbranded, adulterated, unsafe, and ineffective pesticide products. The primary tools to reach this objective include product registration, testing and enforcement of regulations. A recent report by the General Accounting Office cited the need for more effective action to remove violating products, to prosecute offenders, and to publish notices of judgment.

The committee has repeatedly urged the Department to establish a factfinding team to look into reports of damages attributed to the use of pesticides and to determine the full facts. The Department has agreed to do so. Since it is the responsibility of the Department to test, register and monitor the use of pesticides, and since the production of food, its preservation, and its protection from contamination by humans, insects, and animals are dependent upon all forms of pesticides, the formation of this new unit is well justified and has the full support of this committee.

The sum of \$1,000,000 is provided to commence construction of a new animal quarantine facility at Fort Tilden, N.Y. The existing facility is virtually obsolete. Federal laws and regulations require the quarantine of all imported wild and domestic animals, including poultry, upon arrival in this country. Public Law 88-592, approved September 12, 1964, authorized the sale of the Department's present animal quarantine facility at Clifton, N.J., to the city of Clifton for public purposes and the establishment of a new quarantine station in the New York-New Jersey port and airport area.

The committee, recognizing the danger to health and the cost of disease outbreaks, has also gone along with the increases of \$750,000 each proposed in the revised 1970 budget for the screw-worm and hog cholera eradication programs. The cost of providing the sterile screw-worm flies necessary to maintain the screw-worm barrier zone along the United States-Mexico border continues to increase due primarily to the rise in cost of media for the production of sterile screw-worm flies and the operation and maintenance of the aircraft for fly release operations. It is hoped that the additional funds will permit continuation of the program at the present rate, which is needed to keep this insect threat under control.

The 1961 legislation establishing the hog cholera program directed the Secretary of Agriculture to prohibit or restrict the interstate shipment of hog cholera virus as necessary to carry out the eradication program. Program procedures, adopted by the Department and the States in 1962, recognized the need for such action and required removal of live virus vaccines for at least 1 year prior to recognition of any State as hog cholera free. The program schedule, adopted by Federal, State, and industry groups, calls for national eradication by the end of 1972. The current demand for removal of vaccines at the earliest possible time reflects recognition that the 1972 goal cannot be met, unless this action is taken in advance of that target date. When vaccines are withdrawn, some buildup of outbreaks of the disease can be expected. These outbreaks can be eradicated without return to the use of vaccines if sufficient indemnity funds are available for prompt depopulation of herds.

The committee has approved an appropriation of \$30 million for the nutrition aide program initiated last fall. This is in line with the latest budget recommendation and places existing programs on a yearly basis. Of this sum, \$7,500,000 shall be available for professional workers to promote 4-H type programs in the depressed areas of our cities. This program involves educational work among low-income groups to reduce the incidence of malnutrition, by providing homemaker aides who will use available information, knowledge and skills to teach needy people to utilize all resources toward the achievement of a more nutritionally adequate diet.

In this connection, the committee feels that full use should be made of the Nation's 3 million 4-H Club members to promote 4-H Club-type work with the youth of our towns and cities. The success of this program in rural areas has forcefully demonstrated the effectiveness of this approach. It may well be found that the most successful results from nutritional education of low-income families will come through work with the younger members of the family.

For conservation operations, the full budget estimate of \$118,786,000 is provided for this program for the coming fiscal year. The net increase of \$3,893,000 is provided to cover mandatory pay increases. Therefore, the amount recommended will provide the same level of funding as was available for fiscal year 1969.

A total of 19 conservation districts were formed in the 1968 fiscal year. Consolidations and changes in boundaries of 17 other districts resulted in the transfer of nearly 8 million acres between districts, and the addition of 15 million acres to 75 existing districts. The net increase of new territories brought into districts in 1968 was 15,971,628 acres. About 96 percent of the total farm and ranch lands and 99 percent of the farms and ranches in the Nation are now within the boundaries of conservation districts.

A total of 15 new soil and water conservation districts are expected to be organized in the 1969 fiscal year. An-

other 12 districts are projected for 1970. The formation of districts is nearing completion in most States. About 40 more districts are expected to be organized within the next few years.

For watershed planning, the full budget request of \$6,209,000 is recommended for the next fiscal year. This will permit the program to continue at about the current year's operating level. The committee directs that not less than 100 new plans be started during the coming year.

For watershed works of improvement, a total appropriation of \$57,873,000 is proposed for fiscal year 1970. This amount, will provide the same funding level as established for fiscal year 1969, including supplemental funds to meet mandatory pay increases. For this program, the committee directs that not less than 80 new construction starts be undertaken in the next fiscal year.

For consumer protective, marketing and regulatory programs, the bill includes a recommended appropriation of \$130,867,000 for the next fiscal year, a reduction in the budget of \$4,387,200 and an increase of \$14,602,500 over current year funds.

The proposed closing or discontinuance of market news services has not been approved in view of the importance of these services to the Nation's agricultural industry, and the Department is directed to retain these services. The small amount of funds involved could better be taken from the cost of other operations of the Department in Washington. In the opinion of the committee, the need for timely and reliable market reports by farmers and agribusiness to deal with increasing market pressures and ever-growing consumer demands for better food at lower prices makes these market news services increasingly essential. The offices and reports involved, which are to be continued in operation next year, are as follows:

Fruits and vegetables: Columbia, S.C.; Birmingham, Ala.; Louisville, Ky.; Hammond, La.; Southern Pines, N.C.; Richmond and Windsor, Va.; Florida City and Sanford, Fla.

Grain: Houston and Austin, Tex.; Cleveland, Miss.

Livestock: Ogden, Utah; Tulsa, Okla.; Memphis, Tenn.; Fort Smith, Ark.

Poultry: Lincoln, Nebr.; Charleston, W. Va.; Austin, Tex.; Baton Rouge, La. Naval Stores: Savannah, Ga.

Reports: National Weekly Peanut Report, Farmers Weekly Cotton Price Reports for North and South Carolina, Georgia, and Alabama; Monthly Cotton Linters Review issued in Memphis.

An additional \$10 million has been included for meat inspection activities. This will provide a total of nearly \$80 million for the coming year. The major portion of the increase will be used for grants to States under the Wholesome Meat Act of 1967. Grants were made to 18 States in fiscal year 1968 and it is expected that around 30 will be in the program by the end of the current fiscal year.

The committee has also included an increase of \$3 million for poultry inspection, which provides a total of about

\$28.5 million for fiscal year 1970. With the passage of the Wholesome Poultry Products Act of 1968, almost all poultry and poultry products sold in the United States will be subjected to the same enforcement standards that hitherto have been required only of those plants engaging in interstate commerce.

This new legislation increases the responsibility of the Federal Government in the poultry inspection field by providing for technical and financial assistance to States for improving the quality of their poultry inspection programs. The act gives the States 2 years from the date of enactment—August 18, 1968—to develop inspection programs comparable to the Federal program. A possible extension of 1 additional year may be pro-

vided at the end of 2 years if a State has made significant progress in improving its program. However, if any State fails to develop a comparable program within the period provided by law, the Federal Government is required to take over inspection of all establishments engaging in the sale of poultry and poultry products in that State.

For child nutrition programs, the full budget request of \$311,766,000 is provided for fiscal year 1970, \$117,500,000 by direct appropriation and \$194,266,000 by transfer from section 32 funds. This is an increase of \$58,967,000 over funds available for the present year. The amounts included for each of the programs funded under this head, as compared to fiscal year 1969, are as follows:

	1969	Increase	1970 bill
1. Cash payments to States:			
(a) School lunch program.....	\$162,041,000	+ \$6,000,000	\$168,041,000
(b) Special assistance.....	10,000,000	+34,800,000	44,800,000
(c) School breakfast program.....	3,500,000	+6,500,000	10,000,000
(d) Nonfood assistance program.....	750,000	+9,250,000	10,000,000
(e) State administrative expenses.....	750,000		750,000
(f) Nonschool food program.....	5,750,000	+4,250,000	10,000,000
Subtotal.....	182,791,000	+60,800,000	243,591,000
2. Commodity procurement.....	64,325,000		64,325,000
3. Operating expenses.....	2,661,000	+1,189,000	3,850,000
Unobligated balance.....	3,000,000	-3,000,000	
Total available or estimate.....	\$252,777,000	+ \$58,989,000	\$311,766,000

<sup>1</sup> Excludes \$22,000 transfer to General Services Administration.

For the food stamp program, this program operates through normal channels of trade to provide food to families in economic need of assistance. Participants include those households receiving some type of welfare assistance—the aged, the blind, the disabled, and mothers with dependent children. Other low-income families also are eligible to participate even though they do not qualify, for a variety of reasons, for welfare aid. These are people living on small pensions, the unemployed, the underemployed, and the unskilled low-paid employed.

Participants exchange the amount of money they would normally spend on food for food coupons worth more. Under the Food Stamp Act, the purpose is to enable participants to improve their diets in both quantity and quality.

The bill carries an appropriation of \$340,000,000 for this purpose in fiscal year 1970, the full amount authorized for this program by present law. This is an increase of \$60,000,000 over funds available in fiscal year 1969.

The program will reach an estimated 3,630,000 participants, in some 1,550 project areas, by June 30, 1969, an increase of 1,218,000 participants over the June 1968 level. At the time the program will be operating at an annual rate of about \$325 million.

Section 32 funds are used to encourage the production of food by stabilizing prices and by the exportation and domestic consumption of agricultural products, and to contribute to stabilizing market prices either through announcements that the Department stands ready to enter the market, or by actual participation in the market. The extent to which funds actually will be obligated and expended, for perishables and other

surplus removal programs, will depend upon the market situation which develops as peak marketing seasons approach. The type of program to be developed also depends upon the kind and volume of existing surpluses and the availability of potential outlets. Generally, surpluses are removed from the market through purchases, which are then donated to schools, institutions, and needy persons.

For the law to work, it is essential that the Department have on hand at all times sufficient funds to purchase price-depressing surpluses; otherwise we could well lose our fine foods and high standard of living by producers going out of business.

#### FUNDS IN BILL FOR MILK

The funds provided in this bill provide \$100 million for special feeding programs under section 32. The Department may use as much of this as may be used for milk for needy children.

Also some 500 to 600 million additional meals will be served under the expanded school lunch, school breakfast, and other child nutrition programs for which an increase of \$59 million is provided in this bill. Each of these meals will include milk.

Further, the \$60 million increase for the food stamp program will increase milk consumption significantly.

In total, some \$174 million of additional funds are included in this bill for free and reduced cost food for needy people. Much of this will be used to provide milk for needy children.

The committee has approved the budget request for all of these programs to be certain that means are provided to care for the needs of those in this country suffering from malnutrition or

hunger. The record shows that individual cases do exist despite public welfare programs and the efforts of this committee, Congress, and local charities. The committee points out that directives were issued in 1967 to meet the needs of especially needy persons and that last year \$50 million above the budget was provided with authority granted to the Secretary of Agriculture to locate hungry people anywhere in the United States and to provide them with free food where deemed necessary, taking into consideration such factors as age, income, employability, and so forth—clause 4b. It has been noted that special programs in several States have been established under this authority.

In view of continuous allegations of hunger, the committee must insist that the Secretary meet this responsibility by providing free food on an individual case basis wherever he finds and can certify that such hunger does in fact exist under such circumstances. If we are to reach those who may actually be hungry, the Department must locate such people and see that they are properly fed. Large, mass feeding programs such as proposed will never reach these isolated cases where people cannot participate in the food stamps, direct distribution, or special feeding programs because of illness, isolation, or ignorance.

The bill includes an appropriation of \$22,937,000 for the next fiscal year for the Foreign Agricultural Service, a decrease of \$1 million in the revised budget request for fiscal year 1970 and a net increase of \$1,395,700 over 1969. In addition, transfers of \$3,117,000 from section 32 and \$107,000 from CCC are approved.

The committee has funded the opening of a new agricultural post in Korea, which is a fast growing market for U.S. agricultural commodities, such as wheat, soybeans, barley and cotton. In total volume of commodities purchased, it ranks among the top nations in Asia. There is no other free world country with this volume of agricultural trade where the United States is not represented by an agricultural attaché. A great opportunity exists in Korea for an expanded market promotion program in cooperation with private trade groups and this opportunity should be pursued. Further, the lack of USDA representation at this important post has been a serious handicap in obtaining adequate agricultural data. The total cost is expected to be \$80,000.

An increase of \$1,500,000 is recommended to expand the market development program for agricultural commodities. The additional funds will be used in part to mount a comprehensive 5-year export program which will parallel similar work underway for industry in the Department of Commerce. Agricultural export targets will be set up commodity by commodity on a 5-year basis in line with the 5-year industrial program currently being developed by the Department of Commerce.

Conservation practices under the agricultural conservation program are developed initially at the local level by ASC State and county committees, the Soil Conservation Service, and the Forest Service. Representatives of the land-

grant colleges, the Farmers Home Administration, State conservation committees, and other State and Federal agricultural agencies also participate in these determinations.

The recommendations of these groups are used as the basis to formulate joint recommendations to the Agricultural Stabilization and Conservation Service in Washington. From these recommendations, the various agencies of the Department in Washington develop and recommend to the Secretary of Agriculture a national program. State and local people then develop their local programs within the structure of the national program approved by the Secretary. No practices are adopted and put into effect in any State or county unless approved by the local conservation groups.

As mentioned earlier, this program reaches in excess of 1 million farms each year and results in the application of the greatest amount of conservation measures to the land at the lowest cost per acre of any other similar program.

By continued emphasis on the establishment of long-term conservation practices, benefits go to nonfarm people as well as to farmers. The program attempts to get low income and other farmers who are lagging in the conservation effort to undertake significant conservation projects. Also an increasing proportion of its funds has gone for land treatment measures in watershed program areas and other rural areas development projects. For example, the following accomplishments were attained under the 1967 program:

First. Enduring-type practices received 87 percent of the cost-share funds.

Second. About \$15.1 million of ACP cost-sharing funds, involving 79,000 farms, went into 41 resource conservation and development project areas and 12 rural renewal program counties.

Third. About \$15.4 million of ACP cost-sharing funds, involving 69,000 farms, went into more than 1,200 Public Law 566 and pilot watershed program areas to advance land treatment measures in those watersheds.

Fourth. About \$5.1 million of ACP cost-sharing funds, involving 26,000 farms, went into the 11 flood prevention watersheds.

Within program authority for operations, a growing proportion of ACP cost-shares is being used for those conservation practices which conserve water and reduce water pollution—particularly those that reduce sediment—those primarily for wildlife conservation, and those which provide recreational and beautification conservation benefits. In 1967, wildlife conservation and conservation-beautification practices serving about 4.7 million acres were performed.

An appropriation of \$195,500,000 is recommended to make payments due under the program authorized in the 1969 agricultural appropriation bill. Amounts owed under that program are legal commitments and funds must be provided to meet all obligations incurred.

The committee also recommends that the advance announcement for the 1970 program be included in the bill at the \$195,500,000 level. In the opinion of a

majority of the members of the committee, this program provides the best possible means for getting soil and water conservation practices applied to the land. It is the financial core for the nationwide conservation effort. The practices applied to the land under this program provide the land treatment phase of the conservation work included in all other programs, including the Public Law 566 small watershed projects, the flood prevention projects, the resource conservation development projects, and others. The elimination of funds for the ACP conservation practices would, therefore, require the addition of such amounts to the other conservation and watershed programs to enable them to continue their operations at current levels.

The restoration of this program to the 1969 level is essential, as heretofore noted, to prevent a drastic reduction in soil conservation technicians and ASC county committee employees. Testimony received from USDA officials indicates that the elimination of the ACP program would reduce 406 SCS technicians the first year, with the complete elimination during the next year of 1,020 technicians now located in SCS field offices throughout the country.

Further, such officials indicate that the elimination of the ACP program would affect a large number of the ASC county office operations. In addition to the probable closing and consolidation of some county offices, where ACP generates more than half the total workload, it would require the reduction of some 2,500 employees as follows:

	<i>Man-years</i>
Washington, D.C.-----	20
Data processing centers, management field office-----	11
State offices-----	164
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Total Federal employment-----	195
County offices-----	2,300
<hr/>	
Total -----	2,495

The full budget requests of \$320,000,-000 for electrification loans and \$123,-300,000 for telephone loans are included in the bill for the coming fiscal year. These amounts, together with unobligated funds which will be carried forward from prior year authorizations, will provide total funds of \$345,000,000 for electrification loans and \$125,000,-000 for telephone loans.

Power requirements of the REA borrowers continue to increase at a steady pace. During fiscal year 1968, consumers used approximately 56 billion kilowatt-hours of electricity. By 1980, consumption is expected to increase to an estimated 120 billion kilowatt-hours. Average monthly kilowatt-hour consumption by farm and residential consumers increased more than 28 kilowatt-hours during the past year, to a current average of 571 kilowatt-hours per month. At the end of fiscal year 1968, there were 5,929,361 consumers being served on REA financed lines.

The telephone program has been expanding at the rate of about 100,000 new subscribers annually. There is a continuing demand for the improvement of service by subscribers in rural areas. The development and economic well-being of

rural areas urgently require that critical needs for efficient and reliable communications be met. Long-range economy in the use of loan funds to build these systems requires that they meet industry standards and provide service comparable to that in neighboring towns and cities.

Pursuant to the Consolidated Farmers Home Administration Act of 1961, a direct loan account was established in fiscal year 1962. Collections of principal and interest on loans outstanding are deposited in the direct loan account and are available for principal and interest payments on borrowings from the Secretary of the Treasury and for making additional loans for: First, farm ownership; second, soil and water conservation; and, third, operating purposes. Such loans may be made only in such amounts as may be authorized in annual appropriation acts.

The bill authorizes continuation of the loan programs financed under this account at the fiscal year 1969 level, as follows:

Real Estate loans (including farm ownership and soil and water loans)	\$83,000,000
Operating loans	275,000,000
Soil Conservation loans (watersheds, flood prevention, resource conservation and development)	4,900,000
<b>Total loan authorizations</b>	<b>362,900,000</b>

The committee has restored proposed budget reductions of \$13,400,000 for soil and water loans and \$25,000,000 for farm operating loans. The restoration of the 1969 level for farm operating loans is based on the urgent need for reasonably priced farm credit to enable the smaller farm producers to stay in business. The restoration for soil and water loan funds is directly related to the restoration of the 1969 level for the other soil and water conservation programs of the Department.

The committee recommends an appropriation of \$40,000,000 for rural water and waste disposal systems in the next fiscal year. This amount is \$12,000,000 over the 1969 level and the revised 1970 budget. It is \$12,000,000 under the original request contained in the January budget.

The need to develop central water supplies and waste disposal systems in rural areas far exceeds the grant and loan resources available to the Farmers Home Administration. A priority system has been established to facilitate meeting the most urgent needs with the funds currently available. This increase will significantly assist in meeting such needs.

A recent survey indicates that as of March 1, 1968, about 1,500 rural counties will require Farmers Home Administration grant assistance to finance the preparation of comprehensive water and sewer plans. It is necessary that these plans be completed prior to October 1, 1971 for the area to be eligible for development grant assistance. An average of 18 months is needed to complete a plan. Therefore, if counties are to meet the

October 1, 1971, deadline, a substantial number of the plans must be started in fiscal year 1970.

The size and scope of the various programs of the Farmers Home Administration have increased steadily through the years.

During 1970, the Farmers Home Administration will service an estimated \$5.3 billion of outstanding loans, an increase of \$820 million over 1969.

To meet this growth in administrative workload, the committee has included \$65,000,000 in the bill for 1970, an increase of \$6,770,000 over fiscal year 1969. These additional funds will cover mandatory pay increases and will provide an additional \$5,000,000 to meet increased program requirements.

The amounts recommended will finance an additional 1,590 man-years of personnel for next year. While this is not the full increase requested, it appears adequate to meet the most essential needs. Since qualified personnel are limited for this as well as other agencies of Government, the gradual expansion allowed by this increase seems to be the most realistic and reasonable approach to meeting the need for expanded services.

#### COMMODITY CREDIT CORPORATION

The Corporation was organized October 17, 1933, under the laws of the State of Delaware, as an agency of the United States, and was managed and operated in close affiliation with the Reconstruction Finance Corporation. On July 1, 1939, it was transferred to the Department of Agriculture by the President's Reorganization Plan I. On July 1, 1948, it was established as an agency and instrumentality of the United States under a permanent Federal charter by Public Law 80-806, as amended. Its operations are conducted pursuant to this charter and other specific legislation.

The Commodity Credit Corporation engages in buying, selling, lending, and other activities with respect to agricultural commodities, their products, food, feeds, and fibers. Its purposes include stabilizing, supporting, and protecting farm income and prices; assisting in the maintenance of balance and adequate supplies of such commodities; and facilitating their orderly distribution. The Corporation also makes available materials and facilities required in connection with the production and marketing of such commodities.

The Corporation is managed by a Board of Directors appointed by the President and confirmed by the Senate, subject to the general supervision and direction of the Secretary of Agriculture, who is, ex officio, a Director and Chairman of the Board. In addition, it has a bipartisan Advisory Board of five members appointed by the President to survey the general policies of the Corporation and advise the Secretary with respect thereto.

Personnel and facilities of the Agricultural Stabilization and Conservation Service, ASC State and county committees, and other USDA agencies are used to carry out Corporation activities.

The Corporation has an authorized capital stock of \$100 million held by the United States and authority to borrow

up to \$14.5 billion. Funds are borrowed from the Federal Treasury and may also be borrowed from private lending agencies. In addition it received funds from repaid loans and the sale of commodities. In connection with loan guarantees, the Corporation reserves a sufficient amount of its borrowing authority to purchase at any time all notes and other obligations evidencing loans made by lending agencies or certificates of interest issued in connection with the financing of price-support operations. All bonds, notes, debentures, and similar obligations issued by the Corporation are subject to approval by the Secretary of the Treasury as required by the act of March 8, 1939—15 United States Code 713a-4.

Public Law 87-155—15 United States Code 713a11, 12—authorizes appropriations to reimburse the Corporation for net realized losses previously incurred. The appropriations provided under such authority, therefore, must represent prior year losses actually reflected in its accounts and shown in its reports of financial condition.

The bill includes a total appropriation of \$4,965,934,000 to restore capital impairment incurred in previous years, as follows:

Balance of 1961 inventory revaluation	\$57,047,170
Full reimbursement of 1967 losses	2,210,668,971
Partial reimbursement of 1968 losses	2,698,217,859
<b>Total appropriation</b>	<b>4,965,934,000</b>

If necessary to perform the functions, duties, obligations or commitments of the Commodity Credit Corporation, administrative personnel and others serving the Corporation shall be paid from funds on hand or from those funds received from the redemption or sale of commodities. Such funds shall also be available to meet program payments, commodity loans, or other obligations of the Corporation.

For Public Law 480, the bill carries a total of \$900,000,000 for the next fiscal year, \$400,000,000 of which is for title I sales for foreign currencies and for dollars on credit terms, and \$500,000,000 is for title II donations abroad. Approximately \$200,000,000 of the latter amount is provided to fund 1969 costs, leaving the balance of \$300,000,000 for fiscal year 1970 shipments.

In addition, an estimated \$361,000,000 will be available during the next fiscal year from sales of foreign currencies and carryover of unused 1969 funds. This will make available \$1,261,000,000 for fiscal year 1970.

The amounts provided in the appropriations are not fully controlling since the basic law permits the Government to enter into agreements involving expenditures which must be financed from subsequent appropriations. On the other hand, if funds appropriated are in excess of amounts actually used in a particular year, such amounts are applied against current year's costs and reduce the subsequent appropriations required.

In closing, it should be pointed out that the committee has included a new section under general provisions which would exempt the Department from the

personnel limits under section 201 of Public Law 90-364. Section 510 of the bill would exempt all positions of the Department from section 201 of Public Law 90-364 except the Forest Service which is not covered by this act. However, those positions in the Forest Service which are financed from appropriations in this act—such as flood prevention and watershed works of improvement—would be exempt by section 510. Under this section, the employees of a milk marketing administrator who are paid from fees charged milk handlers, and all other activities paid from funds provided in this act, would be exempt from the provisions of section 201.

This language is necessary to permit the Department to employ the additional employees funded in this bill for meat and poultry inspection, the food stamp and child nutrition programs, and the Farmers Home Administration activities.

Also, it should be noted that the committee has included language in the bill to permit the Secretary, if he finds it necessary, to use up to \$250,000 of funds in the Department's working capital fund to carry out activities under the Civil Rights Act of 1964. This would be in addition to the slightly more than \$300,000 available in the appropriation for general administration. To the extent that the working capital fund is used for this purpose, it is expected that the fund would be reimbursed from applicable appropriations available to the agencies of the Department which have responsibilities under this act. On this basis the capital of the fund would not be impaired.

Mr. CONTE. Mr. Chairman, the gentleman from Mississippi is making a very important statement, and I think there ought to be more Members here to listen to him. Therefore, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 62]

Abbutt	Cowger	Helstoski
Adams	Cunningham	Hunt
Albert	Davis, Ga.	Jacobs
Anderson,	Davis, Wis.	Joelson
Calif.	Dawson	Jones, N.C.
Ashbrook	de la Garza	Kirwan
Ashley	Dellenback	Kleppe
Ayres	Dent	Kluczynski
Bates	Dickinson	Koch
Beall, Md.	Diggs	Kyl
Bell, Calif.	Dowdy	Landrum
Berry	Dulski	Latta
Biaggi	Dwyer	Long, La.
Bingham	Eckhardt	Lowenstein
Blackburn	Edwards, La.	McCarthy
Blanton	Erlenborn	McClory
Blatnik	Evins, Tenn.	McClure
Brock	Fallon	McDonald,
Brown, Calif.	Feighan	Mich.
Burleson, Tex.	Fish	Macdonald,
Cahill	Fisher	Mass.
Carey	Foreman	Mann
Carter	Gallagher	Martin
Casey	Gettys	Miller, Calif.
Chisholm	Gialmo	Miller, Ohio
Clark	Gilbert	Mollohan
Clausen	Goldwater	Monagan
Don H.	Grover	Montgomery
Dawson, Del	Halpern	Moorhead
Cleveland	Hanley	Morton
Collier	Hanna	O'Neal, Ga.
Colmer	Hansen, Wash.	Otinger
Conyers	Harsha	Pelly
Corbett	Hébert	Pepper
Corman	Heckler, Mass.	Podell

Pollock	St. Onge	Teague, Calif.
Powell	Sandman	Teague, Tex.
Price, Tex.	Scherle	Thompson, Ga.
Pryor, Ark.	Scheuer	Watts
Randall	Shriver	Whalley
Rees	Smith, Calif.	Widnall
Reifel	Smith, N.Y.	Wiggins
Rivers	Stafford	Wilson, Bob
Ronan	Stephens	Wold
Rosenthal	Stratton	Wyman
Roudebush	Symington	Young
Roybal	Taylor	

Accordingly the Committee rose; and the Speaker pro tempore (Mr. FASCELL) having assumed the chair, Mr. WRIGHT, 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. 11612, and finding itself without a quorum, he had directed the roll to be called, when 296 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting. The CHAIRMAN. When the Committee rose, the gentleman from Mississippi (Mr. WHITTEN) had 3 minutes remaining of the time he had allotted to himself.

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

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITTEN. I yield myself 2 additional minutes.

Mr. PERKINS. Mr. Chairman, I certainly wish to compliment the gentleman from Mississippi (Mr. WHITTEN) for a tremendous job, but as I understand the report, if I understand it correctly, on page 40, under "Commodity procurement," you have \$64,325,000. I am unable to tell whether that is taken from section 32 or from the Agricultural Adjustment Act. Now, on page 41 you take that same item down there in the chart where it says, "Child Nutrition Programs" and last year you have \$64,325,000 and you jump it up to \$194,266,000 for fiscal 1970. The discrepancy in my mind is this: I am wondering where is the \$93,800,000 that was transferred in fiscal year 1969 from section 32 for the procurement of commodities for the school lunch program. That is what I cannot reconcile.

Mr. WHITTEN. I am afraid I have not followed completely the gentleman's question. Later in the debate I will be glad to answer him, but, first, I would like to see the figures he is using.

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

Mr. WHITTEN. I yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, in answer to the question of my colleague, the gentleman from Kentucky (Mr. PERKINS), I believe if the gentleman will examine page 41, and the table that appears at the bottom of the page, the gentleman will find under "Transfers" the heading "Child Nutrition Programs" and the gentleman will see a figure of \$194,266,000. The figure that the gentleman has directed to the chairman of our subcommittee is incorporated in and is a part of that overall figure.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, the \$64,325,000, then, is not transferred from section 6 of the Agricultural Adjustment Act?

Mr. NATCHER. It is transferred from section 32.

Mr. PERKINS. Now, where is the \$93,800,000 item that was transferred from section 32 for fiscal year 1969?

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

Mr. WHITTEN. Mr. Chairman, I yield myself 1 additional minute.

The CHAIRMAN. The gentleman from Mississippi is recognized for 1 additional minute.

Mr. WHITTEN. That must be a transfer from section 32 last year for the purpose of purchasing commodities. We have made no changes in or deletion of any transfers to the school lunch programs from section 32.

Mr. PERKINS. I make the point that that item last year somehow is deleted from these charts where we had the \$93,800,000 transferred from section 32 for the purpose of purchasing commodities and for the school lunch program.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired. The gentleman from Mississippi has consumed 18 minutes.

Mr. LANGEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the distinguished chairman of our subcommittee, the gentleman from Mississippi (Mr. WHITTEN) has once again given us an outstanding and concise explanation of the provisions in the bill now before us. This is my first opportunity to lead the consideration of this bill for my side of the aisle having succeeded the distinguished gentleman from Illinois (Mr. MICHEL) who has moved to the ranking position on another subcommittee. He has served as the ranking minority member of this subcommittee since 1965. During the past 4 years, he has been the minority's leader in developing this annual agriculture appropriations bill. I certainly attach great value to the guidance and counsel he has given to me and the other members of this subcommittee. I am pleased to say that he has remained a member of this subcommittee and continues to apply his considerable knowledge and his attention to the problems that confront us.

I would like to call to the Members' attention the committee report which accompanies this legislation. This excellent document, which was prepared by the committee and its staff under the direction of the distinguished gentleman from Mississippi (Mr. WHITTEN), contains a great deal of valuable information on the fantastic job that is being done by American agriculture in supplying the Nation's, and indeed the world's, demands for food and fiber. Also, it graphically demonstrates the increasingly precarious economic condition of rural America.

I also note with deep regret that this is the last agriculture appropriations bill debate at which Ross Pope will serve at our chairman's side. Since coming to the committee in 1949, Ross has fulfilled the difficult role of committee counsel with great ability, prompt efficiency, and unstinting regard for those who have had the opportunity to work with him. He

has been always helpful when we went to him for advice, assistance, or knowledge. I am certain that I am not alone when I say that I shall miss him very much.

The committee is doubly distressed with the impending departure of Carl Schafer, the subcommittee's staff assistant. Although he has been here only a short time, all of us have been impressed with his energy, desire for hard work, and quick grasp of the difficult material with which the committee must deal.

Mr. Chairman, this bill provides \$6,806,655,000 in new obligational—budget—authority for the Department of Agriculture in fiscal 1970. In line with the necessity for keeping a tight lid on expenditures this year, we have reduced the obligational authority for the Department by \$160,907,050 from President Nixon's revised budget request of \$6,967,562,050. Once again, I take pride in the fact that we have kept expenditures down to the lowest level prudent in the face of increasing demands on our fiscal resources and the necessity to restore balance to our economy. As I stated last year when we were considering the agriculture appropriations bill under similar economic circumstances, "By this appropriation bill, agriculture is making more than its full share of contribution toward a solution of the fiscal crisis. This is only typical of the generous manner in which agriculture has always responded to any and all of the crises that have confronted this Nation over the years, during both war and peace." I feel that statement is equally appropriate today.

In considering the budget requests submitted for the Department of Agriculture, we have attempted to meet the needs of that Department for the coming fiscal year. There can be no doubt there are enormous tasks confronting the Department of Agriculture—providing for the production of sufficient food and fiber to meet our country's needs as well as assisting other countries in meeting their needs, feeding the Nation's hungry and malnourished, inspection of foods for poultry, soil and water conservation, agricultural research to improve the quality and quantity of food and fiber produced on U.S. farms, disease and pest control, supervision of stockyards and packers, and regulation of commodity exchanges are a few of these tasks—and they will require the expenditure of substantial sums of moneys.

Surely, there can be no doubt in the mind of anyone who has the slightest acquaintance with the agricultural situation that our farmers are in trouble. The parity ratio is currently 73; the same distressingly low level it was at last year. Farm debt continues to increase while farmers are forced to pay record high interest rates. The Department of Agriculture predicts that even though farm production and prices will increase this year, increasing production costs will consume all of this additional income, leaving the farmer with approximately the same net income he received last year. True, net income per farm will increase this year but this is accounted for by the decline in the number of farms producing food and fiber for the American consumer.

Furthermore, it should be clear that each of us has a vital stake in the restoration of agriculture to a healthy condition. It is by far the largest industry in the United States—its 5 million employees are more than the combined total employment in transportation, public utilities, steel, and the automobile industry; agriculture's assets of \$298 billion equal two-thirds of the value of the current assets of all U.S. corporations. Farmers purchase nearly \$48 billion in goods and services a year. Agriculture gives the American consumer the best bargain we have ever known—he can purchase all of his food for only 17.2 percent of his disposable income of which the farmer receives only 5 percent. In more concrete terms, 1 hour's factory labor bought 2.6 pounds of round steak in 1968 compared with 1.5 pounds in 1948. It bought 13.4 loaves of bread in 1968 compared with 9.6 in 1948. Obviously, the constituents of every Member has an interest in seeing that this bill is approved.

In addition to benefiting the entire country by serving the legitimate needs of agriculture, the USDA provides many services directly to the general public. In fact, over one-half of the Department's budget is allotted to programs that directly benefit the general public.

An additional point in this regard is that some of the programs originally designed to benefit farmers have been expanded to include services that directly benefit the general public. Both the Extension Service and the 4-H programs have been taken into urban areas and used to assist ghetto residents. For example, the nutrition aid program, which was initiated last fall in the Extension Service, has received the committee's approval for a 30 million appropriation in this bill. This program involves professional personnel working directly with low-income groups to reduce the incidence of malnutrition by assisting them in acquiring the necessary knowledge and skills to maximize their available resources toward obtaining a more nutritious diet. A substantial portion of this program will be directed to urban areas as well as rural areas.

This is another indication of the extent to which the Extension Service and rural America provides a great contribution to the well-being of the entire Nation. It is encouraging to note that such programs as the 4-H program has been recognized for its great contribution to the youth of our Nation and is now being expanded to include urban areas. This expansion, I am sure, will prove to be most beneficial in meeting many of the problems today prevalent throughout the cities.

The effort to feed the hungry in our Nation has deservedly become a priority matter. President Nixon's message on hunger and malnutrition in America to the Congress, which calls for an additional \$1 billion for the food-stamp program, certainly deserves our attention and study. In this bill, we have provided an appropriation of \$340 million for the food-stamp program which is the total amount authorized by current legislation. In order to appropriate more funds, there must be an additional authorization.

It is probably not a widely known fact that the free food stamp program was initiated by the Agriculture Subcommittee in fiscal 1968 under the leadership of the gentleman from Mississippi (Mr. WHITTEN). I am certain he must take a great deal of pride in the progress and promise demonstrated by this worthwhile program in the 2 years it has been in existence.

Mr. Chairman, I feel that it is vital that each Member be aware of how important each of the programs, operated by the Department of Agriculture, that are covered in this bill is to every citizen. Agriculture is the base on which our society has been able to build the magnificent, complex economic structure we have today. Our industry and commerce that are able to supply us with a fantastic array of consumer and industrial goods would not be possible without the American agricultural system which provides an ever-increasing supply of inexpensive and high quality food and fiber. Agriculture is truly the Atlas on which our rich and diverse economy rests.

Without the programs funded by this bill, this Atlas would surely wither and collapse, bringing down the rest of the economy with it. In order to have a strong, vibrant agriculture, we must have a price structure for farm products that will provide a fair and profitable return on the farmer's investment. We must have the conservation programs that will preserve our productive capacity for the future. We must have the research that will enable us to eradicate the diseases and pests that afflict our crops and develop the new varieties of food and fiber capable of meeting our continuously expanding demands for these products. I strongly urge every Member to read pages 13 and 21 of the committee report on this bill. The information contained there clearly and strongly demonstrates the importance of this work for the survival of a strong and stable agriculture. This bill will enable the Department of Agriculture to carry on these tasks which are vital to agriculture and to all of us.

I appreciate the importance of the Department of Agriculture's tasks in distributing food to the needy as keenly as the next man. I am confident that my colleagues on the committee also appreciate the importance of these tasks. We have funded these programs to the fullest extent possible given our current fiscal and economic condition. I know that everyone is aware that our failure to insure an adequate diet for all of our citizens is not due to agriculture's failure to produce sufficient quantities of good, healthy foods. Rather, the failure is in the distribution of this abundant food supply. Obviously, we must continue the work toward perfecting our food distribution methods.

However, to achieve this, we dare not sacrifice the programs which seek to maintain the productive capacity of agriculture. For if we do, we may achieve the ability to fully distribute our food production; but we will surely have destroyed our capacity to produce the food necessary to feed our and the world's ever-growing population. This bill attempts to provide to the best of our ability the necessary means to achieve these

vital goals—a healthy agricultural industry and the distribution of the abundant fruits of this industry to every citizen in amounts adequate to supply a nutritious diet.

#### AGRICULTURAL RESEARCH SERVICE

The Agricultural Research Service is the primary research arm of the Department of Agriculture. The Service conducts research in the following major categories: farm research, utilization research and development, nutrition and consumer use research, and marketing research. It carries out emergency programs for the control and eradication of animal diseases and for the control of outbreaks of insects when necessary. Additionally, the Administrator of ARS is in charge of coordinating all research of the Department.

This bill includes an appropriation of \$130,182,000, plus a transfer from section 32 funds of \$15,000,000 for fiscal 1970. Although this is a decrease of \$449,300 in the revised budget estimate, it is an increase of \$1,063,700 over funds available in the current fiscal year.

Included in the increase is an additional \$100,000 for food and nutrition research which will enable the Department to update its handbook on nutrition "Family Fare." Also included is \$100,000 to reinstate the wholesaling and retailing research program which was discontinued last year.

In order to begin promptly the important task of surface water pollution research, we have included \$360,000 to construct necessary additional facilities at the Soil and Water Research Laboratory in Morris, Minn.

In order to assist in the prevention of serious disease outbreaks in the future, the committee supports the requests in the revised 1970 budget of an additional \$750,000 each for the screw-worm and hog cholera eradication programs.

Of interest to many Members of the House who have expressed their interest to me is the inclusion of \$40,000 to undertake a statistical reporting service for the mink industry. The problems of the mink industry in recent years have been most difficult and this service should be of some help to them in coping with the same economic and supply problems in the future.

#### SOIL CONSERVATION SERVICE

The Soil Conservation Service is responsible for the soil and water conservation activities of the Department of Agriculture. It provides professional leadership in soil, water, and plant conservation, working directly with locally managed soil conservation districts and sponsors of watershed projects. The Service also provides technical services for the agricultural conservation program, the soil and water conservation loans made by the Farmers Home Administration, and other groups having soil or water conservation problems.

Our committee has provided the full budget estimate of \$118,786,000 for SCS for the coming fiscal year. The amount recommended will provide the same level of funding as was available for the current fiscal year since the net increase of \$3,893,000 is needed to cover mandatory pay increases.

#### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

The Agricultural Stabilization and Conservation Service is the action agency of the Department of Agriculture. As noted in the committee report beginning on page 44, it is responsible for operating the following programs; production adjustment programs for designated basic commodities, the Sugar Act program, the agricultural conservation program, the cropland adjustment program, emergency conservation measures, the conservation reserve program, and the milk indemnity payment program. Additionally, the personnel and facilities of the Service administer the price-support and related programs that are financed through the Commodity Credit Corporation.

This bill provides \$209,903,000 for the administrative and operating expenses of the Service's various programs, \$147,420,000 of this amount is provided by direct appropriation; and \$62,483,000, the balance, is authorized to be transferred from the Commodity Credit Corporation to cover the operating and administrative costs of the Corporation's programs if necessary. This amount is an increase of \$6,107,500 over fiscal 1969's level of funding. This increase consists of \$4,107,500 for pay increases and \$2,000,000 to establish a contingency reserve for CCC administrative expenses.

Meriting special attention is the agricultural conservation program—ACP—which the committee recommends be restored to the 1969 level of \$195,000,000. The elimination of funds for ACP would require the addition of such amounts to the other conservation and watershed programs if we are to maintain our commitment to conserving our natural resources. This program provides the best possible means for getting soil and water conservation practices applied to the land. I would also point out that enduring-type practices receive 87 percent of the program's cost-sharing funds.

#### RURAL ELECTRIFICATION ADMINISTRATION

This bill provides for loan authorizations of \$320,000,000 for electrification loans and \$123,300,000 for telephone loans; these are the full amounts requested in the budget. By including unobligated funds which will be carried forward from prior year authorizations, there will be a total of \$345,000,000 available for electrification loans and \$125,000,000 available for telephone loans.

#### FARMERS HOME ADMINISTRATION

The expanding role of the Farmers Home Administration has probably caused that title to become a misnomer. In addition to making and insuring loans on farm homes, FHA's activities include: direct and insured farmownership loans, direct and insured soil and water conservation loans, direct operating loans, direct emergency loans, watershed and flood prevention loans, planning grants for water and sewer systems, grants for water and sewer development costs, direct and insured loans for rural rental housing, technical assistance and direct loans for rural renewal activity, insured farm labor housing loans, and direct resource conservation and development loans.

The committee has included an additional \$25,000,000 for farm operating loans above that requested in the budget. This will enable that program to continue at its current level of \$275,000,000. In 1950, farm debt totaled \$12.4 billion. In 1960, it was \$24.8 billion. Today, it is \$55.4 billion. Farm debt has truly become a staggering burden for agriculture to carry. With today's extraordinarily high interest rate, the farmer is forced to devote an inordinately large percentage of his income to servicing this debt. Consequently, there is an urgent need for reasonably priced farm credit that will enable many farmers to remain in agriculture.

#### COMMODITY CREDIT CORPORATION

The appropriation is \$4,965,934,000 for the Commodity Credit Corporation recommended by the committee is strictly for the restoration of capital impairment incurred in previous years. Coupled with the \$1,000,000,000 for CCC that was included in the first supplemental agriculture appropriation bill earlier this year, this amount should enable the Corporation to fulfill its obligations for the coming fiscal year and still maintain an adequate reserve.

With the continuing inflationary pressures now present in the economy, it is clear to everyone that we have not yet escaped the possibility of a truly staggering financial crisis. Not only must we do everything possible to avoid this potential crisis, but we must also recognize that the current condition of the Nation's economy is intolerable over a sustained period of time. It will not be enough to merely make the adjustments that enable the Government to avoid devaluing our currency, as occurred in Great Britain in the fall of 1967 or the country to avoid a spectacle similar to that which occurred in France in the spring of 1968. We have to take the hard steps that will end the slow but constant hemorrhaging that is affecting each of us today. I am probably being too mild when I described the extent of inflation as being a slow but steady drain on the economy. Certainly more and more of our fellow citizens are becoming aware of its impact on their lives, and those residing in the Seventh District in Minnesota are letting me know that it is time to bring this situation to an end.

Certainly no group in our economy is more sensitive to the impact of inflation and has a greater interest in seeing it brought under control than the farmers. Historically, they have been the first and the chief victims of inflation. It is one of our chief clichés to refer to the 1930's as the "Great Depression." However, I would remind the Members that in rural America, we also include the 1920's when we refer to bad times in years past. In rural America, we tend to cringe when someone says, "A little inflation is a good thing."

Recognizing the need for drastic action to bring an end to inflation, the House last week approved an expenditure ceiling of \$192.6 billion for fiscal 1970. This figure is identical to the amount requested by President Nixon after he reduced the Johnson budget requests by \$4.2 billion. I note that with-

in the \$4.2 billion reduction, the \$177 million reduction for the Department of Agriculture is surpassed only by the reductions for the Department of Defense and the Department of Housing and Urban Development.

Hopefully, this step we have taken, plus additional efforts by the Nixon administration, the Federal Reserve Board, and by ourselves to conduct our fiscal and monetary affairs prudently, will enable us to bring an end to the current inflationary state of the economy.

In concluding it is my opinion that your committee has done its best to provide sufficient funding of all of the essential activities of the Department of Agriculture. It has directed its concerns particularly to the immediate needs of farm folks and rural America. It has given high priority to programs and services that sustain farm income as well as maintaining the production capacity of the agricultural industry. It is most essential that we do not deplete the greatest natural resource that has been the great fortune of American citizens during all of this Nation's history. Equal attention has been directed to the food needs of the many unfortunates throughout the Nation who have experienced great inadequacies in this regard during recent years. It is my opinion the committee's judgment is well founded and I can heartily recommend this appropriation bill as it is now before you for your approval.

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

Mr. LANGEN. I am glad to yield to the gentleman for a question.

Mr. PERKINS. I agree with what the gentleman is saying, but I wonder whether he feels that the special milk program is of such great importance that it should have a special appropriation—or whether he feels the extra \$58 million that has been added to the other children's food programs will reach the schoolchild. How does the gentleman feel about that?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LANGEN. Mr. Chairman, I yield myself 5 additional minutes.

Let me respond very briefly to the gentleman. I know of his great interest in the school milk and lunch program and I share that interest with him.

The committee has tried its best to provide funds so that milk will be available throughout the extended program. It is mandatory that every lunch will be accompanied by a half pint of milk.

In addition to that, we have extended the other programs both in and out of the school so that these programs will continue during the summer and the money has been provided for milk so that it should be available until September. Milk has been designated as being a part of all these programs. Let me say this, quite obviously, milk becomes a part of the nutrition food programs.

So in view of that, it would seem that the objective of including milk in the nutrition program, has been provided for in this appropriation bill.

Mr. PERKINS. If the gentleman will permit one additional question, why in

the fiscal year 1969 do we have \$104 million transferred from the section 32 funds for the special milk program and this year there is nothing appropriated or transferred for the special milk program. Am I correct in that statement?

Mr. LANGEN. That is correct.

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

Mr. LANGEN. I yield to the gentleman from Mississippi, the chairman of our committee.

Mr. WHITTEN. I would like to point out, in answer to the gentleman from Kentucky, that the committee has always supported the need for milk and its value in schools. But it was the feeling of the committee, or a majority of the committee that we were providing the milk. We, in this bill, have provided funds—\$100 million—for special feeding programs under section 32, and which is available for the purchase of milk, along with other commodities. Also, the bill provides for from 500 to 600 million additional meals which will be served under the expanded school lunch, school breakfast, and other child nutrition programs, for which an increased amount of \$59 million is provided in the bill. Each of these meals will include milk.

In addition the \$60 million increase provided for the food stamp program will increase milk consumption significantly.

In total, some \$175 million of additional funds are included in this bill for free food for needy people. Much of this will be provided in the form of milk for needy children.

It was my idea that in this enlarged program, in which milk will be included, the milk consumption level would be, at least, at the present level. This still leaves section 32 funds available to buy milk in surplus, as the act provides. So we have not excluded milk. We have just put it together with the other foods because there was some criticism that we were giving as much of a refund on a half pint of milk as would be given on a whole lunch. I am of the opinion that milk is provided for in this bill to the same degree it has ever been. It is simply not set off to the side, in a special amount, and there is money left in section 32 to purchase milk in the event there is a surplus.

Mr. LANGEN. The chairman has stated the case very well. As he has said, under the program there might well be not only an equivalent amount of milk available but an increased amount of milk.

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

Mr. LANGEN. I yield to my colleague from Minnesota.

Mr. ZWACH. Mr. Chairman, I wish to compliment my colleague from Minnesota, and especially the chairman and the members of this subcommittee, for pointing out what I consider to be of tremendous importance in this report. How fortunate we are in America that we are talking about the great blessing of abundant food. How fortunate we are that we and all of our constituents do not need to worry about food, as do so many people throughout the world. How fortunate we are that we have the

greatest bargain in food in the history of the world. Only 5 cents out of a dollar of income of our people in our country is spent for food to the producer today. Never in the history of the world have we had such a record.

I also want to compliment the subcommittee for pointing out the importance of the fight on hunger. I just want to say to the gentleman, as he knows, the producers of America are interested in feeding America and in feeding the world. They are interested in seeing food used. You are taking that kind of a step. You are also concerned about natural resources, so that we will exercise a wisdom and a foresight that we will always be blessed with an abundance of food.

I think this is a marvelous report and it is of tremendous significance to America today.

Mr. LANGEN. I thank the gentleman for his kind and appropriate comments. We know about his work and concern as it relates to agriculture. Surely his remarks are commensurate with the great endeavor he exerts in this Congress every day.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

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

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

Mr. Chairman, I would like to pay tribute to the Appropriations Committee for its recognition of the need for reliable data in assessing the volume of domestic milk production by providing funds for the Statistical Reporting Service to begin compiling such data. Such statistics are vital to an industry which has of late been plagued with decreasing prices and a dramatic attrition of domestic ranchers. If we are to be able to make necessary decisions regarding the effect of imports and other factors on the industry, and to formulate ways to preserve a strong, vital milk industry in the United States, we must have adequate statistics. Again, I want to thank the members of the committee for their foresight.

Mr. LANGEN. May I respond to the gentleman by saying that the committee was pleased to be able to respond in this manner, and it was only because of the very effective interest that was presented to us by those like the gentleman from Wisconsin and the many other Members who recognized the problems of the milk industry. I hope this will provide an answer to a part of their problem.

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

Mr. LANGEN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I thank my colleague for the fine presentation he has made.

I might add that to some degree I am disturbed about the reference to the school milk program as set forth in the report. However, I am pleased to hear the report of the chairman of the committee that it is the intention that funds will be made available through other means to actually duplicate if not exceed the previous expenditure for the school milk. I do think this is a very important objective and one we certainly endorse.

Again I thank the gentleman for his very fine statement.

Mr. LANGEN. I thank the gentleman from Minnesota for his comment.

Let me call also to the attention of the gentleman that during the course of the hearings and in the report the committee consistently expressed its concern for the use of milk throughout the lunch programs in the schools.

Mr. CONTE. Mr. Chairman, I think the gentleman from Minnesota (Mr. LANGEN) is making a very excellent statement. I think we should have more Members here to hear the gentleman. Therefore, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

103 Members are present, a quorum.

The Chair recognizes the gentleman from Minnesota (Mr. LANGEN).

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

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

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding. I commend him on the statement he has made in the well of the House.

Mr. Chairman, I appreciate the work the committee has done and the excellent report they have given us as Members concerning the differentiation between nutrition, starvation, hunger, and even parasitic diseases, some of which have been portrayed to the public as a travesty on the truth.

Mr. LANGEN. I thank the gentleman for his kind and timely comments.

Mr. HALL. Mr. Chairman, the agricultural conservation program restored in this bill, is one of those "quiet programs" that go on year after year and actually accomplishes a lot for the investment involved. No one is more anxious to curtail unnecessary expenditures than I. But we must not make meat-ax cuts or forget our priorities. Too many administrations have done so, knowing full well the Congress would restore them to the bill in these self-help areas.

It is perfectly obvious that many Congresses have thought this was a good program. In 1936 the Soil Conservation and Domestic Allotment Act was passed and what we now know as "ACP" was funded at \$500 million. To those whose only concern is cutting back all programs as much as possible, let me make it very clear that if all other programs had taken their proportionate cuts that ACP has in every economy drive, we would not be faced with the budgetary pressures we have today. From \$500 million it was scaled down to \$250 million over the years and then to \$195.5 million 2 years ago when the 10 percent across-the-board cut was made.

Before considering the funding of this program further, let us look at what it is doing. Each farmer of the Nation may cooperate with his Government in a 50-50 partnership on carrying out long-range conservation practices. There are more than 40 practices in the Nation and last year about a million farmers participated. The average payment was about \$210 and no farmer can receive more than \$2,500. Certainly this is not a

get-rich scheme for farmers nor is it much of a farm subsidy. It seems to me it comes closer to being a consumer subsidy. Here we have a program—and the record is full of the accomplishments both nationally and by States, so I will not quote a large number of statistics—impressive as they are—which quietly go on year after year holding the soil in place and replenishing depleted minerals.

In this day when every man is aware of the extent of hunger abroad and here at home, it is not just the scholars who know that India, China, and other nations did not take care of their soil. And the man in the street is becoming aware that in just a few short years the population explosion is going to put great pressure on all civilization to feed the world's people. So, how in good conscience can we even consider doing away with a program that has reached more farmers, brought about more conservation and done it relatively inexpensively, than any other ever devised by man? Let me point out this is being done for less than \$1 per person. That is little enough to spend to insure the consumer of adequate reserves to feed him, his children and grandchildren.

As I said, in a real sense, this is a consumer subsidy, because if our foodstuffs get in short supply, it is not going to be the farmer who goes hungry, but the man in the city. The farmer has long emphasized the quality of nutritious products to the consumer. With the middle men, we have come to call it agribusiness.

There is another consumer hidden benefit in this agricultural conservation program. Dr. J. B. Peterson, head of the Department of Agronomy at Purdue University has written a very fine article which some of you may have seen.

As a doctor of medicine I have long been aware of the value of calcium to the entire human system. While the layman realizes that calcium is vital for good teeth and bone structure, few fully realize that the nervous system, blood and muscles all require sizable amounts of calcium—in fact more than any other single element—for proper growth and proper functioning, clear through maturity.

Dr. Peterson spells all this out in great detail but I shall not go into it further at this time. But how do we get this calcium? Nearly everyone knows that milk is the best source. But there are other ways of getting it. And the ACP has done more than anyone realizes to play a most significant role in our national health.

While Congress passed the Soil Conservation and Domestic Allotment Act in 1936 to accomplish what its name implies, "conservation of soil," this act has done a great deal more.

In the humid area of our country, the growth of clovers and alfalfas is one of the best conservation measures possible. But to do this the soil must be as near neutral as possible. Prior to 1936, the use of agricultural limestone varied from 1 to 3 million tons a year. In the 1940's, the use of this material had reached 30 million tons a year—to grow clovers and

alfalfas because of the stimulus of the ACP. But what is agricultural limestone? It is a calcium carbonate—CaCO<sub>3</sub>—or calcium and magnesium carbonate—CaCO<sub>3</sub>MgCO<sub>3</sub>. So while we have been conserving our soil all these years, we have been pouring on 30 million tons of material very high in calcium. This, in turn, has gone into our crops and animals and, ultimately, into all consumers as they purchase their foodstuffs. Note there is no danger of nitrate poisoning here.

While our headlines have tended to stress "hunger in America," the fact remains we are one of the healthiest nations in the world. And the importance of calcium to human health cannot be overstated as Dr. Peterson so clearly points out.

So I would like to suggest to my colleagues, particularly those from urban areas, that while this program was conceived as a farm program and its long-range benefit was from soil conservation, there has been a most significant immediate benefit to the consumers as well.

No farm program passed by the Congress reaches more farmers than the agricultural conservation program. No farm program has more long-range potential for this Nation. Conservation and restoration of the soil and water is a separate title in the authorizing bill, and is one of the very basics of my own farm bill, that I have introduced in previous sessions of the Congress. I believe the Nation's entire farm program could and should be based on these principles. Because of the demonstrated goodness of the agricultural conservation program, when comparing the benefits against the relatively little cost. I am pleased to offer my support to the committee's report and bill.

Mr. LANGEN. Mr. Chairman, I thank the gentleman from Missouri for his timely and appropriate statement.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to my colleague on the committee, the gentleman from Kentucky (Mr. NATCHER).

Mr. NATCHER. Mr. Chairman, the Subcommittee on Agriculture of the Appropriations Committee once again brings to the floor of the House for your approval the annual appropriations bill for the Department of Agriculture.

We recommend new obligatory authority of \$6,806,655,000, a reduction of \$207,776,050. The January budget estimate totaled \$7,014,431,050. The amount we recommend is \$1,372,244,650 below funds provided for 1969 which is a reduction of 17 percent.

For the Agricultural Research Service we recommend a total of \$224,175,000. This is \$1,917,200 more than the amount appropriated for fiscal year 1969 and \$5,919,800 less than the budget request.

We recommend the appropriation of \$129,129,000 for our Extension Service. This is \$32,066,000 more than the amount appropriated for fiscal year 1969 and \$1,780,000 less than the amount of the budget request.

Mr. Chairman, we recommend the sum of \$233,730,000 for our Soil Conservation Service. This is \$4,416,000 more than the amount appropriated for fiscal year 1969 and \$2,795,000 more than the budget request.

We recommend that the sum of \$589,967,000 be appropriated for Consumer and Marketing Service. This is \$3,478,500 more than the amount appropriated for fiscal year 1969 and \$4,387,200 less than the budget request.

For our Agricultural Stabilization and Conservation Service, we recommend that the sum of \$209,903,000 be appropriated. This is \$6,107,500 more than the amount appropriated for fiscal year 1969 and \$18,550,000 more than the budget estimates.

To continue the agricultural conservation program we recommend \$195,500,000. This is \$5,500,000 more than the amount authorized for fiscal year 1969. For a number of years now we have had to restore the reductions in this program. This program affects 1,200,000 farmers and is one of the best agricultural programs in operation today.

This bill carries adequate funds for continuation of our tobacco research program. Here, Mr. Chairman, we have an industry that pays into the Federal, State, and local tax collecting agencies about \$4 billion each year and 21 of our States produce tobacco. Over 700,000 farm families are involved in the production of this commodity. This is a \$10 billion industry.

We recommend loan authorization for our Rural Electrification Administration in the sum of \$320 million. For our loan authorization for rural telephone service we recommend \$123,300,000.

This bill provides for the general operations of the Department of Agriculture and the Farm Credit Administration. Under title I we have regular continuing programs of the Department such as research, disease and pest control, inspection of meat, poultry, and other foods, school lunch, milk and food stamp programs, overseas agricultural services, regulation of commodity markets, policing of packers and stockyards, State experiment stations, extension services, assistance to farm cooperatives, soil and water conservation, crop reports, marketing services, enforcement of the program for licensing and control of laboratory animals, and various service and staff officers. Title II includes the credit programs; title III includes Federal Crop Insurance, Commodity Credit Corporation, and foreign assistance programs. Title IV includes the Farm Credit Administration.

Agriculture is our largest industry. Its assets exceed those of any of the next 10 largest industries. Agriculture employs more workers than any other major industry and in fact employs seven times the number of people in the mining industry, 23 times the number in the oil and coal industry, and five times the number in the automobile industry. Agriculture is one of the major markets for the products of labor and industry. It spends more for equipment than any of the other large industries. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6,000,000 automobiles. Its inventory of machinery and equipment exceeds the assets of the steel

industry and is five times that of the automobile industry.

Our farmers' assets now are approximately \$300 billion.

In considering the question of prosperity insofar as agriculture is concerned, we must keep in mind, Mr. Chairman, that the average capital investment in farming today is something like \$66,000. In 1950 the average capital investment was about \$17,000. Today a great many of our young people on the farms have no chance to get started in agriculture unless they either inherit a farm or succeed in borrowing a large sum of money to invest in land which is adequate for a livelihood.

In 1950 the farmers' share of the retail food dollar was 47 cents. Today it is down to 39 cents.

Our American farmers know how to produce and today our country is the world's largest exporter of food to the many nations of the world.

Three-fourths of our land area is in private ownership and 60 percent is in farms and ranches. If our country is to survive and prosper we must continue to assist these custodians of our natural resources to reforest our lands, protect our watersheds, harness our streams for electricity, and conservation of soil and water. We must leave to the future generation a fertile land and a land sufficient to produce food for our people.

Our Soil Conservation Service is more important today than at any time in the history of this Service. We have 202 million people in the United States today. When we consider the need for more food and fiber and keep in mind that some of our best land is now being used for airports, interstate highways, subdivisions, and for recreational purposes generally, we must preserve as much of our best land as possible and at all times have tillable land in production which will produce enough food for our people. Today in our country we have in cultivation some 382 million acres. We are losing so much good land each year that it is now more necessary than ever that we have definite planning and programs which will establish a national policy in this country concerning the need for keeping good land in production and systems devised for use of land not so fertile to be used for the many purposes where good farmland has been used in the past.

In closing, Mr. Chairman, I want you to know that I definitely am of the opinion that we still have serious problems in agriculture and certainly this is not the time to turn our back on the American farmer. It is becoming more difficult to maintain a sound agricultural economy due to increasing cost of labor, equipment, and the high cost per acre of good farmland.

We must give more time and study to the situation that now prevails between the time agricultural commodities leave the farm and are sold to the time the products go into the homes of our people for consumption.

Our American farmer is entitled to a fair share of our national income.

Mr. Chairman, our committee recommends this bill to the Members of the House.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

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

Mrs. SULLIVAN. I thank the gentleman.

Mr. Chairman, I do not know who has been accusing the chairman and members of the Subcommittee on Agricultural Appropriation of the House Appropriations Committee of refusing or failing to recommend sufficient funds to feed hungry Americans, but I certainly have not been among those voicing such criticisms. As a matter of fact—and I have said this many times—the Subcommittee on Agricultural Appropriations has generally given full support to the food stamp program and has recommended almost every cent authorized for the program. The one important exception was last October, in the supplemental appropriation bill for 1969, when only \$280 million was appropriated instead of the \$315 million authorized under the 1968 Amendments to the Food Stamp Act.

I see in the hearings of the subcommittee that the chairman has acknowledged the fact that too much of a cut was made in this program last October and I think that is a courageous and straightforward acknowledgment of a mistake. It was a mistake at the time and has been responsible for limiting the effectiveness of the food stamp program to some extent, particularly since February when substantial improvements were made in the program under recommendations and decisions made last year by former Secretary of Agriculture Orville L. Freeman.

#### NO REQUEST MADE FOR 1969 SUPPLEMENTAL APPROPRIATION

Despite the mistake which was made here last year in the appropriation process—last October—neither the Johnson administration nor the Nixon administration asked for any additional funds after Congress reconvened in January to permit further expansion of the food stamp program during the remainder of the 1969 fiscal year. So if the Appropriations Committee made a mistake, as I believe it did and as it acknowledged it did, no one in authority seems to have wanted to do anything about it for the current fiscal year.

Going back over the years, I would say flatly that the Appropriations Subcommittee for Agriculture has given far more support to the food stamp program—many times over—than the legislative committee which has responsibility for the basic Food Stamp Act. It has always been like pulling teeth getting anything out of the Committee on Agriculture in the way of improvements in the law; it has generally not been difficult getting the full appropriation from the Subcommittee on Agricultural Appropriations headed by the gentleman from Mississippi.

#### SECTION 32 FUNDS MAY NOT BE USED

The Nixon administration has indicated that it intends to seek funds to virtually double the food stamp program during the 1970 fiscal year which begins this coming July 1. I have found no indication of how this is going to be done. There is no legislation from the admin-

istration so far to increase the present authorization of \$340 million under the Food Stamp Act for fiscal 1970, yet such legislation would have to be passed before an additional cent could be appropriated above the \$340 million included in this bill. Thanks to a cruel amendment agreed to unanimously 2 years ago by the Senate Committee on Agriculture, not a single cent of the nearly \$1 billion available to the Secretary of Agriculture for surplus food removal under section 32 can be spent under the Food Stamp Act—not a cent of it. So far as I can tell, neither the administration nor any of the members of the Senate Agriculture Committee who are now so deeply concerned about hunger have taken a step toward repealing that cruel amendment contained in the Food Stamp Amendments of 1967.

I welcome President Nixon's announced intention to seek to broaden the program and I am glad to see that some of the members of his party in the House joined in a statement in the CONGRESSIONAL RECORD on May 20, submitted by the chairman of the Republican National Committee, the gentleman from Maryland (Mr. MORTON), pledging support for the President's position in behalf of an expanded and more effective food stamp program. Of course there is not anything that President Nixon now wants to do about the food stamp program that could not have been done under the bill we passed here in the House on July 30, 1968. That bill had provided for an open-ended authorization for the program so that Congress could appropriate whatever funds were necessary. The improvements which President Nixon is now talking about making in the program are generally the same improvements which Secretary of Agriculture Orville L. Freeman had intended to make under the bill we passed here last July 30. Unfortunately, the Senate Agriculture Committee conferees torpedoed the House bill and restored inadequate appropriation ceilings in the law. And the House conferees went along with that. So Mr. Freeman could make only limited improvements in the program under the present law which was passed last fall.

#### MOST VOTED "NO"

But on the crucial vote here in the House on July 30, 1968, on the Sullivan substitute, which was cosponsored by 130 Members of the House, including 10 chairmen of standing committees and four ranking minority members of standing committees of the House, approximately four out of five of the Members of the minority who joined with the chairman of the Republican National Committee last week in praising President Nixon's proposed improvements of the food stamp program, and criticizing what had been done previously, voted against the substitute measure.

Out of the 65 Republican Members who pledged their support for the proposed expansion of the food stamp program this year, in the statement in the RECORD of May 20, seven are new Members who did not serve in the 90th Congress, one failed to vote on the critical amendment on July 30, 1968, 45 voted "no" and only 12 voted "yes."

So it was not the chairman of the Subcommittee on Agricultural Appropriations, Mr. WHITTEN, who should have to apologize for his past actions on the food stamp program—I think he has generally supported it and I am grateful to him for the funds he has been instrumental in making available to the program over the years, since it began as a very small pilot operation in 1961.

#### NO NEED TO EXAGGERATE THE STARK TRUTH

I think there is more politics in the hunger issue than in almost anything else we have had before us. There is enough substance to the issue of malnutrition in this country that it does not have to be dressed up into a political football, or made the victim of faked scenes or misleading propaganda. The facts themselves are stark enough to justify emergency action to correct the problem. I think it is deplorable when these facts are deliberately exaggerated to make a better story because the genuine story is serious enough, and I think anyone involved in faking evidence of starvation is guilty of a crime against the people's right to truth and honesty in the reporting of national issues.

Undoubtedly the sight on the television screen of an infant dying from starvation is dramatic material to stir the emotions and shock the conscience of every American. But I am horrified to read in the report of the Committee on Appropriations that the infant shown in the broadcast as having starved to death was a premature baby who weighed only a little more than 2 pounds at birth—it was not a case of malnutrition at all. This is an indefensible misuse of the television news camera. There are hungry children in this country—there are lots of them. But I do not like to see faked pictures used even for a good purpose. I think the gentleman from Mississippi has a right to be incensed at the facts brought out in the investigation into the manner in which the hunger story was reported. The good Lord knows the facts are bad enough without any exaggerations.

#### WHERE THE CRUCIAL DECISIONS ARE MADE

But if television wants to dramatize the problems of solving malnutrition in the United States, it will find the story not in scenes of pickets marching around the Department of Agriculture or in the premature baby ward of a Texas hospital, but in the decisions made in the House and Senate Committees on Agriculture. That is where the battle has always been crucial, and frequently has been lost. Every television camera in Washington seemed to be down at the Department of Agriculture last year when the Resurrection City marchers were picketing the Secretary. On the same day the House Committee on Agriculture was opening hearings on the food stamp program and there were six people in the audience—not one of them from Resurrection City. And there were no television cameras outside in the corridor. Nor were there any, apparently, outside the meeting room of the House and Senate conferees on the food stamp bill last year when the decision was reached to reject the House bill and adopt restrictive ceilings on appropriations, so that only \$340 million can now

be included in the bill today for food stamps instead of the \$610 million the Nixon administration says it would like to spend for the program in the coming year.

The Whitten subcommittee has, on the whole, an excellent record on this issue. It deserves praise, not criticism, for its actions on food stamp funds. Too many critics of our food programs are directing their attacks at the wrong targets.

Mr. LANGEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I should point out that while we bring the bill to you under the budget, there is what I believe to be a phony cut of \$250,000,000 for capital restoration of the Commodity Credit Corporation.

You will recall several weeks ago we had a \$1 billion supplemental for CCC. You may get another in fiscal year 1970 if the situation does not change drastically.

The biggest add-on has to do with the forward authorization of the ACP program where the committee restored the \$195,000,000 cut in the budget. This is the same funding level as this year. Quite frankly, I have tried in the past to cut out these funds for all but long-range conservation practices and been badly beaten. If I offer the amendment when we read the bill it will only be done to show the Bureau of the Budget how futile an effort it is.

For the Extension Service we have recommended \$129,066,000, which is a decrease in the request of \$1,780,000 and an increase over 1969 of \$32 million.

The Members from urban areas will be interested in knowing how the Extension Service helps their areas, and I would like to give you some examples from my district, Peoria, Ill.

The agriculture extension work directly benefits all people—urban, rural nonfarm, and rural. Extension personnel assist by advising zoning boards, encouraging the need for conservation of natural resources, and promoting recreational areas. Len Caro, city manager of Peoria, requested help on adaptable soil types for areas to be used for factory sites, housing development, and waste disposal or land fill. Peoria and other communities have sought information from extension to determine the local water table and soil conditions to provide a good water supply. Some of this has resulted in building impounded areas for a water supply, or drilling a well, or developing sewage systems. A good water supply and proper waste disposal systems will help expand the communities and improve living conditions for all people.

Homeowners seek information from extension service on maintaining an attractive lawn; growing thrifty wholesome food in gardens; controlling household insects; selecting and caring for trees and shrubs; and using chemicals properly. It may seem unimportant to us, but what to do in case a swarm of bees settles on your back porch, or how to keep the snakes out of your basement can be of utmost importance to a homeowner, regardless of location.

The biggest increase we have made is under payments to the States for the

nutrition aid program. We are recommending \$112.4 million, which is an increase over 1969 of \$30.7 million. This program has been operating during the last 6 months of this fiscal year on \$10 million the Secretary appropriated from section 32 funds.

In the expanded nutrition program in two counties in my district we are concentrating on the individual low-income homemakers. Our program assistants are working with the homemaker to help her improve family diets and to manage and utilize food by developing some skills in planning, buying and preparing meals. The regular home economics extension program has always worked with food and nutrition in 4-H Young Homemakers, and the adult program. They have never done such individual or in-depth work with the regular program. The Extension Service has worked in one interest area at a time, not only in food, but in all areas related to the home. Many low-income homemakers will not come out to group meetings; they need to find someone they have confidence in. This program will not have overnight results; but if followthrough is done properly, it can have lasting results.

Our program started in Peoria and Tazewell Counties in February with a 6-month budget of \$49,500. To date, 17 program assistants have enrolled and contacted 356 families, at an average at this date of \$139 per family.

The program assistants are recruited from the areas which they will serve and are paid \$2 per hour.

With regard to the rural electrification program I look at the REA experience over the last year with mixed feelings. When the new Administrator Mr. Hamil took office on March 6 he found that only \$82 million of the \$345 million of funds scheduled for loans in fiscal year 1969 were unobligated. He also found that of the \$263 million already loaned, \$193 million or 73% had been loaned for generation and transmission purposes. This was done even though both the House and Senate Appropriations Committees last year instructed the Administrator to hold generation and transmission loans to a minimum. As a result of the actions of the previous administrator \$70 million of distribution loans that should have been made this year will have to be carried forward and become a burden on the 1970 loan authorization.

Fortunately, the new Administrator has taken prompt action to try to restore some order out of the chaos he found.

I am happy to report that Mr. Hamil has revised the REA Bulletin setting forth policy on loans for generation and transmission facilities. The new bulletin at long last deletes the controversial third criteria having to do with the nebulous security and effectiveness provisions that were merely a shield behind which the Administrator could do anything he wanted to do. The revised bulletin establishes a more sound basis for making generation and transmission loans by separating initial construction from supplemental construction and requiring that estimated savings from REA financed facilities bear a significant rela-

tionship to the amount of the proposed loan.

Mr. Hamil also made much needed revisions of policy concerning section 5 loans for wiring, plumbing, and electric appliances and equipment. He restored the original intent of the law by eliminating a farfetched interpretation which had been used in recent years, to permit loans for commercial and industrial enterprises. The revised bulletin adds ventilating and heating ducts to the loan authorities, requires borrowers to comply with the Truth in Lending Act, eliminates use of section 5 loans for consumer financing of merchandise, and limits section 5 loans to 5 years.

Another bulletin that has been revised and brought up to date is the one covering wholesale contracts. The revised edition eliminates the 5-year limit on the term of contracts and sets forth certain conditions for power purchase contracts both with other cooperatives and with noncooperative suppliers.

The thorough and constructive steps that have thus been promptly taken were possible only because of the experience, knowledge, and sound thinking of the new Administrator. For example, he recognized that 5-year power supply contracts made little sense today in light of recent technological advances in scale and the fact that REA borrower loan commitments for generation have 35-year maturities. I am looking forward to continued improvement in the administration of the REA program under Mr. Hamil. The committee report gives him a good springboard from which to proceed.

The committee emphasizes the need "to devote as much as possible of the amount available to meet the urgent need for additional distribution facilities." To comply with this directive it would seem to me to be necessary to apply the provisions of the new bulletins carefully and to establish rather firm priorities for allocation of funds. The Administrator will also need to take a good look at the advances he makes this year because of the budgetary restrictions that have been established due to the critical fiscal situation facing our Nation and the controversial nature of some of the large G. & T. loans that have been approved in recent years. While I realize that there are legal obligations of the Government that must be respected I am also aware of the fact that certain decisions made in the past are of questionable legality, were indiscreet and would not qualify under present policies. The interests of the Government and the taxpayer should be protected to the extent it is legally possible to do so.

I have been interested in the PPB method of evaluating programs and understand some use of this system has been made by the Department of Agriculture in the REA area. If the procedure is as good as its proponents claim for it, it would appear to me that the system should be extended to review an evaluation of specific loan requests, in a manner somewhat similar to that used in feasibility studies for direct Federal Public Works construction. If the Federal Government believes such analyses are necessary for Federal works it intends to

build itself, it would seem there is an even greater need for it where it is putting up the money when someone else is doing the work.

The National Rural Electric Cooperative Association at its annual meeting this year approved the creation of a Rural Utilities Bank whose initial capital would be financed by subscriptions from REA cooperatives. The bank was chartered in the District of Columbia in April, 1969. Under the proposal, applications for rural electrification loans would be processed through REA which would prepare feasibility studies, determine those loans which it will approve, and forward the remainder to the bank together with a detailed list of material developed in its analysis. Since the bank will require a first lien on facilities installed with the proceeds from its loans, the existing REA mortgages would have to be subordinated or otherwise accommodated, because they cover all property of borrowers, existing or after-acquired. These are but two of the many problems created by the new bank.

Administrator Hamil stated at the House Appropriations Committee hearings that he had hoped that at least in the initial stages of supplemental financing for the rural electric cooperatives he would "have the opportunity to use the funds made available by the Congress, and commingle them with funds that could be made available from outside sources." This is a new wrinkle which, at least at first blush, looks extremely ominous. Any movement in that direction should be carefully studied before commitments are made because it could have many pitfalls. I fear the consequences of such involvement, and would expect the Administrator to obtain congressional approval through the normal legislative route if he is seriously considering any proposal of that nature.

It is essential that satisfactory means be found for supplemental financing of the rural electric cooperatives program. It is regrettable, however, that no comprehensive study has been presented to the Congress by the executive branch of the various possible alternatives for such financing; the costs and benefits of the various plans; the advantages, disadvantages and consequences of each; as well as a clear, succinct statement of the proper role and responsibility of the rural electric cooperatives in the late 20th century. Such a detailed study could likely have provided a sound, workable solution to the problem and avoided much of the confusion and controversy created by the proliferation of questionable and unsuccessful, piecemeal schemes we have faced in the last several years.

I am particularly concerned about this whole matter because we seem to insist on going about the business in a process which is directly opposite from the approach of the traditional Federal credit program. The customary procedure is for the Federal Government to provide credit assistance only as a last resort when a justified undertaking cannot be financed through normal investment channels. In the case of REA the plans have been to have outside financing for the facilities the Government does not wish to, or cannot legally, finance under

present statute. In other words applications would be processed through the Government first, and then forwarded to a private bank. This unusual method of attacking the problem from reverse is of itself enough to confuse even the most astute official. Furthermore, REA should not be permitted to use either administrative or loan funds supplied by this Congress, under the 1936 act, to study, promote, or finance, in whole or in part, facilities that cannot be legally built under the act.

I urge the Rural Electrification Administration to avoid hasty, ad hoc decisions on the new gimmick that is now current—the Rural Electric Bank—to stop stumbling around with various makeshift arrangements, and to start looking to the development of a carefully conceived, objective, economically and financially feasible, long-range answer to the rural electric cooperatives' financing needs.

Another area where REA has, in the past, been lax in administration is in the execution of laws concerning minority employment. It is quite evident that the new Administrator has not had sufficient time to fully examine this matter. I am sure, however, that the dismal record that exists is causing him concern.

A recent issue of the Civil Rights Digest showed that out of 46,380 employees of REA electric and telephone borrowers only 2,083 or 4.49 were from minority groups and only 1,347 or 2.9 percent were Negro. What is more, most of these Negro employees are working in semiskilled, unskilled, and service jobs. I fail to see how REA could consider such a record as compliance with the Civil Rights Act of 1964.

Section 601 of that act provides that no person by reason of race, color, or national origin shall be subjected to discrimination under any program or activity receiving Federal financial assistance.

On September 24, 1965, former President Johnson issued Executive Order No. 11246, part III of which deals with nondiscrimination provisions in federally assisted construction contracts. This provision prohibits discrimination in the construction of such federally aided facilities. Sanctions are provided in section 303(b) of the order. These sanctions include cancellation of the loan contract or refraining from making future contracts for assistance to such entity. I have yet to hear of the REA canceling any loan contract because of discrimination or refusing to make future loans to a borrower as a result of such discrimination.

Section 703(a) of the 1964 act makes it an unlawful employment practice for an employer to discriminate against an individual with respect to employment because of his race or color. An employer means any person "in an industry affecting commerce" which has 25 or more employees. Practically every electric or telephone borrower from the REA is "in an industry affecting commerce"—commerce meaning interstate commerce. According to the REA, 575 of the 981 electric borrowers—and 112 of 811 tele-

phone borrowers—had 25 or more employees.

Certainly the figures in the hearings indicate that some borrowers must be discriminating in employment. They obtain loans from the Treasury with interest at only 2 percent when the average rate of interest on the total marketable debt of the United States is 5.12 percent. I ask you: Is it fair and proper that the United States should subsidize discrimination through the REA loan programs? Obviously the answer is "No."

I think it is high time REA investigates this matter and takes steps to assure compliance with the law. Where borrowers fail to do so the authorized sanctions should be applied.

SOIL AND WATER CONSERVATION

I would hope in the next year that we see some shift in budget allocations for research in the soil and water conservation research.

I am inserting a chart at this point which shows that for each \$1,000 worth of research in the Corn Belt States the Soil and Water Conservation Research Division receives 11 cents. For a three-State—Idaho, Oregon, Washington—area in the Northwest, the Research Division allocates 68 cents for \$1,000 of farm receipts.

RESEARCH SUPPORT BUDGET ALLOCATIONS TO SOIL AND WATER CONSERVATION RESEARCH DIVISION, USDA-ARS

	Cash receipts from farming (millions) <sup>1</sup>	Research support per \$1,000 of receipts <sup>2</sup>
Northeast.....	\$3,668.2	\$0.88
Southern.....	6,446.3	.33
Corn Belt.....	13,080.2	.11
Northern Plains.....	3,751.7	.37
Southern Plains.....	5,116.5	.29
Northwest.....	1,944.3	.68
Southwest.....	4,271.6	.40

<sup>1</sup> 1964 agricultural statistics.  
<sup>2</sup> Estimated obligations for research by States, salaries and expenses, fiscal years 1964-65, ARS.

Note: Some figures based on preliminary figures.

Source: Pt. IV, Hearings Before a Subcommittee on Appropriations, House of Representatives, Agriculture, 1968.

These Corn Belt States produce one-third of the cash receipts from farming.

According to 1966 agricultural statistics, the Corn Belt States produce 78 percent of the corn, 72 percent of the hogs, 68 percent of the soybeans, 60 percent of the oats, 47 percent of the milk, 43 percent of the turkeys, 38 percent of the hay, and 32 percent of the cattle in the United States.

Yet these States in the Corn Belt—Iowa, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin—receive the smallest amount for research support per \$1,000 of receipts.

Mr. LANGEN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, later in the day I intend to introduce an amendment to limit aggregate farm subsidy payments for any one producer to \$20,000 with the exception of sugar payments.

This is the same amendment which I introduced on July 31 of last year and

which the House approved by a record vote of 230 to 160.

Mr. Chairman, our present farm programs are not working properly—they are wasteful, inequitable, and in need of basic revision.

On March 25 of this year we considered legislation to appropriate additional funds for the Commodity Credit Corporation. Those circumstances were not appropriate for offering my payment limitation amendment and I so stated this on the floor. I went on to state, however, and I quote:

At the first appropriate time I intend to again introduce my amendment placing a \$20,000 maximum on farm subsidy payments.

I intend to continue this battle until we have been successful—until we have eliminated the unfair subsidies which now exist and have developed new agriculture programs and policies to meet the challenges of today.

Mr. Chairman, today is that "first appropriate time."

I will defer any further discussion of my amendment until I have introduced it later on.

I would, however, like to comment here on the action taken late last week by the leadership in rescheduling consideration of this bill from tomorrow to today.

Mr. Chairman, there can be no justification for this action.

It is perfectly clear that the leadership switched this bill and the Treasury-Post Office appropriations bill around for one reason and one reason only—to limit the support for a farm payments limitation, thereby protecting the huge unjustifiable subsidies which are presently being paid out.

The leadership was well aware of the fact that many supporters of the amendment would still be in their home districts today while most of its opponents, coming from more distant areas, would be here on the floor. This is why we suddenly find ourselves considering the Agriculture appropriations bill today.

Mr. Chairman, we need new farm programs for our Nation and we must begin moving on this immediately. My amendment will constitute a first step forward in accomplishing this and at the same time eliminate the wasteful spending of hundreds of millions of dollars of the American taxpayers' money.

I urge the Members of this body to support me when I introduce my amendment later in the day.

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

Mr. CONTE. I will be glad to yield to my good friend from Illinois.

Mr. FINDLEY. I would like the gentleman to know that in the May 21 CONGRESSIONAL RECORD, beginning on page 13287, I placed a listing of each recipient in the United States whose payments in the aggregate from the various programs, excluding sugar and wool, exceeded \$25,000. The amendment which the gentleman from Massachusetts and myself both support and intend to offer later is at \$20,000, so there is admittedly a gap between the \$20,000 amendment and \$25,000 and above figures as reported in the CONGRESSIONAL RECORD of that date. Any Member of this body desiring

to see firsthand how this amendment would likely affect his own constituents can turn to that page of the RECORD and find out the name and address and the dollar amount.

I am sure the gentleman will agree with me some of the figures are indeed shocking. For example, under Arizona I see an item of \$504,000. There are two items in California in the range of \$3 million each.

Mr. CONTE. Not only millions of dollars are involved, but there are prisons getting subsidies, rich oil companies getting subsidies, and rich land developers getting subsidies. This is one of the worst programs we have in this Government.

There are Congressmen and Senators getting farm subsidies, and it is high time we stopped it.

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

Mr. LANGEN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Chairman, I listened with interest to the discussion relative to the limitation of farm payments, and I wish to comment that I, too, will offer an amendment as to the payments, but mine will be different.

We forget the purpose of the farm program is to limit production to the demand. If a cutoff is made at an arbitrary figure, the odds are that the largest producers will not participate in the program and will continue to produce more and more and, as a result, destroy the agricultural economy.

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

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

Mr. HUNGATE. Can the gentleman tell me why sugar and wool would be excluded from the limitation?

Mr. NELSEN. I do not know. I cannot answer that question. However, let me suggest that the gentleman ask that question of someone else, and I would like to use the amount of time that I have, the 3 minutes, for my little pitch on the idea that we have.

There will be a graduated payment under my plan and under Congressman Zwach's plan where as the payments go up the percentage goes down. Under this plan, there will be no bar to participating in the program because of economic pressure, but the smaller producers would get a little bit more and larger producers would get a little bit less. This will be done in such a manner that there will be participation in the program. If we drive the large producers out, we will have a surplus that will depress the market. The purpose of my amendment will be to take an even, middle road which I think has merit and which has been endorsed at some of the national conventions.

And I am sure that the members of the committee will be pleased to see the provisions of my amendment when it comes up later. I thank you very much.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. I thank the gentleman for yielding.

The question was raised as to why

sugar and wool are excluded from the limitation on payments. Wool is not excluded. It will definitely be included. And I might say in explanation that the figures which I placed in the RECORD did exclude sugar and wool but only because the statistics were furnished to me in that form and I did not have the wool and sugar payments available. But because of the unique features of the sugar program, producers cannot vote by referendum as to whether to continue the sugar program or not. This is the principal reason I propose to exclude sugar payments in my limitation of payments amendment.

Further, the question was raised as to whether the largest producers under, say, the cotton program would cooperate in the event a limitation is placed upon payments.

It is interesting to note that Louisiana State University recently issued a study of the economic advantage of planting cotton as opposed to the most logical next crop: that is soybeans. They found it to be economically unsound for a cotton producer in Louisiana to switch from cotton to soybeans, unless the soybean price rose to nearly \$4 per bushel. Therefore, I concluded that even with the \$20,000 limitation on payments, the big producers in that area and presumably in all sections of the land where cotton is grown would continue to produce pretty much the same volume as they do now.

The very important fact is that the taxpayers do not have to pay the gigantic payments to cotton producers in order to get their cooperation.

The main reason I asked for this time, I will say to my friend from Minnesota, is to inquire as to the estimated cost of the programs for the coming year. I understand that the sign-up under the feed grains program is the largest in a long time, if not the largest in history.

Can anyone supply me with an estimate as to what the feed grains program will cost in this 1969 crop year? Can anyone give me an estimate on that? Surely, out of the hearings which were held on the bill for the restoration of capital operating stock to the Commodity Credit Corporation there must be something to indicate the anticipated cost.

Mr. LANGEN. Mr. Chairman, if the gentleman will yield, I refer the gentleman to volume 3 of the hearings and the table which appears on pages 130 and 131 thereof where there is identified in chart form the respective costs of the programs beginning with 1964 and running through 1970, including wheat certificates.

Mr. FINDLEY. Could the gentleman capsule for our benefit the cost of each program—the cost to the taxpayers of each program involved? I would like to have figures on the feed grains program as well as others. I understand that the cost of the cotton program is about \$900 million.

Mr. LANGEN. Just one moment and let me see if we have those figures available.

For the feed grains program there is the estimate of \$710 million; for the wheat program—certificates issued to producers—\$738.4 million; for the cotton, upland wool and ELS, \$798.6 million; for wool, \$55.8 million, making the

total price support for those categories \$2,302,800,000.

For wheat certificates sold to processors which amount to a refund and that amount is \$390 million, making, therefore, a net price support payment cost of \$1,912,800,000. These are estimated costs for 1970. In addition there are diversion payments of \$632 million for feed grains and \$80 million for wheat.

Mr. FINDLEY. Did I understand the estimate for 1970 for feed grains was only \$700 million.

Mr. LANGEN. It is \$710 million.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LANGEN. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Chairman, I would like to bring to the attention of the chairman of the committee and the Committee on Appropriations a memorandum put out by the School Lunch Program Agency dated July 21, 1964, signed by the director of the Food Distribution Division. This memorandum is pertinent to our effort to try to help domestic industries, not only agriculture, but others.

It says:

One of the primary objectives of the National School Lunch Program, as stated in the Act, is "to encourage the domestic consumption of nutritious agricultural commodities and other food". The Congressional intent is for the National School Lunch Program to promote the increased consumption of domestically produced agricultural commodities and other goods and not those of foreign origin.

It has been brought to my attention that the school lunch program funds are being used to purchase imported fish—this in spite of the fact that our fishing industry is having real tough sledding and needs and deserves all the help that it can get.

I would like to have reaffirmed in the debate here today the legislative intent as to the proper use of the funds in the school lunch program—with respect to imports.

Mr. WHITTEN. Mr. Chairman, if the gentleman from Massachusetts will yield to me, I believe that I could state in partial answer to the inquiry of the gentleman that in our consideration of this bill—while there have been some variations of opinion—I would say that adequate attention has been given to this problem. We have section 32 funds for purchasing surplus foods for use in the school lunch and other programs. In addition to that, we also have these other provisions of law, such as the Child Nutrition Act, in which permission is given to purchase additional items in order that the recipients may have a well-rounded lunch.

Certainly, speaking for myself—and I feel that I am also speaking for most of the members of the committee—I would certainly like to see American fish products used, since it is an American industry, and certainly the products of the American fish industry should be funneled into our school lunch programs.

But I would further say that in section 32 they are allowed to go to additional protein sources in order to provide a well-rounded diet, and as a result, some products might be imported.

Mr. KEITH. Mr. Chairman, would the gentleman believe that it would be illegal for a school lunch administrator to purchase foreign foods when domestic foods are available?

Mr. WHITTEN. The gentleman has used the word "illegal." This would go particularly to the legislative intent, and I am not familiar enough with the situation to know the complete limitations on the administrator's discretion. So I would say that his decision should be based on what his authority is. I certainly agree with the gentleman, but I would not want to pass on the legality, because I am not an expert in that field.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LANGEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Massachusetts.

Mr. KEITH. I thank the gentleman for the additional time.

Mr. LANGEN. Mr. Chairman, if the gentleman will yield, I want to agree first of all on the proposition the gentleman has made. It is certainly well founded. I would agree with the response that the chairman of the subcommittee has provided the gentleman. I do not believe it was the intent of the Congress, nor the intent of this committee, that money provided for the school lunch program was to be used for the purchase of imported products of any kind, whether fish or something else, as long as those products were available domestically.

However, I believe in all fairness it should be stated that this problem, to my recollection, was not called to the attention of the subcommittee. Had it been, we surely would have explored the matter further for the purpose of determining whatever factors may have been involved in these purchases, and to determine their effect on our own fishing industry.

I would suggest to the gentleman that this matter will be the subject of the committee's consideration in the future.

Mr. KEITH. I would like to point out that on the one hand the Department of Agriculture is inadvertently permitting the further deterioration of the fishing industry by not being able to stop the use of imported seafoods in the national food program. It is interesting, to say the least, to note that the Department of Commerce and the Department of the Interior are literally spending millions of dollars to try to revive that same industry.

If a research into the legislative history of this act would indicate that an amendment might be necessary to prohibit the purchase of foreign seafood, I would like to advise my colleagues on the committee that at the appropriate time such an amendment may be offered.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may desire to the chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Chairman, this is the first regular appropriation bill for the fiscal year 1970, which begins on July 1 next. We have considered two supplemental appropriation measures at this session, but we will have before us

13 regular annual bills for fiscal 1970, and this is the first one.

Another of the 13 bills is scheduled for floor debate tomorrow, the Treasury-Post Office appropriation bill.

The committee is moving along rather rapidly toward completing hearings and preparing several other bills for submission to the House. But I should say that a number of the remaining 11 bills cannot under the rules be brought forward until various programs that are subject to annual authorization have first been authorized by legislation out of several authorizing committees. I would hope that the authorizing committees will move along as rapidly as they are able to under all the circumstances.

I would like to say at this time that while there are legislative provisos of one kind or another included in appropriation bills from time to time, personally I feel, and I believe this generally reflects the views of the House, that we should keep such provisions on the appropriations bills to a minimum.

I say that particularly now in view of the fact that I understand an effort will be made later this afternoon by way of a limitation on expenditure of funds, to limit payments under the basic farm program law.

The present farm program legislation will expire at the end of next year. A new bill is needed. A new bill will have to be enacted. But for the House to undertake to write anything as complex as a modification of the farm program—and that is exactly what such a seemingly simple payment limitation involves—as an amendment to an appropriation bill here on the floor would be utterly absurd. I hope that we would not undertake to do that.

It might be said that the limiting amendment is just a simple amendment and could be easily applied. But officials at the Department of Agriculture advise me it would be virtually impossible to administer such a limitation.

The so-called Conte-Findley amendment would in effect cost the Government more money than the present system, especially in the cotton program.

Moreover, the amendment is unsound and indefensible. It ought to be defeated. I urge the defeat of the amendment when the vote on this issue arises later in the afternoon.

Mr. Chairman, we have legislative committees for the purpose of formulating these complex pieces of legislation, which deal with such matters as farm programs designed to be helpful to farmers and consumers alike.

I do hope that we can pass this appropriation bill without undertaking to write major farm legislation of far-reaching consequences by any ill-advised action on the bill now before us.

I would earnestly hope that this would be the prevailing view in the House.

Mr. Chairman, I thank the gentleman from Mississippi for yielding me this time.

The CHAIRMAN. The gentleman from Texas has consumed 4 minutes.

Mr. WHITTEN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Chairman, the pending farm subsidy appropriation now under consideration will undoubtedly take precedence over any appropriation in this session of Congress that could be classified as being one of the most reckless, extravagant, and unnecessary expenditures of the taxpayers' money that I have observed in my long service in the Congress. By this statement I do not mean to suggest that all of the \$3.5 billion annual subsidy is not necessary for the smaller rural recipients.

I opposed this legislation when it came before the Rules Committee in the last Congress and recommended that there should be a ceiling of approximately \$15,000 or \$20,000 to any one farm operation in the country. When this legislation was before the House last July I supported, spoke for, and voted for an amendment calling for a \$20,000 limitation subsidy for any one farm operation whether it be individual or corporate farm operation.

When this bill was before the Rules Committee last July the members perused the 1,244-page volume of names, addresses, and annual payments to farm operations. The volume only listed the farmer recipients who received over \$5,000 per year. The recipients who received under \$5,000 per year were not enumerated in the volume because it would possibly require several volumes to list the under-\$5,000 recipients.

Of the various counties listed over the Nation several southern and western counties received payments between \$16 and \$20 million annually. Remember, I am referring to counties, not States. A half dozen individual farm corporations received over \$1 million each, but I believe the champion recipient of all was J. G. Boswell Co., Litchfield Park, Ariz., Kings County, Calif., who received \$4,091,818 from the American taxpayers in the year 1967 for its idle land. Close behind was Rancho San Antonio, Gila Bend, Ariz., Fresno County, Calif., who received \$2,863,668 in the year 1967. The runnerup was Giffen Farms, Inc., of Huron, Calif., who received \$2,397,073 from the American taxpayers in the year 1966 for its idle land.

In the CONGRESSIONAL RECORD, volume 114, part 17, page 22191, I listed the names and addresses of 25 large-farm recipients whose individual payments run from \$442,327 up to \$4,091,818. I also submitted on that page of the CONGRESSIONAL RECORD where 10 farming operations received a total of \$14,785,760 which is more than the total of \$13,409,756 received by all farmers in 10 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, and West Virginia—plus the Virgin Islands.

These 10 large operations received payments in excess of those received by all farmers in any one of 15 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, West Virginia, New Jersey, Maryland, Hawaii, Utah, and Wyoming.

Twenty-five farming operations received a total of \$22,766,943 which is more than the total of \$17,610,650 re-

ceived by all farmers in 11 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, West Virginia, and New Jersey—plus the Virgin Islands.

I do hope that every Member of the House will get a copy of the Senate hearings, first session, 90th Congress, listing the names, addresses, and amounts of all annual recipients over \$5,000 by reason of this farm subsidy. In 1966 the total cost to the taxpayers of this rural subsidy was \$3,281,621,070. The year 1967 was approximately a duplication of the previous years' subsidy. The House of Representatives is today called upon to appropriate this relief bonanza for another year, which, if passed, will cost the American taxpayers approximately another \$3.5 billion.

I hope that the Members will refer to the CONGRESSIONAL RECORD, volume 114, part 17, page 22702, where I got permission to include an editorial from the Chicago Tribune entitled, "A Mississippi Farmer Squawks." This editorial outlined a protest by one Roy Flowers, a wealthy Mississippi cotton and soybean grower, who was ordered to pay \$50,000 in back wages to more than 200 Negro tenants under the Fair Labor Standards Act. The editorial states that Flowers makes more than \$1 million per year from his various plantation enterprises. He failed to pay minimum wages to his fieldworkers. Some were under 16 years of age. According to the suit, the tenants were charged \$70 per month for houses without inside plumbing and water, but with holes in ceilings and walls, when a "reasonable cost" would have been \$5 per month.

The Department of Agriculture lists Flowers as having received \$210,332 in Government subsidies for not planting crops, presumably cotton, last year. In 1966 he received \$162,657 in Federal cash.

Of course Mississippi is not the only State where the rich corporations have taken advantage of this subsidy by adding thousands of acres to their holdings so as to come under this rural subsidy bonanza. According to statistics, records of recipients by various States contained in the CONGRESSIONAL RECORD, Wednesday, May 21, 1969, page 13288, it is astounding to read the fabulous sums paid corporate and conglomerate farms throughout the country, especially in the West, Midwest, and South.

There were 1,826 Texas farmers in payments of over \$25,000 annually who received a total of \$74,190,000; 624 California farmers in payments of over \$25,000 annually received a total of \$47,063,276; 443 Arizona farmers in payments of over \$25,000 annually received a total of \$28,121,115; 817 Mississippi farmers in payments of over \$25,000 annually received a total of \$38,266,282; 35 Iowa farmers in payments of over \$25,000 annually received a total of \$1,343,148; 148 Kansas farmers in payments of over \$25,000 annually received a total of \$5,266,932; nine Minnesota farmers in payments of over \$25,000 annually received a total of \$275,000; 170 Alabama farmers in payments of over \$25,000 annually received a total of \$6,624,115; and 55 Indiana farmers in payments of

over \$25,000 annually received a total of \$2,059,023.

I could go on and enumerate other States where large farm operations have bought additional land and expanded this gigantic subsidy which jeopardizes the whole farm legislation to the detriment of the small farmer who no doubt, in many cases, needs Federal help.

I have received many letters during the last few weeks from all over the United States protesting the extension of this subsidy to the wealthy and corporate farmers of the Nation. Some protests recommend that if legislation of this type must be passed, that the limitation to any one farm should be not more than \$10,000 to \$20,000. If the Members of Congress think that it is necessary to aid the small farmer, to reimburse him for idle land, in order to curtail abundance, a limitation of this type would prevent large farm operations from buying more land, vacating the tenants as an economy move, so they could collect big checks from Uncle Sam.

In an article in Harpers magazine recently, Mr. John Fischer pointed out the following:

When you offer a bribe for every acre taken out of cultivation, the men with the most acres naturally get the most money—in many cases hundreds of thousands of dollars every year. Typically they use their loot in two ways: (1) to buy more land from their smaller neighbors; and (2) to invest in tractors, cotton-pickers, fertilizer, weed-killer, six-row cultivators, and all the other devices of modern technology.

The larger the farm, the bigger the operation with modern equipment, and the farmer can take more acres out of production and thus get a larger annual payoff check from the taxpayer.

This rural bonanza program in 1967 forced over three-quarters of a million farmers off the land and they, in turn, have moved into the urban areas to seek employment.

I have seen some of my rural colleagues go up the center aisle on teller votes to oppose relatively small appropriations for Headstart and other makework and manpower training programs for our urban areas. I have also seen a number of our rural colleagues oppose increases, and in many cases supporting reductions, in several of the great educational programs and housing projects. The same statement can apply to hospitalization, medicare expansion, and air and water pollution programs which some of our good colleagues oppose and wish to reduce or terminate.

It is remarkable that a great number of our Members from rural areas will enthusiastically support the \$3.5 billion boondoggle, 75 percent of which will be siphoned into the profit receipts of corporate and wealthy farm operators throughout the Nation.

Last year the House Agriculture Committee wanted a 4-year extension of this program and the other body sustained their request, but thanks to the opposition a few of us exerted against a 4-year extension, this legislation was limited to but 1 year.

I have every confidence that, by reason of the fight we are making, to inform the voters of the Nation regarding the

unjust and unreasonable demands of large farm conglomerates and large individual farm operations, this year will terminate the fabulous amounts to farmers by prohibiting any one farm operation to receive more than \$20,000 annually.

Mr. LANGEN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CHAMBERLAIN).

Mr. CHAMBERLAIN. Mr. Chairman, I have asked for this time to make a brief inquiry as to what provisions, if any, are in this bill to take care of continuing research on the cereal leaf beetle. Up in our area of Michigan, and in the Midwest area, this has become a serious problem. I should like to have some assurances that adequate provisions are made in this bill to continue the research which has been underway for the past several years.

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

Mr. CHAMBERLAIN. I am happy to yield to the gentleman from Illinois.

Mr. MICHEL. I shall be happy to respond to the gentleman.

The gentleman will recall our exchange during consideration of the bill last year, in which we pointed out that testimony came before our subcommittee that the most serious pest to which we had to contend with was the cereal leaf beetle.

There was at least \$200,000 in the bill last year. There is money in this bill this year, to continue the research, but it ought to be accelerated.

I should say to the gentleman, and make it a matter of the legislative history, that on the strength of the threat this poses we are not doing enough, particularly when we compare this to what we are doing with respect to the screw-worm and the fire ant and some others, where the dollar loss is nowhere close to what could be the loss in the opening up of the 40 million acres of the breadbasket of this country to the cereal leaf beetle. As the gentleman knows, this beetle infestation in this country began in Michigan and spread to Ohio, Indiana, and parts of Illinois. The Department has to move more militantly to remedy this threat.

I should like to have some assurance from the chairman that he, too, feels this way.

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

Mr. CHAMBERLAIN. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I should like to agree with what has been said by my colleague from Illinois. May I amplify it to some degree?

At this stage, we are still doing research, trying to determine how best to deal with the cereal leaf beetle. The amount of \$200,000 is a considerable amount when one is still doing research.

I would point out that we have made an effort to meet this problem. I mention it here, because this is one of the things to be considered. There is contingency reserve of \$1 million which we provided to the Department to meet emergencies. If they have a breakthrough in the research, they have this \$1 million with which to proceed. We try to proceed as fast as we can to learn the answers to

problems. We do have this \$1 million "escape valve" which they can use.

Mr. CHAMBERLAIN. I thank the chairman and the gentleman from Illinois. It is reassuring to know that this matter has had the careful attention of the committee. It is my hope it will continue to have such attention.

Mr. KUYKENDALL. Mr. Chairman, the subject of cotton subsidy payments and payment limitations probably generates as much confusion and misinformation as any that comes before you.

Somehow, a debate on payment limitations never really seems to get around to the real issue involved. That issue is whether we are to have farm programs or not. Regardless of the motives behind efforts to limit payments, we are voting on whether to terminate the farm program. One would think, in reading many of the statements arguing for an end to big payments, that the farmers of our country were getting handouts from the public Treasury. This is not the case; it has never been the case; and I am hopeful our debate here today will help to clear up a lot of the misunderstanding which unfortunately has been generated.

My district—the city of Memphis—is the largest spot cotton market in the world. The economic health of Memphis is tied in good part to cotton. Cotton payments are a carefully calculated part of the farmer's income. The average cotton farmer cannot grow cotton at the price he has to sell in the marketplace. This difference is made up by a payment on his domestic allotment only—this year—to encourage him to stay in the cotton business—which he certainly cannot do at a loss.

No farmer I have ever heard of assumes for 1 minute that these payments can be made indefinitely. Cotton growers have tried for years to get the kind of research program underway they need to cut their cost and make it possible to grow for the market without benefit of subsidy. This is their goal. And we of the Congress have an obligation to help them achieve that goal. They are doing their part with a dollar-a-bale program and deserve our assistance in every way that we can appropriately give it.

If payment limitations are imposed, certainly we still will have a cotton industry. But it would not be a healthy industry. Several million acres of land will have to go out of cotton and into other crops. I do not know any area of any commodity that can afford additional production without very serious adverse effects. What would happen to wheat, feed grains, vegetables, cattle, and many other commodities if land now planted to cotton were planted to them? And what will happen to all the industries that supply and service cotton?

There is one other aspect of this problem we need to consider very seriously. I think this Congress has an implied commitment through 1970 on the present law—a commitment to farmers that we should not break. Last year we extended the act of 1965 through 1970 to give the new administration time to develop its own program—a program that certainly would deal with this limitations issue. We are being asked here today to

do something entirely different, and I would strongly urge that we vote down any efforts to limit payments to farmers as class legislation at its worst.

Mr. CRAMER. Mr. Chairman, the threatened elimination or reduction of the agricultural conservation program posed far more portentous dangers than apparently were envisioned when the matter was first proposed. At stake was not the future of just one particular program, as appeared on the surface, but rather the welfare and well-being of the entire Nation were indeed in danger of being eroded.

For at the very foundation of a great nation and a free people is the rightful fulfillment of that most basic of human needs—the right to and the benefit of proper nutrition and natural resources. These are our historical heritages in a country made strong because its people drew strength from the land and its natural benefits. It is an elementary fact, and one that plagues much of the world today, that a people deprived of an adequate food supply are prey to doubts that the free enterprise system holds out to them the promise and hope of realizing for themselves the opportunities of a free nation. The seed of freedom cannot flourish in the soil of deprivation.

As stated in the committee report on today's bill:

All of the controversy about hunger and malnutrition today has taken for granted the availability in the United States of a plentiful supply of nutritious food. We, in fact, have such a supply—the most abundant the world has ever seen. But we must not forget that the continued availability of these ample food supplies is not automatic. Future supplies to feed the rapidly growing population of this nation and the world, including the hungry and undernourished, will be determined by the economic viability of our agricultural producers, and the continued productivity of our soil and water resources.

This statement in itself is a most compelling argument in support of the highly successful agricultural conservation program, as an important, integral part in the development and preservation of the finest of agriculture systems. The agricultural conservation program is a cost-sharing program, with the local programs developed by the State and local communities, within the structure of the national program and with the approval of the Secretary of Agriculture. This is truly a grassroots program in that no practices are adopted and put into effect in any State or county unless approved by the local conservation groups. The benefits of this program go to nonfarm people as well as to farmers with the program's continued emphasis on the establishment of long-term conservation practices. A growing proportion of agricultural conservation program cost-shares is being used for those conservation practices which conserve water and reduce water pollution; those primarily for wildlife conservation, and those which provide recreational and beautification conservation benefits.

The report further states:

In the opinion of a majority of the members of the Committee, this program provides the best possible means for getting soil and water conservation practices applied to the land.

The land, with its great natural resources and its abundant food supply, has historically provided the strength and the hope for the development of our Nation to its fullest capacity as the leader of the free world. To eliminate or reduce the highly meritorious agricultural conservation program would be most unwise and seriously detrimental to the future accomplishment of the program's goals.

I previously indicated my great concern over the proposed withdrawal of all funds for the agricultural conservation program for this coming fiscal year, and I am relieved and gratified by the committee's position that the vitally important program must be continued. The committee has recommended in H.R. 11612 an appropriation of \$195,500,000 to make payments due under the program authorized in the 1969 agricultural appropriations bill, noting that the amounts owed under that program are legal commitments and funds must be provided to meet all obligations incurred.

Both propriety and humanity place this program in the highest priority and, as the ranking minority member of the House Public Works Committee, which authorizes watershed projects as part of the total conservation program, I urge its uninterrupted continuance through the approval of the funds recommended by the committee.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to announce that I expect to vote against this appropriation bill which will cost the taxpayers of America \$6.6 billion in this fiscal year. Frankly, I do not believe there is any benefit ratio sufficient to justify this kind of public spending.

In the past, I have supported farm legislation. A healthy farm economy makes for a prosperous nation. Our achievements in the agricultural sciences are the marvels of the world—even dwarfing our achievements in space. No other nation has done so much to produce food.

There is poverty on the American farm in large parts of the country and we must deal effectively with that poverty as we deal with urban poverty. But there are also huge profits for some segments of agriculture which enjoy the benefits of our Federal subsidies—and these profits for the greater part completely bypass the Treasury and the tax collector.

As a member of the Ways and Means Committee, I was shocked to learn of the maneuvers which are employed to avoid taxation.

The ingenious farmer who protests urban programs manages to get every conceivable kind of deduction. The farmer gets depreciation, depletion, investment credit, and long-term gains.

On a cattle ranch, the breeding cattle are owned by the children, who pay ordinary taxes at lower rates, while the steers are owned by the parents who pay taxes on these operations at reduced rates as long-term capital gains. The investment credit extends to orange trees in Florida.

The conglomerate was born on the farm—and spread to the city.

This bill provides \$6.6 billion to the agricultural industry of America. That is only part of the story. The overwhelming portion of our public works program

not related to transportation adds billions more to the agricultural sector. No other segment of American life receives so much and pays in so little.

The testimony before our committee indicated that tax payments by agriculture in America approximate \$1 billion. We spend approximately \$8 billion in agriculture including this bill and public works and get back less than \$1 billion in tax revenues. Somehow or another these subsidy programs costing billions of dollars should also generate some tax receipts to justify their continuance.

It is time for us to stop treating agriculture as a pampered child. The industry has progressed far enough to stand on its own and help pay its own way.

Mr. WOLFF. Mr. Chairman, once again we are being asked to appropriate billions of dollars for wasteful farm subsidies that will line the gilt-edged pockets of rich, corporate farmers. These "fat cats" annually come looking, with a highly paid lobby, for the largest single handout in the world. The indolence at the economic trough displayed by these wealthy farmers is especially galling because so little of these subsidies go to deserving family farmers. Were the appropriation reoffered in the spirit that the farm subsidies were created—to help the small farmer who is the platform of our economy—I would be ready to lend it my support.

But I cannot vote for a \$5 billion farm subsidy program with the knowledge that the largest part of these funds will go to corporate farmers whose very existence is designed to exploit the price support program.

At a time when there is much talk in this Nation about the high cost of welfare I think it is important to identify this farm subsidy program for what it is—the single most costly and unproductive welfare program ever designed by man. And it must not be perpetuated no matter how strong the farm lobby can be.

Mr. Chairman, I am prepared to vote for the amendment to be offered by the gentleman from Illinois (Mr. FINDLEY) to limit the size of single subsidies to \$20,000 a year. I consider this proposal properly designed to control, as a first step, the excessive subsidies that saw more than 400 farmers receive payments in excess of \$100,000 during 1967.

I am also prepared to support the amendment to be offered by the gentleman from California (Mr. EDWARDS) to violation of existing civil rights legislation. Our farm program is not above the law and I was sorely distressed by recent disclosures of expenditures in violation of civil rights legislation.

While voting for these amendments I shall vote against the appropriation because of the distorted sense of values symbolized by the legislation. We are asked to vote \$5 billion in subsidies and a mere \$1.5 billion to feed the hungry in this Nation. This is a great and tragic irony and shows a confused and dangerous sense of priorities. As long as there are hungry people we should not be plowing food under. As long as there are hungry people they should receive our highest priority. Instead we get a minimum food for the hungry appropriation in the midst of an excessive subsidy appropria-

tion for large farmers who neither need nor deserve these outlandish subsidies.

We should be doing much more for the hungry in this Nation. At a period of such great prosperity it is a continuing shame that there is hunger and malnutrition in many parts of the United States. Our failure to properly attack the problem of hunger is especially disappointing and totally unacceptable as we move toward what will probably be routine approval of wasteful subsidies.

Obviously our priorities are unbalanced—as unbalanced as the ratio between a \$5 billion subsidy and \$1.5 billion food for the hungry program. I shall vote against this appropriation in the hope that we can discern the difference between need and waste and thus reorder our priorities.

Mr. WHITTEN. Mr. Chairman, we have no further requests for time.

Mr. LANGEN. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

DEPARTMENT OF AGRICULTURE  
TITLE I—GENERAL ACTIVITIES  
AGRICULTURAL RESEARCH SERVICE  
SALARIES AND EXPENSES

For expenses necessary to perform agricultural research relating to production, utilization, marketing, nutrition, and consumer use, to control and eradicate pests and plant and animal diseases, and to perform related inspection, quarantine and regulatory work: *Provided*, That appropriations hereunder shall be available for field employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed two for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building (except greenhouses connecting greenhouses) shall not exceed \$25,000, except for six buildings to be constructed or improved at a cost not to exceed \$55,000 each, and the cost of altering any one building during the fiscal year shall not exceed \$7,500 or 7.5 per centum of the cost of the building, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to a total of \$100,000 for facilities at Beltsville, Maryland:

Research: For research and demonstrations on the production and utilization of agricultural products; agricultural marketing and distribution, not otherwise provided for; home economics or nutrition and consumer use of agricultural and associated products; and related research and services; and for acquisition of land by donation, exchange, or purchase at a nominal cost not to exceed \$100; \$130,182,000, and in addition not to exceed \$15,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 shall be transferred to and merged with this appropriation, of which \$710,000 shall remain available until expended for plans, construction, and improvement of facilities without regard to limitations contained herein: *Provided*, That the limitations contained herein shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That none of the funds appropriated in this Act shall be used to formulate a

budget estimate for fiscal 1971 of more than \$15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88-250;

Mr. SISK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to my colleague from California (Mr. MILLER) for a brief announcement.

Mr. MILLER of California, Mr. Chairman, I want to thank the gentleman.

I just got back here, but I wish the RECORD to show that the three astronauts are back on the carrier and we have had another successful flight.

Mr. SISK. Mr. Chairman, we have had a demonstration, it seems to me, just a little while ago of what can happen when only a little light has been shed on a subject. It seems to me that we are talking about a subject on which there needs to be a lot more light placed. I do not claim to be any farm expert or to be one who can shed all of the light by any means on this subject that is necessary, but I do happen to represent a number of people some of whom I might say have been referred to by my good friend from Indiana (Mr. MADDEN) here this afternoon. It seems to me that without some knowledge and understanding of what our farm program actually is about and what these subsidies are used for has led to the greatest misunderstanding and to some of the most unfair charges against a certain segment of America that I have ever heard in the 15 years I have spent on the floor of this House.

Let me say that the funds provided for in this bill and which are made available to the American farmer through a variety of programs are generally for reimbursement of contributions that he is making to the agricultural economy of this country and to the stabilizing of our farm economy. Some of us are still around who can remember some of the things that happened in the late 1920's and 1930's and are aware of the fact that when a depression develops on the farm and the farmer's purchasing power ceases to exist, he can drag down the balance of the economy of this great country.

I sometimes wonder if some of the gentlemen who sound off here about some of these payments have ever talked to some of the financial institutions in this country who are engaged in the business of financing the American farmer. It would be interesting if you would review the recent record of the Farmers Home Administration and see the condition of literally thousands of farmers throughout this country who cannot meet their payments and who are unable to repay their production loans for this last year. It would be very interesting, I might say to my good friend from Indiana, if he would talk to the officials of the Bank of America in California who finance a great many of these farmers and find out how few of them have been able to repay their loans of last year.

I might say to the gentleman from Indiana that I looked at a recent set of books prepared by an expert accountant dealing with a farmer in my district who drew \$52,000 in subsidies on last year's crop. His situation right now is about at

the position where he is faced with bankruptcy because he has to make a choice. Recently he went to his bank and said, "What do you want me to do? I can either meet my payments on my farm implements or pay you and let the farm implements go back and get into some other kind of business." The fact is that this gentleman and hundreds of thousands of gentlemen like him use that money which they receive through these programs to pay their taxes on their land and to pay the interest on money they borrow and to pay for irrigation assessments and to pay the labor which is required to produce that crop. As a result, he came out this year at the little end of the horn, with no profit whatsoever, in spite of the fact that he had received \$52,000, as I say, in Federal payments.

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

Mr. SISK. My good friend from Indiana has been talking for a long while. I would like to have a little time to talk, too, and then I will be glad to yield to him.

Mr. Chairman, I recognize that I mentioned the gentleman's name, and I will say to him that I will yield to him at a later time. However, let me continue now with my statement.

We talk about these enormous payments. I recognize that we are facing in the next couple of years a revision of some of the provisions of our farm program. I am sure any of us can point out many things that we would like to see changed—things which we would like to see improved.

I am not sure how many of these things may be improved upon or changes that might occur through amendments, perhaps, offered by the Committee on Agriculture of the House and of the other body when faced with the necessity of bringing to this floor for authorization a bill for either the extension of the present farm program or for a new farm program. If we are going to attempt to change the program and to revise policy, that is another question. Then there is a question of the right time whether it comes this year or next year, but it seems to me there should be a proper time and a proper opportunity to try to change a given policy.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. Sisk was allowed to proceed for 5 additional minutes.)

Mr. MADDEN. Now, Mr. Chairman, will the gentleman from California yield?

Mr. SISK. I now yield to the gentleman from Indiana.

Mr. MADDEN. Would it not be a deplorable situation if all the businesses in my district out there which is an industrial area did not make a profit at the end of the year and they came to the Federal Government and wanted the Federal Government to bail them out? If that should take place with big business all over the country our Government would be ruined in the next few months. It is my understanding that there is in California a county by the name of Kern where there is being paid

in these subsidies the amount of about \$20 million. How can any given county justify receiving \$20 million under this program?

Mr. SISK. I shall undertake to answer the question of the gentleman from Indiana, but I would prefer that he would not make a speech.

Mr. MADDEN. Can the gentleman explain why one county needs \$20 million and why another needs \$19 million under this farm subsidy?

Mr. SISK. I would say to my friend that I believe both counties he mentioned are not in my district, but I do have counties in my district which receive substantial payments and they happen to be Fresno County and Merced County. But let me say to my good friend that there are many subsidies. There are all kinds of subsidies and I am not at all sure but what there are not substantial businesses in the gentleman's district which are receiving high payments in subsidies. I have during the past 15 years supported billions of dollars in subsidies for a variety of businesses in this country all the way from airline subsidies, railroads, shipbuilding subsidies, and a whole variety of things.

Let me say to my good friend from Indiana that I recognize what we are attempting to do here is to try to reach some balance in our economy. I do not begrudge the fact that our railroads, for example, have to be subsidized.

Mr. MADDEN. If the gentleman will yield for one very brief statement—

Mr. SISK. All right, I yield for a brief statement.

Mr. MADDEN. There are some businesses, including oil refineries, in my district which are receiving subsidies, but they are getting it through some tax loopholes.

Mr. SISK. I agree that there are some loopholes here and there, as my good friend well knows.

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

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

Mr. FINDLEY. The gentleman from California cited the plight of a farmer in his district—

Mr. SISK. I could cite many more.

Mr. FINDLEY. But the gentleman cited one specific case of a farmer who was not able to make it after getting payments of \$35,000.

The question which comes up in my mind is this: Is this investment by the taxpayers worthwhile, first; and, second, if this were not enough money to enable that farmer to get by in his farming operations, how much money does the gentleman from California think we should provide to this individual?

Mr. SISK. I would like to say to my good friend from Illinois that I have heard a good deal in the past along this line. We had, for example, an operation called the land bank, and I understand that there is now pending a proposal to come out of the new administration with reference to the Department of Agriculture as to how to stabilize through some type of land bank or soil bank our agricultural economy.

When you get down to it, in a large

measure we are asking private individuals to carry this burden, and do the same thing today for the purpose of stabilization. Does the gentleman propose to ask them to do it free of charge?

I am curious to know at what point our Federal obligation begins and ceases in connection with this. Do we propose to go into an arrangement with the farmers and purchase the land outright? And I am also curious to have the comment of the gentleman about how many billions of dollars would be involved if we propose to do it that way rather than bringing about a cooperative coordinated program where individual farmers through cooperation with a program can simply receive reimbursement for their contribution to the program. Because this is exactly what our farm program is intended to serve.

Am I right or wrong?

Mr. FINDLEY. If the gentleman would yield further, we have the opportunity here today to provide the answer to the gentleman's question. The answer is \$20,000 should be the limitation to the farmers in payments. That is as far as I believe we should be willing to go.

Mr. SISK. I am sure my good friend recognizes the fact that merely by looking at the record, even taking the record that my good friend from Indiana is talking about, of the American farmers and the amount of land that they farm, the volume they farm, that a \$20,000 limitation means a substantial number of individual farmers are going to have to operate outside the program, and therefore not contribute to the stability on other limitations on your soil bank or on the soil conservation program, because otherwise they cannot pay taxes on their land.

After all, would the gentleman like to take these lands off the tax rolls and spend the billions necessary to acquire title to them?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the distinguished chairman of the Committee on Appropriations made some remarks just a few moments ago to which I listened as intently as I possibly could, and if I caught their drift correctly the chairman was telling us that it was highly inappropriate for us to put legislation on an appropriation bill.

Maybe I misunderstood the gist of his comments, but I believe that was it. If that is the case, then I would draw the attention of the gentleman to page 39 of the bill now before us, section 510. If anything is legislation on an appropriation bill, it is that section.

Furthermore, on page 30 of this same bill, under "General administration," it says: "Not to exceed \$250,000 of funds contained in the working capital fund established under authority of Public Law 78-129 may be used to carry out responsibilities under the Civil Rights Act of 1964."

Once again we are clearly legislating on an appropriation bill. Now, I can understand why the Committee on Appropriations would reserve to itself certain

privileges, but if legislation on an appropriation bill is all right in committee, then why is it not all right here on the floor?

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

Mr. FINDLEY. Yes, indeed; I am glad to yield to the distinguished chairman.

Mr. MAHON. My feeling is that wherever reasonably possible we ought not to put legislation on an appropriation bill. We try to hold legislation to a minimum, but always—or most always in appropriations bills—there are some legislative provisos or limitations. And in my previous statement, which I now emphasize, I am merely taking that position: Let us undertake to keep appropriation bills as free as reasonably possible of legislative provisions, and let us not undertake to pass an amendment which in effect would repeal certain important present farm laws of the 50 States of the Union, and throw us back to the law of 1958. This would cause pandemonium in a portion of the farming industry. This would be costly to both the Government and the farmer, particularly the cotton farmer.

Mr. FINDLEY. Mr. Chairman, I thank the gentleman, but the problem we confront is that at this time last year the leadership of that legislative committee was telling us "Give us just 1 more year, give us 1 more year to deal with this problem," and yet here the year is almost up and hearings have not even begun on general farm legislation.

I believe the patience of many Members is running out, and that it is high time we took action without waiting for the legislative committee.

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

Mr. FINDLEY. I yield to the gentleman.

Mr. MAHON. The point is that the new administration is now coming into power. Now, the administration of the gentleman's own political faith, as the gentleman knows, has not yet had time to formulate its policies and make its recommendations to the Congress. It is working diligently on the matter. The gentleman's administration, as you know, has come out in opposition to the amendment that the gentleman proposes to offer.

The farm law will expire in 1 more year so there is no way to avoid action by the Congress it seems, and I am sure the Committee on Agriculture is busily engaged in trying to find ways—

Mr. FINDLEY. It has not even begun this job. It is a fact—it has not even begun this job. If we go along at the present pace, in a very short time we are going to be confronted with the same emergency situation which prevailed last summer and which supposedly required the extension of the same program that we have now including these gigantic payments.

I do not mean to press this unduly, but it does seem to me that the patience of many Members of this House is beginning to run out and they have every right to consider in this appropriation bill a limitation of \$20,000 on how much the individual farmer can be paid.

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

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. MAHON. The gentleman realizes that if his amendment is adopted, this will invalidate a large section of the present farm laws and would have very far-reaching effects and it would be in effect repealing the present farm legislation relating to cotton.

Mr. FINDLEY. If I may respond to that, it is true that the present program has in it what is called the snapback clause. But that very same clause also provides the Secretary with authority to carry out the new cotton program, which would be effected through the "snapback" by means of simultaneous purchase and sale, which is a very fancy expression for "direct payments."

So it is my opinion that this same \$20,000 limitation could be applied to the program brought into effect by means of the snapback clause. Therefore the budget savings would indeed be considerable.

Mr. MAHON. But if the gentleman will inquire of the Secretary of Agriculture, he will find that going back to that program will cost immeasurably more, by the tens of millions of dollars, and that it would be unworkable in the view of the present Department of Agriculture. The gentleman's amendment should be rejected.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I come from a large urban area, but I am very disturbed by this bill and how it affects the agricultural community of America.

This is a \$6.6 billion measure pending before this House. We appropriate all this money supposedly to help the farmers, as we have all these years, and yet it appears the farmer is worse off today than he has ever been.

I read this morning a column by the distinguished agricultural editor of the Chicago Tribune, Richard Orr, who I think would make a great Secretary of Agriculture.

He said in his column this morning:

At the start of this year the number of farms had dropped to about 2.9 million, lowest in more than 75 years. The farm population of a little more than 10 million is only about half that of 20 years ago and only a third of what it was 50 years ago.

Earlier in this debate, the gentleman from California made a plea for this huge program of subsidies and told us how it affected the farmers.

If the program is so good, why are these farmers leaving the farm in such large numbers and coming into the cities and trying to make a living there? Their migration off the farm creates serious problems in housing and training for the host community.

Mr. Orr further says:

Many people find it hard to believe that the farmer is actually getting less per unit for some basic commodities, such as corn and wheat, than he did some 20 years ago.

Altho farm prices continue to sag, farmers have to spend three to four times as much as they did 20 years ago for implements, machinery, and materials needed to produce.

Last year, prices farmers received for their products averaged 4 per cent less than those in the period 1947-'49, and prices for some commodities, such as corn and wheat, were

much lower. In the last two years the prices farmers received averaged 74 per cent of parity, lowest since 1933 when the great depression was on.

He concludes:

The farmer's return from the foods in the market basket went down 2 per cent as the costs of processing and marketing these foods increased 52 percent.

Mr. Chairman, I have a great deal of confidence in Mr. Orr and in his judgment. I accept this statement as a fact.

I raise this question: If indeed the points made by Mr. Orr in his column this morning are correct, then isn't there something basically and tragically wrong with this legislation?

It occurs to me that it does not reach the people it is designed to reach as Mr. Orr points. Therefore, I feel strongly the amendment offered by the gentleman from Illinois (Mr. FINDLEY) and the gentleman from Massachusetts (Mr. CONTE) has validity. I think if we delete these large payments and rewrite the legislation to free up the money that is now going to the chosen few, perhaps we can start bringing order out of what appears to be considerable chaos in the farming communities of this country.

This legislation, for example, deals with the food stamp program. There is a large appropriation for that. I think there is validity in the statement made by the Secretary of Health, Education, and Welfare, Mr. Finch, the other day that perhaps the best way to deal with the problem of the hungry, instead of giving them food stamps, is to give them cash. Let the poor go out and buy the food, simply because, as I was told the other day by the director of county welfare in Chicago, many people do not have the basic money to purchase food stamps. The basic food allotment they get from public aid is not enough to buy food stamps to take full advantage of this program. So it would seem to me that the Committee on Agriculture and the Appropriations Committee should address themselves to the basic problems.

I said last year that the great depression of America, in the early 1930's, started on the farm. I am disturbed about what is happening on the farm again. It seems to me the program we have here today is merely a repetition of what we have been doing year after year. In the bill before the House we would provide \$6.6 billion, when some of the most distinguished observers of the agricultural community have said that the program is not working.

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

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

Mr. FINDLEY. I want to thank the gentleman for his support of my amendment; secondly, to second the nomination of Dick Orr to be the next Secretary of Agriculture, and in doing I mean no lack of respect for the present Secretary, Mr. Hardin, who began his administration with a statesmanlike decision on soybeans.

Furthermore, I wish to point out that if a limitation in payments is established, it would begin to reverse the trend toward bigness in agriculture. It is obvious that when the Boswell Co. or the

Kern County Land Co. get anywhere from \$1 to \$4 million a year out of the U.S. Treasury, they have the resources with which to expand their operation and buy out the little fellows.

Mr. PUCINSKI. The gentleman is correct. I cannot put my fingertips on the figures, but there is no question that the size of the American farm has been growing every year simply because the big, corporate farm is driving out the small farmer from business with the huge Federal subsidies we have been paying.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

I have supported every single farm bill reported out of committee by the Committee on Agriculture, and I have supported all the agriculture appropriations. I may well support this final agriculture appropriation bill. I am not yet certain.

There is a point or two, however, during the course of this debate that I think ought to be spread on the RECORD. The first point I would like to stress to some of my colleagues on my right. I would like to point out that in the State of California large cotton growers, consciously and explicitly have thrown their lot in with the grape growers in an effort to frustrate the grape workers' effort to organize into a collective bargaining unit of their own choosing. I stated in private, and I will say now publicly that if they are going to use the increased largess made available by Federal programs to cripple the rights of those who work on the farms and in other aspects of the agriculture industry, they will do without my vote. Hence I am going to vote this time, and I voted against last time, the payment limitation.

There is another general observation I would like to make to those of my colleagues on this side of the aisle, and that observation is this, that those of us from the cities may well find ourselves voting for the last time for agriculture legislation until we reach that point in time when those who work for large corporate farmers are given a legitimate and meaningful right to organize into unions of their own choosing. And when I say "meaningful right," I do not mean that phony bit of legislation I saw floating around here the past few weeks. I mean a meaningful effort under the old Wagner Act terms for the farm workers to select a bargaining agent of their own choosing.

In the absence of this right to those who work on the farm for the large farmers of this country, Members may well find themselves in a position where they will be doing without the votes of us from the cities, who have been supporting the agriculture program ever since we have been elected to the Congress.

Mr. DENT. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I do not intend to get into this legislation from the basis of figures. My State has about 93,000 farms. My district has about one-fifth of its population in the farming business. The largest single payment in my district is

about \$5,000, and it is paid to an educational institution for not planting wheat.

What happened in this case was that they stopped farming for their own use. They decided, after some farm agent explained it to them, I am told, to just not to plant wheat, and just let the farm stand. They would then get a subsidy payment, and they could buy their farm needs in the marketplace.

There is something radically wrong with that. That is why I have voted against the farm program for years.

The grape problems are not new. The gentleman from California stated it, but some of us may have to know more about it. My committee, investigating charges made in the grape fields of California, went to California and sat for hearings. We discovered a large corporation, in fact a corporation in the distillery business, had, during the time of the war, because of the shortage of grain for alcohol, decided to go into the wine business. They were in a position to arrange tie-in sales with a large number of liquor dealers to buy wine by the carloads in order to get their quota of liquor. They were organized by an affiliate of the American Federation of Labor, and they had 800 acres in grapes we were informed during our hearings.

The men who signed a contract with these distillers were not experienced in the ways and means of those who hold corporate entity offices. Therefore, right after the contract was signed, the distillers shut down the grape fields in their own name, and leased them out to somebody not tied to the contract. There has been a war ever since to renegotiate a contract with this grape grower.

Today we are talking about cutting down on the educational programs in our country. The Appropriations Committee, I understand, will cut down very needed programs that the States are dependent upon and the children of our country are dependent upon.

Yet we go along, willy-nilly, handing out this money every year without regard to need.

Certainly the gentleman from Ohio is correct when he says that the reaction to any limitation of \$20,000 on a per farm basis will result in a breakdown of the large corporate farms into smaller units, because they are not going to hold that land, as they now hold it. They hold it only for the purpose of getting the subsidy. Certainly they owe a great deal of money. Why wouldn't they? They buy every farm they can get their hands on, and naturally they all owe a great deal in mortgages, but money they get from the Federal Government takes care of that.

In fact this farm program lends itself to the purposes of monopolies in the field of agriculture. I have gone into this thoroughly in the last 5 years. There is a piece of legislation we have introduced which will take care of it. The only answer to it is to phase it out. What this legislation will do is limit payments to family-owned farms, to farms which provide the sole income base of the person who receives the subsidy, and it is to be phased out in 5 years. Unless we do that, as the gentleman from Illinois said, we

will have more and more farmers farming their talents out in the streets of New York and the ghettos of our cities, because that is where farmers who are pushed off the farms go—to the cities.

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

Mr. DENT. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I compliment the gentleman from Pennsylvania for his observations and for the excellent speech he has made on the floor.

The gentleman is absolutely correct when he says the wealthy farmers are making millions of dollars. What they are doing is holding this land collecting subsidies and waiting until the day when they can subdivide that land and make millions of dollars selling it.

Mr. DENT. Mr. Chairman, the owners go further than that. The so-called Wall Street farmer comes out into our area and turns it into thoroughbred race-horse raising and stocked with fancy cattle. He takes his income from his professional activities and plows it into the farm. He decorates the place with great, fancy, big, red-and-white barns and very fine stock, prize stock. He runs the price up for the ordinary farmer who is trying to buy a decent bull to better his herd. Then the wealthy farmer takes a loss every year and pays no income tax on his ordinary income, and gets subsidies plus capital gains preferential tax treatment when he sells the beefed up farm property, well stocked, beautifully landscaped, adequately supplied with the finest farm machinery and the latest in appliances.

Mr. BURLISON of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the point which the gentleman from Pennsylvania was speaking to was the problem of the hobby farmer. He said the Wall Street farmer. The hobby farmer is the man we want to get to, with our closing of the loopholes on income tax, which will come before this body probably within this legislative session.

But I want to tell the Members that this legislation we are voting on today is not a windfall for the legitimate farmer in this country.

The gentleman from Illinois, the gentleman from Massachusetts, the gentleman from Indiana and their cohorts are today attempting by amendment to this appropriation bill to legislate retroactively. This issue—that is, payment limitations—was legitimately debated on its merits in this body during the last 3 days of July 1968. The amendment carried, but it was lost in conference.

Later in the year, or at the very latest sometime in 1970, the agricultural authorization bill will again be before this body. That will be the appropriate time to discuss the issue of a payments limitation.

As has been said so frequently by counsel much more sage than myself—for instance, the distinguished chairman of the Appropriations Committee, who just a moment ago said this same thing—this is not the place to legislate, while we

are considering an appropriation bill. Much unwise legislation has been written on the floor of the House, and I admonish us not to duplicate that today.

The basic purpose of our present farm program is to bring supply into some semblance of balance with demand by controlling production. Success of the farm program is dependent upon attracting into the program the major producers. If they are forced out as they obviously would be by limitations on individual payments, the slack would have to be taken up by the small producer. If one of the fundamental goals of our farm policy is to protect the small farmer, is not that policy better served by taking 1,000 acres from one large producer than 10 acres from 100 small producers? If the program is to continue, then those acres must be taken from somewhere, if not from the large then from the small. When the Government makes these payments it is acquiring a right. Has there ever been a suggestion in this body that limitations be placed on payments for a highway right-of-way or for land for urban renewal?

The program has its inception prior to production because it is cheaper to retire acres before the expense of making a crop are incurred rather than purchase the crop after it has been produced. Under the Benson program in the Eisenhower years, it cost a billion dollars a year just to store surplus commodities. I submit that we are not ready for a repeat of that program.

Under our farm program we have been losing more and more of our family farmers. But it is submitted that if the limitations are approved, the corporate farm movement will be accelerated beyond anything we can conceive at this time. The large producers will not participate thereby depriving us of production control, bringing surpluses and depressed prices.

Our farm program cost is not excessive, when the subsidization of other segments of our economy is considered, for example, business through postal, import quota, tariffs, maritime industry, transportation industry, and other subsidies. And do not forget the public housing and model cities programs, among others, in our cities. And please do not forget that a larger and larger portion of the farm budget is not going to the farmer but to feed the poor and hungry of the city.

The thrust of the payments limitation theory is that the large producer gets more than his fair share of the money. But critics fail to recognize that these payments do not constitute profit. As pointed out by the distinguished chairman of the Agriculture Committee when debating this question in the last session, these payments do not even pay the interest on the 7 to 8 percent mortgages in most instances. The larger farmer has greater capital investment and risk that goes with it. He has more expenses. He should have more money. The farmer's parity ratio is now 73 percent. Most proponents of the payments limitation will admit this is deplorable. I challenge them to explain how limitations can raise the farmer's parity. As has been stated in a book by Marion Clawson:

All available data point to the existence of large numbers of very low income farmers along with a moderate number of fair income ones, and few relatively good incomes—but even these latter may be rewarded less than their talents and capital deserve.

So remember that the amount may be large while at the same time the percentage return may be minuscule. This thought is buttressed by statistics given to this body last July by the gentleman from Iowa (Mr. SMITH). He stated that farmers earning less than \$1,000 a year get 45 percent of their income from the farm program. Contrast that with the fact that farmers making over \$20,000 receive only 3 percent from Government payments. In conclusion, the farm program is not a windfall for the wealthy farmer.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(Mr. BURLISON of Missouri, at the request of Mr. MAHON, was allowed to proceed for 3 additional minutes.)

Mr. MAHON. Now will the gentleman yield?

Mr. BURLISON of Missouri. I appreciate the gentleman's request for my time to continue, and I will be pleased to yield to the distinguished chairman of the Committee on Appropriations.

Mr. MAHON. The gentleman from Missouri is making a very interesting and able statement about the farm situation.

One thing that has not been highlighted here this afternoon is the fact that the people, generally speaking, have secured pay raises in recent years on several occasions. As the gentleman comes from a farm district, I believe—

Mr. BURLISON of Missouri. He does.

Mr. MAHON. The gentleman knows that the farmer is getting less today than he got 5, 10, 15, or 20 years ago for his production. The cost of production at the same time has skyrocketed. In view of the low cost of what he produces, there has to be some way, if the consumer is going to be able to continue to get foods and fibers at the low prices at which he gets them in the United States today, for the producer to survive. Is that generally correct?

Mr. BURLISON of Missouri. I think the distinguished chairman for those remarks. We tend to forget that the wheat farmer, the cotton farmer, and the corn farmer are getting substantially less, far less, for their crops now than they were 20 years ago. Contrast that with what the farmer has to pay when he goes out to buy a cottonpicker or combine, or cornpicker. He pays 3, 4, 5, and 6 times more for that now than he did 20 years ago. Let us take a look at what the consumer gets out of this program. The farm program is fundamentally tailored to the benefit of the consumer. Fifty years ago or perhaps not quite that, in 1929, the consumer in this country paid 25 percent of his income for food. Now in 1969 he pays 17 percent of his income for food.

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

Mr. BURLISON of Missouri. I am pleased to yield to the gentleman from Connecticut.

Mr. GIAIMO. What the gentleman says may well be correct, but what has that to do with the corporate farmer we

are talking about who does not live on a low-income level? The corporate farmer who is actually buying farms in order to qualify for the subsidy payments by not planting them. What has this to do with him? I am talking about the man who receives more than \$100,000 in subsidy. The corporation farmer in some cases is making hundreds of thousands of dollars a year out of this. The argument the gentleman is using does not apply to this corporate farmer with the large income who is deriving benefits out of present law, the amendment of the gentleman from Massachusetts is designed to eliminate this inequity.

Mr. BURLISON of Missouri. But the argument does apply. As I have earlier stated the mess that our farmer is in today is not because of the farm program. It is in spite of the farm program. If we lose this farm program, this corporate farming concept is going to accelerate and speed up. We cannot conceive of what it will be 15 years from now.

Mr. GIAIMO. I think we have the responsibility to take care of the small farmer but not the corporate farmer.

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

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a question of the gentleman from Missouri (Mr. BURLISON) who just preceded me in the Well. First of all, the gentleman mentioned at the beginning of his statement that we were trying through this amendment to make this retroactive. This only applies to the 1970 crop. My amendment, if the gentleman will read it, applies to the 1970 crop. Therefore, it is not retroactive. It runs parallel with this legislation.

Mr. BURLISON of Missouri. The gentleman is correct in that the way he read it, he interpreted my statement too narrowly, and the gentleman is technically correct. But the point I am making is that this should not be done in these last few days before July 1969. In my opinion the proper way in which to handle this type of legislation is to handle it when the next farm bill comes up early in 1970. That is what I intended by that statement.

Mr. CONTE. I get your point, but if you will remember, when I offered that amendment in 1968 it carried by a vote of 230 to 160, but then something happened between the time it left here and was received on the other side of the Capitol in the other body, where it was dumped.

The gentleman from Missouri says for us to wait until the legislative committee comes in with its bill for the extension of the agricultural program. We have about as much chance in that committee of getting a limitation on subsidy payments as Phyllis Diller has of becoming Miss America in 1970.

Mr. BURLISON of Missouri. Mr. Chairman, if the gentleman will yield further, I think you will find you will have just about as much chance of having it amended when it comes up in the legislative committee as we do now. I believe it would be far more legislatively sensible to do it through that process. In other words, you will have a better chance

than you now have because you are flying in the face of proper legislative procedure.

Mr. CONTE. Well, I will say to the gentleman that I certainly do not feel that way. I feel we have the opportunity today to do it and I hope when the vote is taken that the amendment will carry. Then, if it needs perfecting, the representatives of the Department of Agriculture can go before the Senate Appropriations Subcommittee on Agriculture and perfect it in that committee.

The chairman of the Committee on Appropriations' heart bleeds for the farmers, and he talks about the recent pay increases that the Members of Congress have received as well as pay increases which have been received by others but, in effect, says that the poor farmer has not gotten anything.

Let me tell you that when this amendment was first adopted in the 1930's, 25 percent of the population were farmers and where, furthermore, the poor rural areas were the most desperately poor. Only a very small part of the subsidy money, perhaps no more than 5 percent, goes to farmers who are basically what one would call the rural poor in danger of malnutrition. So therefore, we are not hurting this "poor farmer" if we should adopt this amendment. The only guy we grab is the rich farmer, the guy who is getting richer and richer and richer. Further, there are some Members of the House of Representatives and some Members of the other body who should not even vote on this amendment today if they are receiving farm subsidies.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Of course I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I confirm what the gentleman from Massachusetts has said. I have been on the Committee on Agriculture for 13 years. We are a house divided, and I am in the small part of that division. I have voted against the farm subsidy programs for a long time. I will confirm what the gentleman from Massachusetts has said. We have as much chance of getting a bill out of the House Committee on Agriculture to even phase out these subsidies, much less limit them, as I do of becoming the Pope and I am not even a Catholic.

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

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

Mr. FINDLEY. As I followed the speech by the gentleman from Missouri (Mr. BURLISON), I might point out the fact that the taxpayers would be about \$300 million worse off.

The former Under Secretary of Agriculture, Dr. Schnittker, issued a study recently prepared in the Department in which he estimated that a limitation of the very kind embodied in this amendment that will soon be before us would allow budget savings of up to \$300 million a year. I believe this is an item that should attract our attention in this period in which we are on the verge of extending the surtax, and where we are cutting back and cutting out many Federal programs. Surely we will reach for and

seize this opportunity to save about \$300 million a year.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this debate has been going on for a long time, and I do not know how much light has been shed on the problem, but there are two or three factors that I believe should be brought out:

First, concerning the payment of subsidies. I was one of those who opposed the present farm bill, because I knew that the urban press and the other news media—as well as others—would be criticising the total amount paid.

That act, with all due deference to everybody concerned, was an effort to maintain the purchasing power of those engaged in producing food and fiber for the rest of the Nation.

I wrote the Library of Congress some time ago, and asked if they could give me an estimate of how much of the retail price that we pay for goods and services is raised because of the minimum wage law, the right of labor to organize and to strike, and so forth. They gave me a nine-page reply but the answer was in one sentence. They said they could not estimate it.

The difference between the farm programs and the rest of our programs is that when we passed laws for the benefit of the other segments of our economy—other than farming—the results were passed on to the consumer as a part of the retail price, rather than in the form of a check from the Treasury.

If Members want evidence of that, they will find it on page 3 of the report, where it is stated that since 1950 the farmer's share of the retail dollar has gone from 47 cents down to 39 cents. This means that through these various laws we have passed for the rest of the economy, the others are taking the difference between the 47 cents which the farmer was getting back then, and the 39 cents out of the dollar that he is getting today.

I thought it was a mistake to make the American producer sell at world prices, and yet have to buy on the domestic market where the retail price embodies this difference between the 47 cents and 39 cents.

I believe I will attempt to point out to the Members of the House what will happen if this amendment were adopted.

In the first place, the amendment is limited to the money in this bill. The Commodity Credit Corporation is a corporation we are dealing with contracts that this Congress led these producers to enter into in good faith. If you do not pay them, you will be breaking faith on those contracts.

But let me tell you how it would actually work. You would pay the same thing to the producers either way. What you would have to do is have two sets of books. Producers would get up to \$20,000 from the money in this bill, and get the balance of the payments due them—over and above \$20,000—out of the \$5 billion which the Corporation already has. And in the process you would end up with as much as a \$50 million increase in costs.

Second, under the snapback provi-

sion, you would go back to the 1958 law on cotton, and you would start paying the farmers 65 to 90 percent of parity. But under the amendment, when the Government had to lend him as much as he was getting under the previous law, the Government would have to pay even more.

Of course, my friend from Illinois and I have this colloquy each and every year. I do know this much and I say this to the Members: that the producers would receive the \$20,000 out of the money in this bill. Then, we would have to pay the remainder in good faith out of the \$5 billion the Corporation already has.

How much do you suppose employees collectively make out of the minimum wage law? Are you going to say that no company shall pay to its employees more than \$20,000 because of the minimum wage? Are you going to say that \$20,000 is the most any large corporation can pay to its employees, so as the break that corporation up into little two-bit companies?

Are you going to do that? Are you going to fix it so that half of us are going to have to go back to help work on the farm? I do not want to go back. I have tried it. If you do go back, you would have to have a \$72,000 investment on the average to get into farming today.

I know that many of you Members voted for this program. I did not, because I thought it was bad for the producer of raw materials if he had to look to his Government for a check for a part of his costs and all of his profits, while we let labor and everybody else include it in the retail price so nobody can identify it.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to commend my colleague (Mr. WHITTEN), the chairman of this subcommittee and my friend from the State of Mississippi for putting this issue on the line, right the way it is.

With all deference, some of you have had a good time here this afternoon at the expense of people who are not responsible for this program. I really do not think you understand the history and mechanics of the program or this problem.

My friend, the gentleman from Indiana (Mr. MADDEN) had quite an enjoyable time pointing to some people over in the Lower Mississippi Valley over what their payments were.

Let me remind you of something that happened when this bill came before us 4 years ago—the legislative bill—and the gentleman from Mississippi (Mr. WHITTEN) has already alluded to it. Not a single Member—not one single Member of the Mississippi delegation—not one—voted for the payment program—not one of us.

We knew then that the time would come when this very debate would take place in this House.

We knew then that the curtain would rise on the stage of trouble for the farmers this program was designed to help.

We went through this once before back in the thirties when the names of farmers who received payments were published in the press. The name of one of my Senators has been dragged through the mire

of the press and also the debate on what he has received—and mind you he voted against this program. Yet they kicked him around a bit which, of course, made good reading in the press; but bear in mind he did not support the program.

What have we done now? As the gentleman from Mississippi (Mr. WHITTEN) has just said, we made a contract—I did not do it—you did—most of you here made a contract with these farmers when Orville Freeman, then Secretary of Agriculture, brought this program to the Hill. You passed and adopted it. You did it over the objection of a large number of us who opposed it. I opposed it. I opposed it because I knew this very problem would arise.

Now, last year in response to my friend, the gentleman from Illinois (Mr. FINDLEY), we did ask for an extra year. We did it because we knew that a new administration was coming into power. We did it because almost all members of our committee, including the ranking Republican member, felt that we should have another year to give the new administration the time and the opportunity it needed to consider a new program.

Secretary Hardin is out moving around the country now talking with people and farmers. The President has others on his advisory staff doing the same thing.

I do not know what they are going to propose. I do not have any idea. But certainly it would be a bit presumptuous on our part to call Secretary Hardin before the committee now, before he is ready to testify, and inquire of what he wants. As yet he does not know. That is the reason we asked for and got—and it was like pulling eye teeth, I know that—and got an additional year.

Now, we made a deal with these people. We made a contract with them. We should live up to it.

I do not like the program. I do not like it at all. And I stood in the well of this House and spoke against it in 1965 when my friend from Indiana (Mr. MADDEN) was speaking for and voting for it. If he wants to quarrel about so-called fat cat farmers, as he calls them, he is just about 4 years too late. I know he is disappointed in his vote of 1965. I am, too. I wish he and others had voted as I did then. I do not know whether the gentleman from Illinois (Mr. FINDLEY) or the gentleman from Massachusetts (Mr. CONTE) voted for it or not. I know there are several others here who are disappointed in their votes. I wish you had killed it then.

But now you have required these farmers to adjust their farming to this type of program. You have required them to cut their production back. If they do not cut it back, they have to produce under penalty. They could not market a single bushel of wheat, a single bushel of grain, a bale of cotton, or anything else, without paying a tremendous penalty to the Federal Government, and you would break them as a result.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, Mr. ABERNETHY was allowed to proceed for 1 additional minute.)

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

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

Mr. FINDLEY. Just to state that I have not at any point voted for any of these subsidy programs.

Mr. ABERNETHY. Well, good. But those here who did vote for this made it the law. They made it the program. This is what they did for, as well as to, these farmers. This is what you told them they had to take, and I think we are obligated to pay for it.

Actually, we have not reached the point in the bill where this debate should take place. I hope we can get along with the bill and get to the point of the amendment and see where we stand.

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

Mr. ABERNETHY. I yield to the gentleman from Massachusetts.

Mr. CONTE. Certainly my amendment does not break any contract. It merely applies to the 1970 crop.

Mr. ABERNETHY. Well, I am sure you will not break any contract with the sugar refineries of Massachusetts which you propose to favor by leaving them out of your amendment.

Mr. POAGE. Mr. Chairman, I move to strike the requisite number of words.

I had hoped not to break into this interesting discussion on the limitation of payments, but I feel that the House is probably getting the impression that there is nothing of controversy in this bill except the limitation on payments. Generally, the committee has done an outstanding job. I congratulate the chairman of the full committee and the chairman and the members of the subcommittee. Theirs is a difficult job. They have done well but they are not perfect.

There is a matter which comes up on page 19, before we reach the question of the limitation of payments, to which I want to direct your attention, and that is the question of the school milk program. On May 10 this House voted, by a record vote of 384 to 2, to continue the special school milk program and to authorize \$125 million a year for that program.

I listened to the discussion about legislation on appropriation bills. The chairman very correctly suggested that we should avoid, as far as we could—and I agree with the chairman of the committee fully; that we should avoid as far as possible changing what has been fixed by legislation by a provision of an appropriations bill. It seems to me clear that the effect of this bill is to undo everything that this House did by a vote which amounted to almost 200 to 1 just 3 weeks ago.

I cannot conceive that there is much consistency in that sort of thing. If, in fact, we do not want a school milk program, we should have voted against it on May 10 when that was before us. On the other hand, if, in fact, those 384 Members of this House were sincere in wanting to provide a school milk program as I am sure they were, then we should fund it in this bill and not repudiate what we have just done within the past 3 weeks. I cannot conceive of anything which is a more direct repudiation of legislation than

what is done in this bill in regard to the special school milk program.

I know the report says "Yes," but we are making \$20 million available to take care of needy children, who would otherwise have been able to get school milk under the existing special school milk program. That is \$105 million less than this House suggested just 3 weeks ago.

It eliminates every child unless he can prove he is a pauper. It eliminates every little child who cannot prove he or she is a pauper, and his or her parents do not have any money.

I do not like that sort of thing. I am not going to be a party to saying that a program of this Congress should be opposed simply because it helps some people who are not new voters, who are not members of groups which we think may influence an election in some way. Nor am I going to say it is wrong to provide some kind of help for the great masses of Americans regardless of their economic situation.

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

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

Mr. PUCINSKI. Mr. Chairman, would the gentleman advise the House whether it is his intention to offer an amendment at the appropriate time?

Mr. POAGE. It is my intention to offer an amendment to finance this program at \$120 million, which is the present authorization figure in the existing law.

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

Mr. POAGE. I yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I congratulate the gentleman on the statement he has just made, and I associate myself with his statement.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

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

Mr. TEAGUE of California. Mr. Chairman, we will have an opportunity to discuss this further when the gentleman's amendment is offered. However, I offer this observation at this time. In my view the school milk program is a subsidy for the dairy industry. I was one of the two who voted against it. It is simply a subsidy for the dairy industry in my view. If my colleagues wish to support it for that reason that is understandable but let us not deceive ourselves that the \$125 million involved does much for the truly needy.

Mr. POAGE. Mr. Chairman, the school lunch program does help needy children. It does help needy children and children who are not so needy. It does provide nutrition which is needed. It is the only nutritional program which this Government now has in operation.

I do not say it is the only feeding program. It is not. We have one dozen feeding programs. We have programs which give away food and fat and meat and beans and asparagus.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. POAGE was allowed to proceed for 3 additional minutes.)

Mr. POAGE. Mr. Chairman, we have

programs which give away all kinds of food, but we have not a single one which is based on nutrition except the school milk program. It is, in fact, a nutritional program. It is based upon nutrition.

I am not one who is going to vote against a program of nutrition even though it helps some dairy farmers. I do not think there is anything evil in being a dairy farmer. I was a dairy farmer myself for 10 years, and I almost went broke at it. Fortunately I finally had the good sense to get out. I could not make a living out of it. But the fact that a man is in the dairy business does not mean that it is vile or evil to help him. I hope this program does help dairymen. The more people one program helps the better.

Dairy people provide for our children. They have done so for years. The dairy people help this Nation. I do not see why we should find a program reprehensible simply because it will help the dairy people. I think it will help dairy people. I think it will help other people. I think it will help the children from middle-class families. I do not see that there is any crime in that. Some Members seem to take the position that anything is vicious and wrong unless it is confined to those on whom we can put on the label of poverty.

I am not trying to put the label on anybody. I am trying to keep the label off. I am trying to help the dairy farmers. I am trying to help the well-to-do families. I am trying to help the poverty-stricken families. I am trying to improve the nutrition of as many schoolchildren as possible.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

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

Mr. TEAGUE of California. I certainly do not for a moment consider the dairy farmers to be evil. I merely want to make my point that in my view that dairy subsidization is the real purpose of this bill.

Mr. POAGE. I wish the gentleman would get a little time of his own. I have only a few seconds remaining.

I would call attention to the fact that when this bill deliberately refuses to maintain a program we have had for 14 successful years and destroys the opportunity to do what this House voted to do by a vote of more than 190 to 1 just 3 weeks ago, which is in effect legislation on an appropriation bill. While I had not planned to raise any point of order, it might be raised. I believe such a point would be good. I believe, however, we should pass upon this matter on its merits, and I certainly hope that the committee will accept this amendment.

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

Mr. POAGE. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. I congratulate the gentleman for preparing the amendment. Without the assurance that the gentleman would offer the amendment I am certain the point of order would be made.

Mr. POAGE. I will offer the amendment.

Mr. WHITTEN. Mr. Chairman, could we have some agreement on time on this section? I ask unanimous consent that

debate on this section conclude in 10 minutes.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Under the unanimous consent agreement, all debate on this section will conclude in 10 minutes.

The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Could the Chair enlighten us on the section we are talking about? If my recollection is correct, the Clerk has not started to read any section.

The CHAIRMAN. The Chair understands that the Clerk has read through page 3.

Mr. GERALD R. FORD. Mr. Chairman, I have been here ever since we went from general debate into the reading of the bill, and others have, also, and all of us have no recollection of hearing the Clerk read any section yet.

The CHAIRMAN. The Chair will advise the gentleman from Michigan that the Clerk did begin reading and has read through 1 paragraph, it concluding on page 3, line 25. So the unanimous-consent request of the gentleman from Mississippi would apply to all debate on this paragraph.

The Chair is advised that the following Members were standing at the time the unanimous-consent request was made: The gentleman from Mississippi, Mr. WHITTEN; the gentleman from Texas, Mr. ECKHARDT; the gentleman from Louisiana, Mr. WAGGONER; the gentleman from New York, Mr. OTTINGER; the gentleman from California, Mr. TEAGUE; the gentleman from Indiana, Mr. MADDEN; the gentleman from Texas, Mr. ROBERTS; the gentleman from Texas, Mr. PURCELL; the gentleman from Washington, Mr. MEEDS; the gentleman from Minnesota, Mr. QUIE; the gentleman from Minnesota, Mr. LANGEN; the gentleman from Massachusetts, Mr. CONTE; and the gentleman from Connecticut, Mr. GIAIMO. Therefore, each Member heretofore named will be recognized for approximately 47 seconds.

Mr. POAGE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POAGE. I heard the minority leader's question, but I did not understand the answer. Where is the end of the first section?

The CHAIRMAN. Page 3, line 25, is the point at which the Clerk stopped reading.

Mr. POAGE. I understood that, but where is the end of the first section of the bill? The gentleman from Mississippi asked unanimous consent that we consider the first section as read. There are no sections in this bill.

The CHAIRMAN. The Chair will respond to the inquiry of the gentleman from Texas by stating that the Chair interpreted the request of the gentleman from Mississippi to be that it applies to that portion of the bill which the Clerk has read. The first section of the bill goes all the way over to page 30, it being

title I of the bill, actually. So nothing is being done by this request or in this action to foreclose debate on any of the remainder of title I.

The Chair now recognizes the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I rise to support the amendment which will be offered by the gentleman from Massachusetts (Mr. CONTE).

Over and over again, the American taxpayer has shown his willingness to support this Government and this Nation financially and otherwise, but his patience is wearing thin.

Two things anger him. He is sick of seeing certain rich individuals absolved from paying their fair share of taxes because of loopholes in our tax laws. I am sure that the distinguished members of the Ways and Means Committee, who are now conducting extensive hearings on tax reform, have firsthand knowledge of this discontent.

The American taxpayer is also becoming disgusted because his hard-earned money is not being used to solve the obvious problems which exist in this country. He is more than willing to help the poor; he is more than willing to help our senior citizens; he is more than willing to help support our defense effort; but he wants to see results.

Last week I rose to denounce the loose spending and squandering of billions of tax dollars by the Defense Department. I am pleased that my colleague from Illinois has pointed to another equally outrageous waste of our precious fiscal resources.

Many Federal programs are being eliminated or cut back because of the need to save money, but unless this amendment is adopted, the wealthy farmers in America will still receive this inequitable dole.

What are we going to tell the American people this time? How can we explain to our senior citizens that needed social security increases might not be adopted when, at the same time, we continue to pay huge sums to wealthy farmers for leaving acreage unplanted?

How can we explain to our struggling taxpayers that we have to extend the surtax when, at the same time, we could be saving, according to the Department of Agriculture, anywhere from \$200 to \$300 million?

How can we tell those that are hungry that we cannot afford food programs for them when, at the same time, we continue to subsidize rich farmers for not planting wheat?

The American people are not ignorant, nor are they blind. They can see where their money is being spent, and they do not like it. If we fail to approve this amendment, and thus continue to shell out millions while our urgent problems go unsolved, how can we explain this to them?

This amendment would not affect the small farmer who desperately needs help. It would not cripple the wealthy farmers, who would still receive \$20,000 each in subsidies. Moreover, according to the Department of Agriculture, this limitation would have "no serious effect on production or on the effectiveness of production adjustment programs."

When this amendment was introduced last year, opponents maintained that a change in this policy should not be debated during consideration of an appropriations bill. They claimed that a better proposal could be developed in committee if we would only give them a chance.

Nearly a year has passed and what has been done? Hearings on this issue have not even been scheduled. Is it any wonder that the American taxpayer is becoming impatient with us?

It is no longer a question of whether we in the Congress can wait, it is a question of whether the American public will wait. We have a mandate from the American people to act, and we must act—not next month, not next year, but right now.

This amendment gives us an opportunity to show the American people that we are responsive to their wishes. Especially now, we cannot afford to let them down.

I strongly urge adoption of this needed amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PURCELL).

Mr. PURCELL. Mr. Chairman, I would like to ask the gentleman from Illinois (Mr. FINDLEY) one question. Does it not seem logical to the gentleman that if there was an interstate highway being built through the State of Illinois and if a part of this highway went through a large farm, does the gentleman not agree that this landowner should receive payment for the number of acres that was taken just like a small farmer might be paid for the smaller number of acres that would be taken?

Mr. FINDLEY. If the gentleman will yield.

Mr. PURCELL. I yield to the gentleman.

Mr. FINDLEY. Let me say that I understand the time limitation is about 47 seconds for each speaker. I am afraid, however, that I do not get the gist of the question.

Mr. PURCELL. If the gentleman from Illinois will study the question I would like to have his answer after he understands the question.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ROBERTS).

(By unanimous consent, Mr. WAGGONNER yielded his time to Mr. ROBERTS.)

Mr. ROBERTS. Mr. Chairman, I think there seems to be as many opinions of what a farmer is as there are members of the delegation here today. According to my friend the gentleman from Massachusetts (Mr. CONTE) I would not be able to participate or to vote on this because I am a farmer. I have a half interest in 700 acres of land in Texas which is good farmland. Normally I run about 100 acres of wheat, about 200 acres of cotton, and about 300 acres of row crops, with the rest in pasture. One of my big newspapers did a story about the subsidy that I get and how much I get an acre. They came up with the fact that I get \$393.13, according to the news story. The gentleman from Indiana was talking about the Litchfield, Ariz., project. I happen to be familiar with this project, because I happened to do Navy duty there.

They have about 100,000 acres of irrigated cotton land where they raise three or four bales an acre. They raise approximately 300,000 bales, and they take it all out of there. They get paid on the basis of how much they take out. In my 200 acres of cotton I raise half a bale and get 100 bales, maybe. So they pay me \$393.13. Nobody pointed out that the tenants farming that land get four times that much. It is not just going to the landowner. Somebody is going to have to feed the country, and I hope it will be these farmers.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Chairman, I commend the Committee on Appropriations for its decision not to fund the special milk program. Let me give you the reason for making this statement. I have in my congressional district 8 or 10 nonprofit, nonparochial private schools with an enrollment of about 1,500 students. The average net wealth of the parents of these children I would guess is at least \$500,000 or perhaps more, while all of the taxpayers of this country are furnishing to these schools free or subsidized milk. These parents are perfectly able to buy milk for their own children. This is not a program which should be intended to support children in this category.

Remember this program is costing \$125,000,000 a year.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I rise to advise the committee that at the appropriate time I will move to amend this appropriation bill by prohibiting the use, distribution, or purchase of pesticide applications in violation of State laws.

Mr. Chairman, there are certain nondegradable pesticides which are causing great damage and which are actually threatening the survival and safety of human beings. Two States now have laws which prohibit the use of chlorinated hydrocarbons and other States are considering such legislation.

The effect of the amendment which I propose to offer would only be to subject the Federal Government to the same laws that operate in the several States, as respects the use of chemical pesticides. I shall also offer an amendment to outlaw the entire use of the persistent pesticides by the Federal Government.

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

The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I address myself to a point in opposition to the Conte amendment. I would favor the Nelsen amendment, if it is germane.

Mr. Chairman, the Secretary of the Department of Agriculture has made available to us today a statement which reads as follows:

However, to make such a limitation effective legislative changes are needed. With only

the simple amendment that is possible in connection with appropriation bills, the so-called "snap-back" provision for cotton would come into effect. The cotton program would then become subject to a loan-and-redemption or a buy-and-sell-back arrangement that would increase costs while the large producers would escape the intent of the payment limitation.

Mr. Chairman, I do not believe the amendment will accomplish its intended purpose.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Chairman, may I reiterate what I said earlier, and I hope the gentleman from Texas will listen, the chairman of the Committee on Agriculture.

The committee, as I pointed out earlier, enlarged the food programs including increased school lunches and the special feeding programs financed under section 32. In taking that action it was the opinion of the committee that we probably had provided for the purchase of as much milk as we had before. I would also say that section 32 commodity program funds are available to buy such other milk as might be available that comes within its provisions. So, we had not thought that we needed to provide that a certain amount be available only for this purpose. What is involved here is whether you want to specify that section 32 funds be used for this purpose. It might be in order for that to be done. I shall confer with my colleagues on the subcommittee and see what their attitudes are on the subject. However, I did not want the RECORD to show that there is any effort to cut out or prevent this type of program.

We had increased the purchase of milk through the other means to the degree I mentioned, and left section 32 available also for this purpose. We did not tie it down.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

Plant and animal disease and pest control: For operations and measures, not otherwise provided for, to control and eradicate pests and plant and animal diseases and for carrying out assigned inspection, quarantine, and regulatory activities, as authorized by law, including expenses pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), \$89,493,000, of which \$1,500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects, plant diseases and animal diseases to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by any State of at least 40 per centum: *Provided further*, That not to exceed \$1,000,000 shall remain available until expended for construction of facilities without regard to limitations contained herein: *Provided further*, That, in addition, in emergencies which threaten the livestock or poultry industries of the country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary to be available only in such emergencies for the arrest and eradication of foot-and-mouth

disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, and for expenses in accordance with the Act of February 28, 1947, as amended, and any unexpended balances of funds transferred under this head in the next preceding fiscal year shall be merged with such transferred amounts;

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 5, line 5, change the semicolon to a colon and add the following: "Provided, That no appropriation contained in this act shall be used for the purchase or application of chemical pesticides, except for small quantities for testing purposes, within or substantially affecting States in circumstances in which the purchase or application of such pesticides would be prohibited by State law or regulation, for any citizen or instrumentality of State or local government."

Mr. WHITTEN. Mr. Chairman, I wish to reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. OTTINGER. Mr. Chairman, we are coming to know from the scientific community that there is real danger to human safety and survival by the use of certain nondegradable pesticides that have a particularly long life. I read recently of the almost complete extinction of certain species of birds by the reason of pesticides that have built up in their bodies. A little bird will eat the insects contaminated by vegetation, then a larger bird comes along and eats that bird, and then you have even more large birds who have eaten the other birds, and eventually the animals at the top of the food chain have an extremely high concentration of these chemicals. These birds are actually producing eggs whose shells are so thin that their offspring cannot survive.

Mr. Chairman, we are ourselves at the top of a long food chain and we are accumulating quantities of pesticides in our bodies. Many scientists are saying that the pesticides are showing up in our organs and may pose a dangerous and serious hazard to our genetic heritage.

They also call attention to the fact that these nondegradable pesticides are destroying systematically the oxygen-producing plants on land and may do the same to our oceans, with accumulations from the pesticides used, at around some 170 million pounds per year. Once in the biosystem, these pesticides continually go on killing plant and animal life, and nobody seems to have given much thought to the possibility that we may eventually tip the balance of nature in the wrong direction.

Unfortunately, we are not in the habit of acting on environmental ills until a real emergency occurs, as was the case of the oil pollution out at Santa Barbara, Calif., and as has been the case in other communities. In consequence, if we blandly wait for a pesticide catastrophe it may well be too late.

The amendment I am offering is designed merely to prohibit the use of chemical pesticides by the Federal Government in any State where those pes-

ticides could not be legally used, under State law or regulation.

DDT and similar chemical pesticides have been extensively criticized in recent years, and the intensity of this criticism has been considerably increased in the past few months; many scientists have suggested that these chemicals should be banned outright.

Responding to this attack, Arizona and Michigan have banned the use of these chemicals, and several other States are considering similar bans; in addition, many States have the authority to prohibit by regulation or executive action the use of chemicals which are found to be harmful.

I do not feel that the Congress should be guilty of imposing its own judgment in this area by permitting the use of these chemicals in cases where the responsible State authorities have concluded that they should be prohibited. My amendment would subject the Department of Agriculture to no greater restrictions than now operate upon citizens and State agencies in those States, and in States where similar bans may be imposed in the future.

I am unable to determine the extent to which the Department's pest control program would be inhibited, if my amendment were passed. Frankly, I do not feel it makes much difference.

Adequate alternatives are available for the most dangerous of these chemicals and if the State authorities feel that they should not be used, I do not feel it right that we should at this time supersede them.

As I say, Arizona and Michigan have banned DDT.

In New Jersey the governor is considering an executive order which might have the same effect.

Studies are underway on DDT in Arkansas and Montana, and in Nebraska DDT is, and I quote, "not recognized or recommended by the department of agriculture."

In Pennsylvania a special legislative committee has recommended the banning of all chlorinated hydrocarbons.

Bills to ban some of these chemicals and pesticides have been introduced in the following State legislatures: California, Wisconsin, Illinois, Washington, and Minnesota.

The following States have the power by regulation to ban chemical pesticides considered to be undesirable: New Mexico, Colorado, Utah, Oklahoma, Oregon, Connecticut, Maine, and Washington.

In Wisconsin the department of natural resources is holding hearings to determine whether DDT is to be classified as a pollutant and therefore to be kept out of its waters.

In its budget on the item we are presently considering, the Agriculture Department has set aside \$5,750,000 for the coming fiscal year, for the purchase and application of chemical pesticides.

This information was obtained from Mr. Miles, the Deputy Director of the Budget Bureau of the U.S. Department of Agriculture.

I think myself the problem is sufficiently serious that we should take action at least to the extent of not exceeding what the States have already done and

might do in the future on this important problem.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on his point of order?

Mr. WHITTEN. Mr. Chairman, upon reading the amendment, I notice it goes further than I thought it did. In the first place, I do not know of any provision in this bill for the purchase of chemical pesticides.

May I say further, Mr. Chairman, that the amendment before us goes to the State law, exempting or including pesticides based on those States which have passed State laws.

On that basis, Mr. Chairman, I contend that the amendment is not germane and goes far beyond the legislation before us.

The CHAIRMAN. Does the gentleman from New York (Mr. OTTINGER) desire to be heard on the point of order?

Mr. OTTINGER. Yes, Mr. Chairman.

Mr. Chairman, the bill goes directly to the legislation itself.

There are 89 million and some odd dollars appropriated for pest control within this particular section, although I am told that \$5,750,000 is for the distribution and application of chemical pesticides. So that the amendment is completely germane, and it only relates to the States insofar as the limitation of appropriation itself is concerned.

The CHAIRMAN (Mr. WRIGHT). The amendment offered by the gentleman from New York (Mr. OTTINGER) provides that no appropriation contained in this act shall be used for the purchase or application of chemical pesticides.

The amendment notes certain exceptions within or substantially affecting States in circumstances in which the purchase or application of such pesticides would be prohibited by State law or regulation, or any citizen or instrumentality of State or local government.

It is a well-established rule that an amendment to an appropriation bill is germane wherein it denies the use of funds for a specific purpose.

The amendment offered by the gentleman from New York (Mr. OTTINGER) appears to fall within that rule. It is a limitation upon the use of funds appropriated in the bill. It is a denial of the use of those funds for a specific purpose. Therefore, the Chair overrules the point of order.

Mr. WHITTEN. I have done a world of study in this area, as have many others. The continuing battle of man against insects has been going on since the beginning of time. The Department of Agriculture has the responsibility for testing and approving all of the new chemicals that are essential to human health.

Not only is that true, but also household insects, such as roaches and flies, have caused many epidemics, such as the bubonic plague, which have swept the world throughout history. With malaria and many other diseases rampant, except for chemical pesticides it is doubtful we would enjoy constantly increasing life expectancy, which may now be around 15 or 20 years longer than it was in 1900.

Our world is absolutely dependent on

these pesticides for controlling disease and pestilence caused by insects, rats, and many other rodents. Not only is that true, but the plant life which we all must depend on for our food, is attacked by insects. On an average of every 5 years we have to have a new strain to meet the need.

So if we are to continue to have improved health, if we are to continue having fruit that is beautiful and wholesome, as compared with what we find when we are traveling in many foreign countries, where we have seen bugs, insects, rot, worms, and all those things, we would realize that we must show some discretion in handling these matters.

At the same time, it is agreed that we have got to see that the dosage is within proper limits. The Department of Agriculture is the department that makes each of these products go through tests before approved for use.

I say to you that certainly you would not want to tie the hands of the department that has the responsibility for protecting our health, protecting it on the one hand by seeing that pesticides that are dangerous are used in dosages that make them safe for use, and, on the other hand, approving them when they prove their use is essential to human health and essential to the production of fruits, vegetables, and the many things on which our well-being depends.

I would hope that you would vote down the amendment. This is an area in which, if action is to be taken, it should be taken by the appropriate legislative committee where witnesses can be heard on all sides of the question. You would find that we would suffer untold damage, for example, if we were needlessly to restrict the one department that has this responsibility. I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER).

The question was taken; and on a division (demanded by Mr. OTTINGER) there were—ayes 25, noes 75.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 5, line 5, change the semicolon to a colon and add the following: *Provided*, That no appropriation contained in this act shall be used for the purchase or application of the following chemical pesticides: DDT, Dieldrin, Aldrin, Andrin, Heptachlor, Toxaphene, Benzene hydrochloride, Lindane, Chlordane and other chlorinated hydrocarbon pesticides, except small quantities for testing purposes."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. OTTINGER. Mr. Chairman, I will not belabor the House on this point. These are the pesticides which are considered by the scientific community to be too dangerous to use. The committee, having chosen not to adopt the States rights approach on this problem, will obviously reject the amendment.

I am convinced, myself, that these pesticides are dangerous enough, considering the fact that alternatives exist, that they ought to be prohibited outright for use by the Federal Government. That is what this amendment would do. I am confident that one of these days we will take this step. I just hope that the day when we do it will not be too late.

Mr. WHITTEN. Mr. Chairman, I make the point of order that the specific pesticides included here were included in the earlier language and were indeed voted upon.

The CHAIRMAN (Mr. WRIGHT). The Chair is going to rule that this is a different amendment in that it specifically stipulates those pesticides which would be proscribed by the amendment.

The Chair overrules the point of order.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment. I reiterate the argument I made earlier. The control of agricultural pests is an area in which we are dependent upon all the tools which are determined to be safe in order to protect our food production and our health from pests and disease.

This is not the place to decide in these few minutes an issue which has become so controversial and which is so technical. I trust the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COOPERATIVE STATE RESEARCH SERVICE  
PAYMENTS AND EXPENSES

For payments to agricultural experiment stations, for grants for cooperative forestry and other research, for facilities, and for other expenses, including \$53,854,000 to carry into effect the provisions of the Hatch Act, approved March 2, 1887, as amended by the Act approved August 11, 1955 (7 U.S.C. 361a-361i), including administration by the United States Department of Agriculture; \$3,785,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582a-7), of which amount, the sum of \$201,642.80 shall be paid to those States for the benefit of the counties from which timber receipts earned as a result of agreements entered into under the authority of the Weeks Act (16 U.S.C. 500) have been withheld; \$2,000,000 in addition to funds otherwise available for contracts and grants for scientific research under the Act of August 4, 1965 (7 U.S.C. 450i) of which \$1,000,000 shall be for the special cotton research program and \$400,000 for soybean research; \$1,000,000 for grants for facilities under the Act approved July 22, 1963 (7 U.S.C. 390-390k); \$160,000 for penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended; and \$376,000 for necessary expenses of the Cooperative State Research Service, including administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 for employment under 5 U.S.C. 3109; in all, \$61,175,000.

Mr. YATES. Mr. Chairman, I make a point of order against the language contained on page 6, lines 22, 23, 24, and 25, and on page 7, lines 1 and 2, through the word "withheld".

My point of order is predicated on four grounds.

First, this is legislation in an appropriation bill. Under the so-called Weeks Act, lands may be transferred by States to the Federal Government under an agreement to pay 75 percent of the funds for timber cut for school purposes and for roads, but under the Civil Rights Act of 1964, such funds come within the purview of moneys to be paid by the Federal Government to the States. The Attorney General and other appropriate agencies have determined the so-called Weeks Act falls within the purview of that act. Therefore, in requiring funds to be paid under the Weeks Act in contravention to the decision of the Attorney General that no such funds should be paid, it changes the Civil Rights Act of 1964.

Second, Mr. Chairman, it establishes an affirmative direction to the Secretary of Agriculture or to one of his subordinates to make a payment. It requires him to take a specific action. It says the money shall be paid. Contrary to other provisions of this appropriation bill, which say that funds shall be available for certain purposes, this is a direction, a mandate, a requirement to an executive officer to take certain steps.

Third, Mr. Chairman, this is an appropriation without authority of law. If the Chair will note the citation for the funds, it is given as 16 U.S.C. 582a-582a-7. Mr. Chairman, I have read those sections very carefully, and I find no authority in those sections for making this particular payment. I have the code before me. The code is directed to a sustained yield forest management program. It does not provide for any payments to be made under the so-called Weeks Act.

Finally, Mr. Chairman, assuming that there is authority under the Weeks Act, this language is not directed to authority under the Weeks Act. Assuming whatever authority the Weeks Act provided for payment of certain funds, that authority no longer exists when appropriate agencies of the Federal Government takes steps to suspend payments that were authorized under that law, taking the steps authorized under another act.

For example, whatever authority the Weeks Act gave to make such payments, that authority was suspended by the action taken under the Civil Rights Act of 1964 authorizing the Attorney General to suspend any payments to counties which did not require their schools to desegregate in accordance with the law.

For those reasons, Mr. Chairman, I respectfully suggest that the point of order should be sustained.

The CHAIRMAN. Does the gentleman direct his point of order to the language beginning in line 23?

Mr. YATES. Yes, Mr. Chairman, I do. Did I mention line 22? If I did, I was in error.

The CHAIRMAN. The gentleman does not direct any point of order against the language in line 22?

Mr. YATES. No, Mr. Chairman. My point of order begins in line 23, through the word "withheld" on line 2 of page 7.

Mr. WHITTEN. Mr. Chairman, would the gentleman withhold his point of order?

Mr. YATES. Mr. Chairman, I reserve my point of order.

The CHAIRMAN. The gentleman from Illinois reserves his point of order.

Mr. WHITTEN. Mr. Chairman, our committee realizes its limitations, but I think it well to point out in connection with the point of order that the authority under which the committee has attempted to act is that found in 582 of title 16, the language which is in line 22.

May I say that the Weeks Act, which is mentioned here, provides that the Federal Government can purchase land in the various States, thereby taking the land off the local tax rolls provided it has the agreement and the consent of the States. The Federal Government has gone into States throughout the country and has gotten State legislatures to pass enabling acts authorizing the Federal Government to buy these lands on the basis of the agreement by the Federal Government that 25 percent of the timber receipts shall go to the States as agents of the local counties for roads and school purposes.

In other words, the Federal Government has made an agreement under the Weeks Act to take title to lands in the Federal Government and has agreed in consideration thereof, if the State has given its consent, to pay to the State, for the use of the counties losing the lands from the tax rolls, 25 percent of the timber receipts for roads and schools.

In a few States—I believe there are three now—the Attorney General, acting at the direction of the Department of Health, Education, and Welfare, has frozen these funds that were part of the agreement when the lands were taken off the local tax rolls.

It is certainly most unfair, and in effect contrary to what they may intend at the Department of Health, Education, and Welfare. They are taking these moneys from education. I want the Members to know that each of these States and each of these counties has schools which are open to members of all races.

But we live in a country, now, where the Department of Health, Education, and Welfare, or some official down the line in that Department, can tell the Attorney General, "Just violate any agreement you may have. Hold on to these lands which the State legislature authorized you to buy and take off the tax rolls and renege on your agreement to give 25 percent of the land rental to them."

Mr. Chairman, in view of the words "shall be paid" I would have to agree that the section is subject to a point of order.

The CHAIRMAN. The gentleman from Mississippi concedes that the language is subject to a point of order.

Does the gentleman from Illinois insist upon his point of order.

Mr. YATES. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The Chair sustains the point of order of the gentleman from Illinois (Mr. YATES). The language of the bill beginning in line 23, page 6, to and through the word "withheld" on line 2, page 7, constitutes a diversion of funds from authorized appropriations for an

unauthorized purpose; and the Chair sustains the point of order against that language.

The Clerk will read.

The Clerk read as follows:

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,600,000.

Mr. MICHEL. Mr. Chairman, I move to strike the last word, and I would like the attention, if I might, of our subcommittee chairman, the gentleman from Mississippi (Mr. WHITTEN).

Mr. Chairman, Illinois receives \$30,-237 during the present fiscal year and at least \$10,000, has more than been matched by our State of Illinois on this project.

As payments are based upon an evaluation of the relative urgency of the marketing problems confronting the State and the probable effectiveness of the plan and the State's ability to carry out the program, I should think there would be very little problem in receiving these funds.

Furthermore, soybean research in general has been short changed. For every Federal and State scientist working on soybean production research in 1967, there were \$25 million of soybeans produced. For every scientist working on rice, grain sorghum, and wheat, there were \$15-16 million of each crop produced. For each scientist in tobacco, \$9 million; peanuts, \$7 million; cotton, \$4 million; and sugar crops, \$3 million of crop produced.

Soybeans are raised on over 40 million acres in 30 States, provide our Nation with its most valuable agricultural export for dollars, is second in farm value of cash crops—and gets an infant's research diet.

I would hope that under the payments to the States category of the Consumer and Marketing Service that the Department of Agriculture will provide an additional \$20,000 to Illinois for the purpose of building and operating an instrument to measure the oil, moisture and protein content of soybeans.

This instrument has already been invented by the USDA's Agriculture Research Service and we in Illinois, as the largest soybean producer, are very anxious to put it to use.

I offer examples of the pressing need: Japan buys up 27 percent of this Nation's soybean crop. They are demanding a certain oil content for the soybeans they import and there is a possibility that we could lose this market if we do not have a method of measuring the oil content of beans quickly and efficiently.

Also soybeans can be used as a protein source for human foods and demands for high protein beans can be expected in the very near future.

I hope that the chairman of the subcommittee will have that same view, because we are here at a point of breaking through on this item. All it really needs is that a matter of legislative history be made here to give the folks downtown a nudge to get the job done.

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

Mr. MICHEL. I yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say to my distinguished colleague from Illinois, with whom I have had the privilege of working through these many years, I agree with him that there is no crop which shows as much benefit from the aid we have given and which makes as great a contribution to American agriculture as soybeans. As I have said on the floor previously, there is in this bill \$1.6 million for payments to States, some portion of which can be used for such activities. They do have the right to shift funds from one activity to another. Certainly such a transfer as you have described here is warranted, and I hope and trust that the Department of Agriculture will do as we feel they should and make those funds available as they are needed.

Mr. MICHEL. I thank the chairman for his assurance.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES (SECTION 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; (3) not more than \$2,900,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961; and (4) in addition to other amounts provided in this Act, not more than \$100,000,000 (including not to exceed \$2,000,000 for State administrative expenses) for (a) child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended; (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food; *Provided*, That in making such determinations, the Secretary shall take into consideration the age; income; location and income of parents, if a minor; and employability; and (c) milk for needy children in schools and other nonprofit institutions heretofore receiving milk under the special milk program.

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 19, lines 23 through 25, strike "; and (c) milk for needy children in schools and other nonprofit institutions heretofore receiving milk under the special milk program." and substitute ". For necessary expenses to carry out the provisions of the Special Milk Program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) \$120,000,000, to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)."

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

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I have had occasion to check with the members of our subcommittee and we have no objection to the amendment. As I expressed earlier, our purpose was not to eliminate these funds, but to have them available. I have no objection to the amendment.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

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

Mr. TEAGUE of California. Obviously, Mr. Chairman, I must recognize that I am going to be defeated in my stand on this amendment, but I want the RECORD to show that not being a member of the Committee on Appropriations, but being opposed to the amendment according to the original action of the Committee on Appropriations, and for the reasons earlier stated, I, for one, do not agree to the acceptance of the amendment. This is not help for undernourished and needy children. It is help for the dairy industry. I understand why my colleagues wish to assist the milk producers and do not criticize them for it. However, let us understand the real purpose of this \$125 million program.

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

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I strongly favor the amendment offered by my colleague from Texas (Mr. POAGE). The special school milk program has been in operation for 14 years. It is well received by educators, nutritionists, parents, and students. It would be a shame not to continue this act.

The attitude of the House is clearly seen by its vote recently—384 to 2 favoring the permanent extension of the special school milk program. Our efforts to feed the needy must be continued and expanded; however, when an outstanding program providing the most important ingredient of lunch on a specialized basis as the special school milk program does, all children will benefit no matter what their economic level. In fact, all children need the nutritional value which can be found in milk, and I am hopeful that this House will not only vote for the Poage amendment at this time, but make certain that funds will be available in the future for an adequate supply of milk for school children.

Mr. STEIGER of Wisconsin. Mr. Chairman, the bill, H.R. 11612, as reported by the Appropriations Committee, contains inadequate provision for the special milk program and thus I support the Poage amendment. In previous years we have appropriated approximately \$104 million for this essential program, but the recommendations of the committee this year would eliminate the appropriation altogether and provide only \$20 million through transfers from section 32 funds.

I find this recommendation totally unacceptable given the past successes of this milk program and the ever-increasing body of knowledge which indicates mas-

sive problems of malnutrition and hunger in the Nation.

The increase funding for the child nutrition, school lunch, and food stamp programs is commendable and deserves the support of this Congress. But I am not yet convinced, nor have I been shown any evidence which indicates, that the proposals embodied in this bill will meet the nutritional needs of the Nation's schoolchildren. On the contrary, most of the evidence would seem to indicate that even with the expansion of the nutrition programs, large numbers of children in dire need will still not receive adequate nutritional supplements in our schools.

Numerous studies have pointed to the fact that several million poor and disadvantaged youngsters who urgently need to participate, are not able to do so because of a lack of facilities for food service at the schools they attend. The milk program has reached many of these children and has been administered in such a way as to better meet the needs of these youngsters. The other nutrition programs have failed in the past because of inadequate funding and inequitable administrative practices.

Given the fact that we are as yet a long way from meeting the nutritional needs of all Americans and that no one can guarantee that the new ordering of financial priorities incorporated in this bill will insure adequate coverage, it ill-behooves us at this time to severely cut back a program which has been very successful in supplementing the diets of the disadvantaged.

Even with the expanded programs for regular meals in the schools, the overall consumption of fluid milk will be substantially reduced if we acquiesce in the recommendations contained in this bill. Where in prior years the \$104 million for the special milk program has provided some three billion half-pints of milk annually, this bill provides only \$20 million or approximately 581 million half-pints for fiscal 1970,—assuming a reimbursement rate of 3.44 cents per half-pint, the rate in fiscal 1969. Even if we add to this the assumption that one-half-pint will be served with each of the new meals to be provided, for an additional 523 million half-pints, the net reduction in fiscal 1970 as compared to fiscal 1969 will be approximately 1.9 billion half-pints.

I certainly support the efforts of the committee to improve funding for our other child nutrition programs, but I believe we are not yet in a position to eliminate a program of proven value, which has been instrumental in improving the health of millions of young Americans. Until such time as we can be confident that none of our children are malnourished and that other programs are functioning effectively, we must continue to provide dietary supplements through the special milk program. I am, therefore, urging the committee to support an effort to restore funds to the level appropriated for fiscal 1969. Passage of this amendment will guarantee an adequate level of funding for the program during the coming fiscal year.

This particular program has won widespread support across the Nation. I have

received a telegram from Mr. William Eckles, general manager of Pure Milk Products Cooperative in Wisconsin, urging continued support for this essential activity:

Funding of this unique and valuable program has salutary worth not only to the dairy industry but also to the millions of children that the program is designed to help nutritionally.

The action of the House recently in supporting the authorization bill, H.R. 5554, introduced by the gentleman from Texas (Mr. POAGE), clearly indicates the wide support in the House for this program and the Appropriations Committee can, I believe, work to assure equitable treatment of the special milk program. This amendment should be adopted and I join in urging support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POAGE).

The amendment was agreed to.

Mr. KEITH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. KEITH. Mr. Chairman, I have an amendment which is in my hands and ready to go to the Clerk to page 18, line 15. Is it my understanding that we did actually read all of page 18?

The CHAIRMAN. The Chair will state to the gentleman from Massachusetts that the Clerk has read through page 18 and page 19 and an amendment has been adopted at the bottom of page 19.

Mr. KEITH. Mr. Chairman, I ask unanimous consent that we return to page 18, line 15, so that I may offer an amendment which I mentioned earlier in the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OFFERED BY MR. KEITH

Mr. KEITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEITH: On page 18, line 15, add "And provided further, That no funds expended under the authority contained in this Act shall be used for the purchase of fish products unless such fish or fish products are available on the domestic market".

The CHAIRMAN. May the Chair clarify the amendment? Does the amendment state "unavailable"?

Mr. KEITH. Mr. Chairman, I think that the Clerk misread it.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the amendment be reread.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. KEITH: On page 18, line 15, add "And provided further, That no funds expended under the authority contained in this Act shall be used for the purchase of imported fish or fish products when such fish or fish products are available on the domestic market".

Mr. KEITH. Mr. Chairman, it has been brought to my attention that some school

lunch programs are buying fish and fish products which have been imported. There is, in fact, a memorandum put out by the school lunch program authorities which says that it is the congressional intent of the school lunch program to encourage the use and consumption of only domestically produced agricultural commodities and other goods, and not those of foreign origin. It seems that the regulations are not being observed, or at least the intent of the Congress is not being observed at the local level. I believe that legislation of this sort would help to strengthen the hand of the Federal officials in administering what was the intent of the Congress, and, secondly, it would be very helpful to the domestic fish industry which is suffering from a 98-percent increase in imported fish or fish products since 1957. It seems, further, that the Department of Commerce and the Department of the Interior are literally spending millions of dollars to revive this same fishing industry.

So, Mr. Chairman, I ask for the support of my colleagues in the adoption of my amendment.

I would further point out, Mr. Chairman, that earlier this afternoon the chairman indicated to me that he was in sympathy with the intent, but that a point of order might lie against the amendment. Subsequent rulings by the Chair with reference to other points of order have given me confidence to offer the amendment, particularly in view of the sentiment as expressed by the chairman on the floor.

The CHAIRMAN. The Chair will state to the gentleman that no point of order is pending.

Mr. KEITH. Mr. Chairman, I reserve the balance of my time.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I did not make the point of order that we had read too far in the bill to consider the amendment. I did not suggest that point of order, so that the gentleman might offer his amendment.

Here again I can appreciate the concern of the gentleman coming from the area he does. I expressed myself earlier that, where fish or other protein foods are available, and where it is necessary to make that type of purchase in order to have a well-rounded lunch, that preference should be given to buying American products. But to put it into law, where they would have to make such a determination, I believe would be carrying it too far. If an amendment were to be offered to the School Lunch Act, or to the Nutrition Act, I believe that would be the proper place.

Also, as I understood the language of the amendment, it would prohibit the buying of foreign fish from foreign sources when available on the domestic market. To tie down the purchase of readily available fish and have to determine whether that fish came from abroad or from this country, would be putting an undue burden upon the school lunch authorities.

Mr. Chairman, I am arguing on the merits of the amendment, but I am in sympathy with the gentleman and his concern, and I will cooperate with the

gentleman in any way I can. But I do not believe we should put something into law that is too stringent. So I hope the amendment is voted down. But again I say that I hope we can work out something to the satisfaction of the gentleman in some other way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEITH).

The question was taken; and on a division (demanded by Mr. KEITH), there were—ayes 32, noes 65.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGRICULTURAL STABILIZATION AND  
CONSERVATION SERVICE  
EXPENSES, AGRICULTURAL STABILIZATION AND  
CONSERVATION SERVICE

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301-1393); Sugar Act of 1948, as amended (7 U.S.C. 1101-1161); sections 7 to 15, 16(a), 16(d), 16(e), 16(f), 16(i), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g-590q); subtitles B and C of the Soil Bank Act (7 U.S.C. 1831-1837, 1802-1814, and 1816); and laws pertaining to the Commodity Credit Corporation, \$147,420,000: *Provided*, That, in addition, not to exceed \$62,483,000 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed \$26,757,000 under the limitation on Commodity Credit Corporation administrative expenses): *Provided further*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this appropriation: *Provided further*, That no part of the funds appropriated or made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

AMENDMENTS OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 22, line 17, strike the period and insert the following: "*Provided further*, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than \$20,000 under all such programs are made to any producer on any crops planted in the fiscal year 1970."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Mississippi (Mr. WHITTEN) reserves a point of order against the amendment.

The gentleman from Massachusetts (Mr. CONTE) is recognized for 5 minutes in support of his amendment.

Mr. CONTE. Mr. Chairman, the bill presently before this committee provides appropriations for the Department of Agriculture and related agencies for the

fiscal year 1970. I rise to introduce an amendment which will limit the aggregate payments to any producer from the price support programs covered by this bill, except for sugar, to \$20,000. This payment limitation furthermore will only apply with regard to crops planted during fiscal year 1970 and thus does not cut off funds for producers whose actions during fiscal year 1969 have been governed by the lack of a payment restriction.

Mr. Chairman, on July 31, 1968, I offered practically this same amendment on the floor of this Body. My motion at that time to recommit the farm bill and report it out with a \$20,000 payments limitation was approved by the House by the recorded vote of 230 to 160.

Last year after my amendment was approved by the House, it was quickly dropped in conference.

Abnormal procedures were then used to prevent me from obtaining a rollcall vote on this amendment when it came back to the House for a vote.

Mr. Chairman, there is no justification for allowing such parliamentary tactics and maneuvers to be used to prevent the Members of this body from deciding issues of extreme importance. Nor can there be any justification for the action taken late last week by the leadership in rescheduling consideration of this bill from Tuesday to today. As I stated earlier, this was done for only one reason—to limit support for a farm payments limitation by having us vote on it while many supporters are still in their home districts today.

Our farm program is not working properly today and it has not been for some time.

Mr. Chairman, what is the rationale which allows the J. G. Boswell Co. of California to receive subsidy payments of \$3 million in 1968 and \$4,100,000 in 1967 while some 12 to 15 million people in this country continue to suffer from starvation and malnutrition.

What is the rationale for payments in 1968 of \$2,800,000 to Giffen, Inc., of California, for \$1,200,000 to South Lake Farms of California, for \$786,000 to Salyor Land Co. of California, for \$504,000 to Farms Investment Co., of Arizona, for \$430,000 to Hamilton Farms of Arizona, for \$474,000 to Lee Wilson & Co. of Arkansas, for \$320,000 to J. K. Griffith of Texas, for \$228,000 to John B. McKee, Jr., of Mississippi.

Mr. Chairman, what is the rationale which leads to prisons in Texas, Arkansas, Louisiana, and Mississippi receiving subsidy payments in 1969 of \$294,000, \$154,000, \$51,000, and \$28,000, respectively, while the small farmer in this country for whom these farm programs were originally designed receives today almost no help at all from them.

What is the rationale for the Southern National Bank receiving \$170,000 and Reynolds Metal receiving \$44,000 in subsidy payments while poor people throughout this country—black and white go around without the memory of what a full meal tastes like.

Mr. Chairman—there is no rationale for this—there is no justification for this—and it is high time that we begin to put our farm programs in order.

Mr. Chairman, to those who would argue that today's bill is not an appropriate place for these limitations, I would argue that just the opposite is the case.

We have waited patiently for years for new legislation to replace our present terribly inequitable and wasteful farm programs.

We will have to wait for years and years more if the impetus for a new legislative approach is to be left to the distinguished chairman from Texas and his Agriculture Committee.

Meanwhile, hundreds of millions of dollars of the American taxpayer are being wasted in these inequitable and unjustifiable subsidy programs.

Everyone in this Body is aware of the difficult financial times we presently face in this Nation—of the burdens of inflation, of the need for keeping an extremely tight reign on Government spending.

We in Congress have been forced to make substantial spending reductions in numerous important and valuable Government programs because of present economic conditions.

How can we possibly sit here while this is going on and allow to continue, for 1 day more, these wasteful and unfair farm programs.

We must act and we must act now. My amendment in putting an end to these huge payments will lead to savings for the American taxpayer of up to \$300 million per year.

To those who argue further that this payment limitation will result in huge surpluses and destroy agriculture in this country, I draw attention to the study prepared last year by the Department of Agriculture under Dr. John Schnittker, the former Under Secretary of Agriculture.

The Department study was clear in its finding that we can limit farm payments in this country to \$20,000 per farm "without serious adverse effects on production or on the effectiveness of production adjustment programs."

I urge all Members to support me in this fight and vote to limit farm subsidy payments to no more than \$20,000 for a producer.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(On request of Mr. WAGGONNER, and by unanimous consent, Mr. CONTE was allowed to proceed for 3 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. CONTE. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would be interested in knowing what the gentleman's rationale is in omitting sugar from his proposed limitation on payments. Why is sugar singled out to be omitted? I am interested in sugar, too. We grow it in Louisiana. Why is the gentleman interested in omitting only sugar?

Mr. CONTE. As the gentleman knows, last July my amendment did not cover sugar. Today in discussing my amendment with some Members of Congress including Mr. FINDLEY, I noted his amendment omitted sugar. They argued

that they have a unique program there that is a self-sustaining program, that the excise tax imposed upon them substantiates the payments they have in the program.

Mr. WAGGONNER. Does the gentleman have sugar mills in his district?

Mr. CONTE. I am more than pleased that the gentleman has asked that question, because the gentleman from Mississippi, whose State is one of the largest recipients of subsidies under this program, mentioned in the subject. I have no sugar refineries in my district, I have no sugar mills, and I have never voted to authorize any farm subsidy, in 1961 or even when the cotton subsidy bill came up which could have helped textile mills in my district. I voted against that one also.

Mr. Chairman, it is high time we stopped this racket. It is high time that Congressmen and Senators who have their faces in the public trough stop collecting subsidies or do not vote on these bills as they come up in the House and the Senate.

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

Mr. CONTE. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. I think we ought also to point out that there is a limitation on payments in the Sugar Act.

Mr. CONTE. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WHITTEN. Mr. Chairman, I reserved a point of order.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on his point of order?

Mr. WHITTEN. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTEN. Mr. Chairman, this subject has been discussed a number of times. There are several new features in this amendment that have not been included in previous amendments.

Congress set up the Commodity Credit Corporation as a corporation so that it could act as such. It gets its authority from several sources. One is borrowing authority granted by the Congress on the recommendation of the Banking and Currency Committee. Another is the sale of commodities on hand. The Corporation is given the right to sue and be sued. It is given the right to conduct itself in all ways as a corporation.

I was one who discovered in an investigation that we had a number of corporations Congress had forgotten all about. One was the American Spruce Corp. For 25 years it accounted to nobody. So, along with others, I sponsored the Government Corporation Control Act whereby we would keep account of what these corporations were doing.

At that time, Mr. Whittington, the chairman of the committee, made the statement that one thing it was important for us to reserve was the right to review the actions of the corporations. That covers TVA as well as Commodity Credit Corporation. While we had the right to review these activities, the Government Corporation Control Act itself prohibited us from dealing with it as we

would deal with an appropriation for a regular department or agency of Government.

So I respectfully submit that in the absence of a law repealing the Government Corporation Control Act and the charter of the Commodity Credit Corporation, under which it was given certain functions and commitments, that we would have to change that act in order to limit its functions.

Let me give this further observation if I may and point out something else. In our committee report—and this is surplusage and we did not have to say it—this corporation has certain amounts in this bill. This amendment is directed to the money in this bill, but that corporation has approximately \$5.6 billion that is either in cash or loans advanced on commodities, where it will be subject to repayment or taking over under the loan, or it is in commodities to which they have actual title. So we say in our report, so that Members may know what will happen, that it is within their privileges and obligations already.

We say in our report that if Mr. CONTE's amendment should be adopted, or Mr. FINDLEY's, and if out of the funds in this bill the Corporation can pay only \$20,000, we say that the Corporation would still have to do what its charter authorizes and binds it to do—because they have these contracts—and that is to go ahead and pay the remainder, over and above \$20,000, out of other moneys they have.

Now the gentleman has changed his amendment from what I earlier heard and now says it applies to formulation and so forth of a 1970 program. May I say, the same reasoning applies, because if they cannot do it with the money which is in this bill, which goes to restoration of capital impairment in 1961, 1967, and 1968, then under the Corporation charter and under the law, they will have to do it out of other money.

So I am saying we would be requiring two sets of books.

My investigation indicates that it will probably cost \$50 million to maintain two sets of books, and a new system of controls. Formulation of such a program could be done with money the Corporation has, and it has an obligation under existing law to formulate these programs.

If, by chance, I am not right in my reasoning—and I have every reason to believe I am—then under the basic act it says if for any reason these payments are not made for cotton, it "snaps back" to the 1958 act. That is in the law. What I am telling the Members is in the Corporation's charter. It is in the act by which we assumed the right to survey and look it over and see what it is doing. But even in that law we said that nothing shall be done to prevent the Corporation from discharging its functions. We have no right to do that.

If this amendment were to prevail, they would still have other funds on hand.

Second, lest I be in error on my first point, under the law they go back to the 1958 act, and they would have to lend all this money—about 43 cents a pound—on cotton.

Having loaned that money on cotton,

that would be the normal 100 percent of parity. Presuming that the Secretary of Agriculture would put it at the lowest possible support level in the 1958 act, it would be 65 percent of parity, which would be the price today of 22 and a fraction cents which the producer gets, plus another 9 percent which is in these checks received by producers for having limited production in line with the Government's demand. Then the Government would have the cotton on its hands, and in order to export it in world trade you would have to pay out 9 and a fraction cents.

Now I come back to my point of order. The Corporation's charter provides its authority. We have not amended that charter. We passed legislation letting us supervise its activities, but in that law permitting us to survey it, it says nothing shall be done to keep that corporation from carrying out its functions under its charter.

I say again, on the one hand, they are going to have to pay from these other moneys and to keep two sets of books. On the face of it, that does not save money. That is evident.

Second, on the law, we cannot plead ignorance of the basic legislative act. Under the basic legislative act, if they try to impose a limitation here, it goes back to the other law and costs more money.

I respectfully suggest that I know from personal knowledge that we set out to make the corporation free of such controls. I know we tried to. I know for several years it was so considered.

If that does not strengthen the case, read the charter. Read the Corporation Control Act. Then read the law.

The amendment here will cost from \$60 million to some \$600 million or more. So instead of saving money, you are spending a whole lot of money if you adopt the Conte amendment.

Mr. CONTE. Mr. Chairman—

Mr. WHITTEN. I yield to the gentleman from Massachusetts.

Mr. CONTE. Has the gentleman raised a point of order, or is he arguing against the amendment?

Mr. WHITTEN. I raised a point of order, and in my remarks I perhaps made some statements against the amendment.

May I ask the gentleman: he says sugar is exempt. Could he tell me what is under the amendment?

Mr. CONTE. Mr. Chairman, is the gentleman raising a point of order? I should like to speak on the point of order, and then we can get on to the debate.

The CHAIRMAN. The Chair is hearing the gentleman from Mississippi on the point of order which, as the Chair understands it, is lodged against the amendment offered by the gentleman from Massachusetts on the ground that it constitutes legislation.

Mr. WHITTEN. I think I have made myself clear, Mr. Chairman, so I yield to the gentleman for his argument.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. CONTE. I do, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I believe that the point of order does not lie against the amendment.

My amendment is within rule XXI, clause 2, commonly referred to as the Holman rule.

The amendment is negative; it shows retrenchment and it does not impose any additional duties nor add to existing law.

Furthermore, amendments of this nature have been sustained on numerous occasions in past years in spite of similar objections.

Payment limitation amendments to agriculture appropriation bills have been introduced and sustained during the past 3 or 4 years in the House.

My amendment is merely a limitation on the amount of money being spent, and therefore the point of order should not prevail.

Mr. WHITTEN. Mr. Chairman, may I make one more point briefly?

The CHAIRMAN. The Chair will hear the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, this is a very unusual and peculiar provision, but in order that we know what we are doing may I say this amendment would not do what I think the gentleman insists it does. It is quite evident, if it does what he says, that it would drastically amend existing law, so to that degree it is legislation on an appropriation bill.

Mr. LANGEN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Minnesota.

Mr. LANGEN. I think the points have been made substantially, but let me add to them to this degree: Were this amendment to be adopted, it would substantially change the provisions of a farm program that is now in existence. In its application to compliance and to payments that are made, it does add to the work that has to be done by the department, in that they will have an entirely new calculation to make and it will provide a substantial added expense. There is nothing that says this is a limitation on payments. It could well amount to a greater expenditure in its final effect. So, consequently in my opinion, it does not comply with the provision that it be a strict limitation of payments and that it not constitute the changing of legislation already on the books.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Massachusetts (Mr. CONTE) has offered an amendment against which the gentleman from Mississippi (Mr. WHITTEN) has made a point of order on the ground that the amendment constitutes legislation on an appropriation bill in violation of clause 2 of rule XXI.

As the gentleman from Mississippi points out and as was further pointed out by the gentleman from Massachusetts, amendments almost exactly identical to that offered by the gentleman from Massachusetts have been offered on numerous previous occasions, as early as 1959 and as recently as May 1, 1968. On several of those occasions points of order have been raised against this amendment or its equivalent on similar

grounds. On all those previous occasions the occupants of the chair have held that the amendment is a valid limitation on funds appropriated by the bill, and on all of those occasions the point of order has been overruled. The Chair has had occasion to observe the elaborate and scholarly argument presented on May 1, 1968, by the gentleman from Mississippi (Mr. WHITTEN), and to hear his further argument today. The gentleman from Mississippi (Mr. WHITTEN) contends that the amendment would limit and restrict the activities of a Government corporation created and regulated by other law and that therefore constitutes legislation. The Chair finds on the face of the amendment that what it limits and restricts is the application of funds appropriated in this bill to a Government corporation, and as such the Chair believes that it falls well within the rulings by Chairman Kilday in 1959, by Chairman Harris on January 26, 1965, and by Chairman CORMAN on two occasions, June 6, 1967, and May 1, 1968. The Chair therefore holds that the amendment is a valid limitation on the funds appropriated in the bill and therefore overrules the point of order.

SUBSTITUTE AMENDMENT OFFERED BY MR. NELSEN TO THE AMENDMENT OFFERED BY MR. CONTE

Mr. NELSEN. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The Clerk read as follows:

Substitute amendment offered by Mr. NELSEN to the amendment offered by Mr. CONTE: On page 22, line 17, strike the period and add a colon and the following: "Provided further, That notwithstanding any other provision of law, in the case of any producer entitled to payments for any calendar year after 1969, under price support or commodity program, the Incentive payments, Diversion payments, Price support payments, and Wheat marketing certificate payments to any single recipient, exceeding in the aggregate the amount of \$10,000, the amount of such payments with respect to that year to which the producer would otherwise be entitled shall be reduced in accordance with this subsection. If the aggregate amount of the payment is—

"(1) over \$10,000 but not over \$15,000, the reduction is 10 percent of the excess over \$10,000

"(2) over \$15,000 but not over \$25,000, the reduction is \$500 plus 15 percent of the excess over \$15,000

"(3) over \$25,000 but not over \$50,000, the reduction is \$2,000, plus 20 percent of the excess over \$25,000

"(4) over \$50,000 but not over \$100,000, the reduction is \$7,000 plus 25 percent of the excess over \$50,000

"(5) over \$100,000 but not over \$500,000, the reduction is \$19,500, plus 35 percent of the excess over \$100,000

"(6) over \$500,000 but not over \$1,000,000, the reduction is \$159,500, plus 45 percent of the excess over \$500,000

"(7) over \$1,000,000, the reduction is \$384,500 plus 55 percent of the excess over \$1,000,000.

"For the purposes of this section, payments include the dollar value (as determined by the Secretary of Agriculture) of any payments-in-kind made to a producer, but do not include the amount of any price support loan made to a producer."

Mr. WHITTEN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WHITTEN. Mr. Chairman, this amendment, on its face, will usurp completely the jurisdiction of the Committee on Agriculture. It is not only legislation, but is rather complete, complex, and lengthy. It is certainly not only legislation on an appropriation bill, but it is a substitute on an appropriation bill in the nature of legislation.

The CHAIRMAN. Does the gentleman from Minnesota wish to be heard on the point of order?

Mr. NELSEN. Mr. Chairman, I would submit to this body that if a limitation as provided in the previous amendment is in order, certainly this amendment would also be in order and I ask for a ruling by the Chair.

The CHAIRMAN. The Chair is prepared to rule. This substitute offered by the gentleman from Minnesota (Mr. NELSEN) is clearly distinguishable from the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The gentleman from Massachusetts (Mr. CONTE) offered an amendment which provided that no part of the funds appropriated by this act should be used for certain specific purposes.

The substitute offered by the gentleman from Minnesota (Mr. NELSEN) goes much further than this. It does not constitute a limitation upon this act but indeed applies to other acts and amounts. Clearly in the opinion of the Chair it proposes legislation such as is prohibited in an appropriation bill. Therefore, the Chair sustains the point of order against the substitute.

Mr. NELSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to make the observation—it is obvious that large individual farm payments are under attack not only by Members of this body but by the general public. It was my purpose in proposing a graduated scale of payments to move in the middle of the road direction so the large producers would not desert the program which is intended to reduce surpluses and maintain an adequate price for the farmers. In my judgment, a straight \$20,000 limitation could well encourage the large producers to double their production, wherever possible.

This would create a surplus that would descend upon the small farmer as well as the big, and the whole farm program would be disrupted.

Now, I note that at one of our national conventions, and it was not the Republican Convention, a resolution was included in the platform that supported a graduated payment proposal such as I have offered here today. In my judgment when limitations are finally implemented they will be along these lines.

I might also say that a major part of the argument today has been on the basis of what is incorrectly termed a subsidy to the farmers. The objective of a farm program is not to subsidize farmers but to reduce production to prevent flooding the markets with price-depressing surpluses.

It has been rather interesting to listen to the farm experts. Now, I am not a farm expert, but I like to think that I

am a successful farmer. I thank the chairman of the committee for referring to the dairy farmers and especially his observation about the school milk program because it does provide a market for some of the milk coming from the farms, at the same time doing a great service to the children in our public school system.

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

Mr. NELSEN. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I merely wanted to thank the gentleman for at least attempting to offer this amendment. Had it been declared germane I certainly would have supported his procedure.

Mr. WHITTEN. Mr. Chairman, I wonder if we could agree on a limitation of debate on this amendment and all amendments thereto?

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. VANIK. I object, Mr. Chairman.

Mr. QUIE. I object, Mr. Chairman.

Mr. MAYNE. I object, Mr. Chairman.

Mr. WHITTEN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 45 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair has noted the names of Members standing to be recognized under the limitation of time.

Pursuant to the motion adopted by the Committee, each Member will be recognized for approximately 1 minute and 5 or 6 seconds.

The Chair recognizes the gentleman from Arizona (Mr. UDALL).

Mr. SISK. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Arizona (Mr. UDALL).

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. UDALL. Mr. Chairman, it seems to me as I look around these days, maybe we ought to just disband the standing committees and do all our legislating on the continuing appropriations and supplemental appropriations and the regular appropriation bills.

This is a complicated process. This is a complicated act.

I have people in Arizona who are getting large payments. I think we ought to work out a system so that they do not get large payments. I am willing to abandon the present system if we can find something better.

The act will be up for renewal at the end of next year. Let us do a job on it. I am prepared to take my responsibility. The job may do something for some of my constituents which they would not like in this field, but the fact is I am told by experts that under the cotton part of this program there is a snap-back provision in the old law which means that instead of paying 10 cents a pound in subsidy, if this payment limitation is enacted, the taxpayers are going to have to dig up 20 cents a pound so that instead of paying less for this next year under this one appropriation

bill, the taxpayers that the sponsors of this amendment are trying to help, are going to be coughing up a lot more money.

I think it is extremely unwise to change a complicated and technical farm act.

The fact is that millions of farmers, people who have gone on under these provisions, people have planted and borrowed the money and set up their agricultural operation are all of a sudden—here on an appropriation bill—finding the whole system distorted and damaged.

I strongly urge that in a responsible way that the amendment be voted down. Next year we can take a look at the recommendations of the new administration and see what their ideas are and the farm programs that they will come up with and any better ideas. But this is unwise and an unsound way to legislate and I strongly urge that the amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. FOLEY) for approximately 1 minute and 5 seconds.

Mr. FOLEY. Mr. Chairman, the remarks of the gentleman from Arizona (Mr. UDALL) were exactly in point.

I just want to suggest to the Members that there is an irony on the floor today in that the gentleman from Massachusetts (Mr. CONTE) in the examples of large payments that he gave, put it almost exclusively as being under the cotton program. I doubt that any of the payments he cited to which he objected came from either the wheat or feed grains program. They are all cotton payments under the provisions of the existing law and will require the snap-back provision to occur on cotton if any payment limitations are imposed by this bill will go to 16 million acres, the minimum allocation for cotton on 65 to 95 percent of parity.

It will only disturb the existing situation and cost the taxpayers more money.

As a member of the Committee on Agriculture of the House, I can assure those in this Chamber who favor payment limitations, that the committee may well undertake hearings this year and that the subject of payment limitations will be fully explored.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Massachusetts to place limitations on payments under the Agriculture Act of 1965.

My first reason for opposition is, I feel, any amendment of this sort is untimely. It should have been attached to or incorporated in, authorization legislation for the farm act and not made a part of the appropriations process.

My second reason for opposition is I feel very strongly that limitation on the amount of price support payments and Commodity Credit Corporation loans to any farm or firm under current programs would wreck agriculture and many business enterprises serving agriculture.

Manufacturers readily regulate production to prevent price disasters. Because of their large numbers, farmers

historically have not been able to do this without a farm program free of limitations. Our farm commodity programs today—work because farmers cooperate in diverting acreages from surplus crop production into soil-conserving uses. Many do this at a financial sacrifice because they know balanced supplies are in the best interest of all.

All who cooperate earn, and are entitled to, reasonable compensation for this acreage diversion. Nowhere have I heard of a limitation on payments when a city takes real estate for urban renewal, or when a State takes land for a highway.

The farmer who is asked to divert 100 acres from surplus production expects to be paid about twice as much as what his next door neighbor, with comparable land earns for 50 acres of diversion. And why not? His investment is twice as great, his taxes twice as great, and his risk is twice as great.

Commodity programs are not welfare programs. To be effective in balancing production they must fit into the free enterprise concept that a man is rewarded in terms of the value of his contributions. Program payments reimburse farmers for income they forego and expenses they incur when they divert land from crop production to carry out farm policy. Farm incomes have not attained a parity with nor the stability of incomes in most of our economy. Limited payments and the accompanying disruption in the farm work force and in our rural communities will add further to urban congestion.

And to those who assume that money will be saved by limiting payments, I say that is simply not true if the same result of supply management is to be achieved. If one large farmer who has been foregoing production on 1,000 acres does not cooperate in these programs, that means 100 small farmers will have to forego production on 10 more acres each to maintain supply and demand stability—and I believe that this would cost more, not only in Federal funds, but in further curtailment of opportunity for smaller farmers.

The present farm programs without limitations have accomplished what would have been considered a miracle a few years ago. By encouraging the participation of producers, large and small, we have used these programs to work Commodity Credit Corporation inventories from their peak of \$6.148 billion in October 1960, down to \$1.043 billion as of this past March 31.

The farm program is designed to adjust production and supply, to avoid burdensome surpluses and to strengthen the national economy. Payments are an integral part of the farm program. To impose limitations, is to undermine, if not destroy this important program.

While limitations are aimed to the larger farmers, to impose them will strike hardest at the smaller farmers. With limitations the larger farmers will be forced out of the program, bringing about its collapse and thereby denying its benefits to the small farmers as well. Without the program larger farmers may survive, but the smaller ones could not.

Limitations do not save money for anyone. Burdensome surpluses are the inevitable result with the heavy burden on the smaller farmers. Limitations, therefore, are wrong in principle, are unfair, would be costly to farmers and consumers alike, and if imposed would be a breach of contract our Government has made with those who produce the bulk of our food and fiber.

I reemphasize again that to add a limitation rider to our appropriations bill is the worst possible way to legislate. If it is to be the national policy to discriminate because of size, the issue certainly deserves to be considered on its merits and the Congress should not single out only one segment of the national economy, least of all agriculture which formed the backbone of our American society.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. NATCHER).

(By unanimous consent, Mr. NATCHER yielded his time to Mr. BELCHER.)

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, I want to take this opportunity to announce that I expect to vote against this appropriation bill which will cost the taxpayers of America \$6.6 billion in this fiscal year. Frankly, I do not believe there is any benefit ratio sufficient to justify this kind of public spending.

In the past, I have supported farm legislation. A healthy farm economy makes for a prosperous nation. Our achievements in the agricultural sciences are the marvels of the world—even dwarfing our achievements in space. No other nation has done so much to produce food.

There is poverty on the American farm in large parts of the country and we must deal effectively with that poverty as we deal with urban poverty. But there are also huge profits for some segments of agriculture which enjoy the benefits of our Federal subsidies—and these profits for the greater part completely bypass the Treasury and the tax collector.

As a member of the Ways and Means Committee, I was shocked to learn of the maneuvers which are employed to avoid taxation.

The ingenious farmer who protests urban programs manages to get every conceivable kind of deduction. The farmer gets depreciation, depletion, investment credit, and long-term gains.

On a cattle ranch, the breeding cattle are owned by the children, who pay ordinary taxes at lower rates, while the steers are owned by the parents who pay taxes on these operations at reduced rates as long-term capital gains. The investment credit extends to orange trees in Florida.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Washington, (Mr. ADAMS).

Mr. ADAMS. Mr. Chairman, I support the gentleman's remarks. I support the amendment of the gentleman from Massachusetts. There are only 1,900 farms in this country, under Mr. Schnittker's

figures, that will be paid subsidies if the limitation is over \$20,000.

(By unanimous consent, Mr. ADAMS yielded the remainder of his time to Mr. VANIK.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT).

(By unanimous consent, Mr. BARRETT yielded his time to Mr. VANIK.)

Mr. BARRETT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE) and urge its adoption. At this time when we are all concerned with the ever increasing cost of Government, the need for tax reform and the continuously spiraling cost of living, particularly the cost of food, farm program payments without a ceiling can no longer be tolerated.

We read every day of the millions of our citizens who are poor and impoverished and who are undernourished and suffer from malnutrition. This, in the land of plenty. This is a tragic situation and must be rectified.

The \$20,000 ceiling proposed by this amendment will fairly and justly serve those farmers who are in need of Federal assistance. Certainly these are not the large land holders and large corporate farms who in the past have received hundreds of thousands of dollars under these programs. It was the small farmer who was intended to be benefitted by the agriculture programs when they were first adopted by the Congress.

The adoption of this amendment will return programs to that intended by the Congress.

Mr. VANIK. Mr. Chairman, the conglomerate was born on the farm—and spread to the city.

This bill provides \$6.6 billion to the agricultural industry of America. That is only part of the story. The overwhelming portion of our public works program not related to transportation adds billions more to the agricultural sector. No other segment of American life receives so much and pays in so little.

The testimony before our committee indicated that tax payments by agriculture in America approximate \$1 billion in tax revenues. Somehow or another, these subsidy programs costing billions of dollars should also generate some tax receipts in order to justify their continuance.

It is time for us to stop treating agriculture as a pampered child. The industry has progressed far enough to stand on its own and help pay its own way.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Chairman, I might say at the outset that I have differed with a whole lot of these farm programs, and I have not been a frantic supporter of these farm programs. I have always felt that there ought to be some way to keep agriculture alive without any Government subsidy whatsoever.

But I just want to say that when we get really emotional about the farmer getting a million dollars out of the taxes somewhere, and you want to put a \$20,000 limit on the amount a farmer will

receive, we must remember that the same people that yell the loudest about the farm programs vote for foreign aid. One hundred and twenty billion dollars has been spent on foreign aid, and I have never seen any one of these gentlemen get up here and offer an amendment to the foreign aid bills not to let any farmer get more than \$20,000.

So it just depends on where one is conservative and where one is liberal. I am conservative as far as foreigners are concerned, and I am a little bit liberal as far as farmers are concerned.

I might say to the gentleman from Massachusetts that he referred to the gentleman from Illinois (Mr. FINDLEY) as a member of the Agriculture Committee. The gentleman from Illinois (Mr. FINDLEY) was a member of the Agriculture Committee until he joined the Foreign Affairs Committee, because he was more interested in foreign aid than he was in farm programs. So naturally we can understand how these things come about.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. MAHON yielded his time to Mr. BELCHER.)

Mr. BELCHER. Mr. Chairman, now that I have done my song the same as the gentleman has, I do not think my dance would be as good as his, so I am going to discuss the merits of the bill.

At this time, as somebody has pointed out, if this amendment is adopted, it will not hurt cotton. These big payments that go to cotton will revert to another payment and will cost \$160 million, which will be more than it would cost to keep this ceiling off.

In my district I do not believe there was a single farmer who got more than \$20,000. There are not many farmers in Oklahoma who get more than \$20,000. Therefore, this amendment will not save the taxpayer 1 dime. It will cost the taxpayer money. It will not hurt the cotton industry, and as far as other programs, such as wheat and feed grains and so forth, this \$20,000 limitation is not going to save a great deal of money.

There is only one way that we can have a supply program, and that is where we are going to have to buy the reduction in production, and we cannot do that on little farms.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. ABERNETHY yielded his time to Mr. BELCHER.)

Mr. BELCHER. Mr. Chairman, if we drive the bigger farmers out of the program—and a lot of those bigger farmers have not been sold on this program at all and most of them are against it—they will produce so many commodities that the little farmers' allotment will be continuously shrunken and shrunken and shrunken, to the point where he cannot make a living at all.

The gentleman said a while ago that the farm areas do not pay income tax. I will tell Members exactly why they do not. They do not make enough money to pay income tax regardless of what others say about what they get out of subsidies from the Federal Government. A man on a farm with a tremendous investment in many cases does not get as much per

hour for his labor as the minimum wage law provides even for a janitor in the city.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. RHODES of Arizona yielded his time to Mr. MICHEL.)

The CHAIRMAN. The chair recognizes the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from Massachusetts (Mr. CONTE), which puts a ceiling of \$20,000 on farm program payments to an individual. In my opinion the farm program payments are excessive. The farm program itself, as it now operates, has outlived its usefulness. A major overhaul is overdue.

Since this is an appropriation bill, however, we can only place restrictions on the funds appropriated. This amendment if approved would affect fewer than 10,000 individuals and could save up to \$205 million according to USDA studies.

Mr. Chairman, the large payments to individual producers are usually defended on the grounds that large producers' cooperation in the programs benefit all farmers. We are told that the payments are in lieu of a producer planting his usual acreage of a particular crop. This may have been the situation at one time. But it is no longer true.

Approximately 80 percent of the individuals who received payments in excess of \$20,000 under the 1968 programs were cotton producers. Most of the others were wheat producers. This also will be the case for the 1969 and 1970 programs. Over 90 percent of payments in excess of \$20,000 go to producers of cotton and wheat.

But the cotton program payments are not payments for leaving cotton land idle. Cotton producers may plant their entire historical cotton allotment in 1969 and still collect payments of 14.7 cents a pound on their projected yield on their domestic allotment, 65 percent of their farm allotment.

One cotton producer in California collected over \$4 million in 1967 and over \$3 million in 1968. He will be permitted to plant his full farm allotment in 1969 based on his pro rata share of 16,000,000-acre national allotment, and if he has not sold or rented out a part of his cotton acreage, he will draw over \$3 million in farm program payments.

Cotton program payments in 1969 and 1970 are not needed to keep from over producing cotton at world market prices. We have had such short crops of cotton for the past 2 years that cotton prices were too high. High cotton prices stimulated increased production and use of synthetic fibers and increased production of cotton in other parts of the world.

A \$20,000 limitation on individual farm program payments would not adversely affect the small cotton producers. It would only affect the fewer than 10,000 individuals who have large land holdings and in addition are now receiving payments equal to two-thirds the market

value of their crops. These payments are income supplements or welfare payments—needed perhaps by the small cotton producers.

But I ask you what national purpose is served by giving a cotton producer who produces and sells \$4 million of cotton income supplement or welfare payments of \$3 million?

Wheat producers' payments also have little relation to the acreage diversion required to balance wheat supplies with market outlets at stable prices. In the 1969 wheat program a producer will receive wheat certificates valued at more than \$1.30 a bushel on his domestic wheat allotment, over 40 percent of his total farm allotment.

Under the 1969 program wheat certificate payments to producers will exceed 40 percent of the market value of the crop produced. This is four or five times the payments needed as economic incentives to achieve the acreage diversion program for 1969.

Wheat payments like cotton payments have become primarily supplemental income payments rather than payments for acreage diversion.

Again limiting payments to \$20,000 for an individual wheat producer would have no adverse effects on other wheat producers. Only the few thousand large wheatland owners and operators would be adversely affected.

A limitation on farm program payments is long overdue. A limitation of \$20,000 as proposed in this amendment is a very modest limitation. It will affect fewer than 10,000 producers out of almost 2 million who receive farm program payments. I know of no less painful way of saving up to \$200 million in Government expenditures at a time when other domestic program are being curtailed for lack of funds.

I fully realize that a limitation of \$20,000 on all farm program payments may cause some difficulty in the administration of the several programs. In particular it might require the Secretary of Agriculture to return the cotton program to the provisions of the 1958 act. Let us adopt this amendment, however, and if changes are needed in existing legislation the legislative committees have plenty of time to act before the 1970 crops are planted. Let us make it clear that at a time when educational and health programs are being cut because of a lack of Government funds that we are not going to continue supplemental income or welfare payments in excess of \$20,000 to individual farmers.

(By unanimous consent, Mr. BOLAND yielded the remainder of his time to Mr. CONTE.)

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

SUBSTITUTE AMENDMENT OFFERED BY MR. QUIE  
Mr. QUIE. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute Amendment offered by Mr. QUIE: On page 22, line 17, strike the period and insert the following: "Provided further, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program on cotton, wheat, or feed grains planted during

the fiscal year 1970 under which payments to any single producer exceed an amount determined as follows:

If total amount of such payments are—	By multiplying by—	The maximum payment shall be—
\$20,000 or less.....	100 per centum..	\$20,000.
More than \$20,000 to \$30,000.	75 per centum..	\$27,500.
More than \$30,000 to \$40,000.	50 per centum..	\$32,500.
More than \$40,000 to \$50,000.	25 per centum..	\$35,000.
More than \$50,000....	25 per centum..	\$35,000 plus 25 per centum of any amount in excess of \$50,000."

Mr. WHITTEN. Mr. Chairman, I make a point of order against the substitute amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WHITTEN. It is legislation on an appropriation bill, and requires additional duties.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. QUIE. Yes, I do, Mr. Chairman. I believe this amendment is in order, because the opening language is identical with that of the Conte amendment. The only difference is that where his cutoff is at \$20,000 mine provides for a graduation or scaling down of the cutoff above that. It applies only to the funds in this act and is a limitation on the funds in this act. Therefore, Mr. Chairman, I believe it is in order.

The CHAIRMAN (Mr. WRIGHT). The Chair is ready to rule.

For reasons declared in a previous ruling the Chair is going to hold that the substitute amendment offered by the gentleman from Minnesota (Mr. QUIE), is a limitation on the appropriation and is therefore in order. The Chair overrules the point of order.

The gentleman from Minnesota is recognized in support of his substitute amendment.

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. QUIE.)

Mr. QUIE. Mr. Chairman, if Members will notice the language, they can tell by hearing the amendment that the Sugar Act is not included in my amendment, either. The Sugar Act already has a limitation on payments on a graduated basis, from 80 cents a pound down to 30 cents a pound. That is a precedent for what I have done.

Rather than take the chance of endangering the program with the amendment of the gentleman from Massachusetts, where there is a cutoff at \$20,000, and the possibility that the larger farmers receiving above that might drop out of the program and therefore cause a glut on the market, my amendment provides a graduation above \$20,000. Each farmer up to \$20,000 would get 100 percent of his payment. For the amount above \$20,000 and less than \$30,000, it would be 75 percent of his payment. However, if he received something between \$30,000 and \$40,000, then he would get \$20,000 plus 75 percent of the next \$10,000 plus 50 percent of the amount between \$30,000 and \$40,000. The same is true with respect to between \$40,000 and

\$50,000. The amount anyone would receive above \$50,000 is he would get 25 percent of his payment.

We are going into this, if it is enacted into law, without the possibility of considering and changing the act under which this would apply. So in order that the pressure would not be too great on the farmers, but making a savings of some amount of money, I believe this would be a wise move to make at this time.

My own feeling is that my figures are extremely high. In fact, a year ago I offered an amendment with exactly half that amount, beginning at \$10,000. I have looked at the act since that time and studied what some economists have come up with in the case of a limitation on payments, and I think the amount could be a lesser amount, but at this time, Mr. Chairman, I believe this is the wisest move we could make. We will not endanger the program and we will save some money.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I rise in strong support for the Conte amendment. I believe it is unconscionable in America that we are paying certain individuals large sums of money not to grow food when at the same time we face serious malnutrition and hunger across the Nation. I emphatically urge your support for the amendment.

(By unanimous consent, Mr. REID of New York yielded the remainder of his time to Mr. CONTE.)

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Chairman, I feel that the substitute which has just been offered by the gentleman from Minnesota pretty well shows up the fallacy of this whole procedure.

This is not a well-thought-out program of reductions. It is not based on any study of the effect. It is, frankly, little more than an assessment of what figure could be expected to get the most votes. The real objective is to see that no one gets more than any one else, and even here the whole proposal is predicated on the erroneous assumption that this is a gift, or an income supplement. It is, of course, no more a gift than the payments made the owner of city rental property when that property is taken for Urban Renewal. In such a case the Members all recognize that we should pay each property owner in proportion to what he owns—in proportion to what he gives up. The owner of farmland who gives up the right to grow a crop has given his property just as truly as the owner of city property who gives up the fee simple—of course, there is a difference in value, but each should be paid for what he gives up for the public. It is this principal, not the amount of the limitation which is vital.

There is no special magic in \$20,000 or in any calculated step up or down. The gentleman has already pointed out that he, himself, feels maybe he will come back here another day and try to change those figures. He just told us he felt his own figures were too high. Of course, if

any of these amendments are adopted, the authors will be back in 2 years seeking to reduce the amount. Every one of us knows it.

Obviously, the proponents of this limitation feel that it is bad to pay more than the average man gets to anybody. To achieve this you have to reduce all of these figures down to the lowest denominator. If you do that, you will have no program at all, and if you can take property or the use of property without paying its full value you have destroyed the institution of private property. It is just as certain to follow as the day the night. Every one of you knows it. The whole question here is are you going to pay for taking property rights or are you going to seek to take them without paying for them? If you do not pay you do not get compliance, and to maintain your programs you must take more land from the very small farmers. On the other hand is you force the large farmer to reduce with no compensation and still pay the small man, are you not guilty of discrimination such as our courts have proscribed? And if you vote to reduce payments, are you not certain to further reduce them in the future.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PURCELL).

Mr. PURCELL. Mr. Chairman, I would like to associate myself with the remarks made specifically by my colleague from Arizona (Mr. UDALL), and by my colleague from Oklahoma (Mr. BELCHER).

In each instance the specifics I think that are so important to consider today were pointed out. This is not the way to legislate. I think the other discussions have pointed out how complicated and difficult this matter is. These matters will be and can be gone over in proper time and in proper detail. To emphasize what has already been said once more, to take these limitations or to accept limitations of payments is just exactly like deciding that you are going to pay only a certain amount when land is condemned for a highway or for any other purpose. When land is condemned, if a person has more than one acre, he gets that amount of money per acre.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, I rise in support of the Conte amendment.

(By unanimous consent, Mr. MIKVA yielded his time to Mr. CONTE.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I believe that this farm subsidy law was originally passed during the days of the depression when farms were being foreclosed. At the time when the small farmer did not have any food we passed this law. I do not believe it was the intention of the Congress to support, maintain, and subsidize factory farmers and commercial farmers. When Job Corps centers are being closed and people are rioting in the streets, how can we reconcile paying hundreds of thousands and maybe millions of dollars to individual commercial farmers in situations of this type?

Mr. Chairman, I believe that the amendment is a good one and should prevail.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, as my colleagues will recall, I actively supported the 1-year extension of the farm program last year. I resisted all attempts to amend or change the program at that time because it was obvious the adoption of such amendments would endanger the passage of any extension at all.

Although I had very serious misgivings about the huge payments being received by large farm operators, many of which are incorporated, I voted against any limitation of payments at that time. I was persuaded by those who argued that we should not jeopardize winning the 1-year extension by such a limitation, but should defer the question of payments until early this year when there would be more time to explore it in depth.

We are now 5 months into the new year, and I do not believe Members should delay coming to grips with this issue of payments limitations any longer. I concede that it would be preferable to take this matter up in the Committee on Agriculture, of which I have the honor to be a member, and I look forward to the hearings which will no doubt be conducted by our committee on the subject later in the year.

But I am convinced that those Members who are genuinely interested in improving and strengthening our present farm programs can wait no longer, but should act now to end the large payments which are bringing those programs into disrepute and now jeopardize their very existence. The people of this country, urban and rural alike, are fed up with unjustifiable government spending and the relentless increases in taxation which such spending brings in its wake. At a time when the new administration is pledged to bring inflation under control and is asking for a continuation of the surtax to that end, annual payments of \$100,000, \$500,000, \$1 million, yes, even \$4 million to individual corporate farms can no longer be defended. A letter was sent out today by some of our colleagues which suggests that a limitation would jeopardize the already precarious financial situation of family farmers in the United States. I yield to no one in my concern for the family farm and my admiration for the great contribution which independent family owned and operated farms have made to the economic and social security of the United States. But as I see it, annual payments of more than \$20,000 are hurting, not helping the family farmer. They are subsidizing the gigantic agricultural combines, corporate and otherwise, which have been gobbling up family sized farms and driving small farmers from the land by the hundreds of thousands; corporations which are often in direct and unfair competition with the family farmer. So let us not be misled into believing that payments of over \$20,000 a year are helping the little or medium sized farmer in any way. These large payments are discrediting the entire farm program in the eyes of

the public, and must be eliminated if the program is to command sufficiently widespread support for continuance on a reasonable basis.

Certainly the \$200 to \$300 million being spent each year to subsidize our wealthiest farmers can be better used to improve the program for smaller farmers who are hardest hit by the price-cost squeeze plaguing American agriculture. And it also could be better spent on other programs for which there is great need. Serious consideration should also be given to the Federal Government not spending this money at all. This would indeed be a mighty victory in the war against inflation. Why not start turning this \$200 to \$300 million a year back to the taxpayer for a change? Is not it likely the taxpayers who are being separated from this amount by present high tax rates might like to be able to make their own judgment as to how their money should be spent or saved, rather than seeing it paid to organizations or individuals many times wealthier than they are themselves?

Representing the Sixth Congressional District of Iowa, I am most directly interested in improving and strengthening the feed-grain part of this program, which certainly has been woefully inadequate in the past. After inspecting USDA records, it is my considered judgment that a \$20,000 limitation of payments will not have an adverse effect on the feed-grain program. Payees receiving more than \$20,000 in 1967 farmed only 2 percent of the feed-grain base or approximately 2.6 million acres. It is essential that we take prompt action to end subsidization of this very small percentage of large operators in order to go forward with a program which will better serve the interests of the vast majority of American farmers and the entire country. I, therefore, urge all Members to vote for the \$20,000 limitation amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, I rise to support the amendment that would limit the size of individual agricultural subsidies.

Two of the points made today against the amendment especially deserve comment. The first is the contention that this is a bad way to legislate. What, I wonder, under our present rules and procedures, is a good way?

In any case, that charge is a commentary on the way this body operates, not on the merits of the amendment. Why are we voting on a Monday? Why were we not told we would be voting on Monday until late Friday? What sudden agricultural crisis compelled this dramatic rush despite precedent, and in the face of standards of fair notice?

Should we then begin to amend House rules today? Should we delay changing bad laws until we get rid of bad procedures?

Maybe this episode will help light the fires of reform in the bosoms of worthy Members who have long seemed content with a legislative process whose inefficiency rivals its undemocracy. Meanwhile, we must legislate as best we can, and judge proposals on their merit.

The second is the claim that it is not in the interest of the small farmer to place a ceiling on subsidies for large and corporate farms.

Mr. Chairman, I am filled with wonder when it is said that the way to help small farms is to provide unlimited subsidies for large ones.

I would think we could find better ways to help small farmers, if that is our purpose. Certainly small farmers would think so.

Mr. Chairman, I would hate to see all assistance to agriculture go under in a wave of consumer and taxpayer resentment. The agricultural program is not helped by continuing this endless bounty for the few least in need at the expense of everyone else. The Nation is not helped. Nobody is helped, except those few least in need of help. We are not trying to rob the rich to give to the poor. What we do want is to quit taking from the poor—and those in the middle—to give to the rich.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

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

Mr. FINDLEY. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I urge everyone to vote for my amendment and against the Quie substitute amendment. I have already spoken at length today on my amendment which has passed this House on a previous vote by 230 to 160 and, in view of the fact I have already spoken for 5 minutes, Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. FINDLEY).

The CHAIRMAN. For what purpose does the gentleman from New York rise?

(By unanimous consent, Mr. OTTINGER yielded his time to Mr. FINDLEY.)

The CHAIRMAN. Does the gentleman from Massachusetts desire to yield all his time together with that which has been yielded to him by previous speakers to the gentleman from Illinois?

Mr. CONTE. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts has 3 minutes at this time which he desires to yield to the gentleman from Illinois.

The gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. I thank the chairman and those who have yielded time to me.

Mr. Chairman, the Conte amendment in all practical effect is precisely the amendment I had formulated and intended to offer myself. It is almost identical to an amendment which I offered on an appropriation bill last year, except as to the amount. It is almost identical to the three previous limitation amendments which I have offered in past years.

In my view, it is much superior to the one offered by my respected colleague, the gentleman from Minnesota (Mr. QUIE). Let me illustrate this with just one example. The Eastland plantation in Sunflower County, Miss., received about \$106,000 in payments last year. As I understand the formula of the Quie amendment, the East plantation would receive something like \$25,000 or \$26,000 in the 1970 crop year. Under what I would describe as the Conte-Findley amendment, the Eastland plantation would instead

have to get by with just \$20,000. In my view \$20,000 is quite enough.

Someone asked:  
What could possibly be the rationale for placing a limitation on payments under farm programs which involve land areas of such varying sizes?

Here is the rationale that I shall use to justify this approach. This is a program which provides direct payments to the individual, corporations and partnerships engaged in farming throughout the country, requiring in all over \$3 billion in the course of a year. This can be justified only as income support and nothing else.

To talk about getting an equivalent value for the tax money in land retirement is sheer folly. The only justification that can possibly be rationally advanced is income support, and my idea is that \$20,000 a year per recipient is income support enough.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield on that point for a question?

Mr. FINDLEY. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. The gentleman has presented this amendment for many years. I know the gentleman has studied it very thoroughly, and has gone into the merits of farm payments, and so forth, to arrive at the figure of \$20,000. I wonder if the gentleman has made any study at any time in regard to the net amount the cotton farmer receives at the end of the year, or the net amount that the wheat farmer receives at the end of the year, what those farmers have as a profit after all expenses? I do not know if the gentleman has that information, but if he does have that information I would appreciate hearing it.

Mr. FINDLEY. I believe the important thing as legislators we must consider is how much do we pay a farmer.

As we heard earlier today, a farmer who received \$50,000 a year from the U.S. Treasury can still go broke. Is this expenditure justified? Does his circumstances justify an investment of still more money?

A lot has been said about the snapback provision. Would it create administrative difficulty? There is no question in the minds of every official I talked with at the Department of Agriculture, that if the Secretary would elect to do so, the \$20,000 limitation—which hopefully we will establish by this amendment—would still be effective after snapback provision takes effect. So we would have the prospect of budget savings under this amendment that former Under Secretary John A. Schnittker says will be as high as \$300 million.

Now, this was not a Republican Under Secretary speaking, but the man who was Under Secretary under Secretary Freeman, and who was one of the architects of these payment programs. This man now states that a limitation of the sort suggested in the Conte-Findley amendment could be effected, gaining these budget savings and without serious advance effect on the commodity programs to which they are attached, and without undue administrative difficulty.

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

Mr. FINDLEY. I yield to the gentleman from Massachusetts.

Mr. CONTE. I know that the gentleman would want to have the RECORD correct in regard to the Eastland plantation subsidy payment. I would like to inform the gentleman that under the Quie amendment he would not receive \$26,000, he would receive \$51,500.

Mr. FINDLEY. So that the difference between the Conte amendment and the Quie amendment is considerable.

It can be said that this has the effect of legislation, and that instead of acting on an appropriation we should wait for the legislative process. I believe it also can be fairly said that we may wait a long, long time for that to happen. And my feeling is that if this limitation on payment accomplishes nothing else, it would be well worth the investment in time and support on our part if it should spur the legislative process. So let us spur the legislative process by accepting this amendment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I support the amendment to limit subsidy payments to \$20,000. The House adopted a similar amendment on July 31, 1968, but it was deleted in conference.

At a time when the budget for social programs is being cut back, at a time when our cities are starved for funds for housing and education, this amendment offers an excellent opportunity to save \$300 million in farm subsidies.

Last week the supplemental appropriations bill provided \$40 million for the section 236 rent subsidy program—\$10 million less than the authorization for fiscal year 1969. A reduction in farm subsidies for corporate farms would free money for rent subsidies for ill-housed people.

The gentleman from Illinois (Mr. FINDLEY) suggested that the basic justification for agricultural payments is income maintenance. Income maintenance is the concept embodied in my guaranteed annual income bill. But those who attack a guaranteed annual income for the poor are the first to defend the farm subsidy system of a guaranteed income for the rich.

The farm subsidy program is a classic example of an inverted Federal policy which Michael Harrington has characterized as "socialism for the rich and free enterprise for the poor."

The small marginal farmer, who is often in debt and subsisting on \$1,000 to \$2,000 a year, receives little benefit from the subsidies paid by the Federal Government. The large plantation owner, on the other hand, profits handsomely from this system. Since he has large quantities of acreage at his disposal, he can afford to take a larger amount of land out of production, receiving as much as \$116,978 for his munificence—as Senator EASTLAND did in 1968.

In other words, the richer one is, the more the current subsidy programs benefit him. The small farmers—who need the greatest assistance from the Federal Government—receive the smallest subsidies. The large farmers—the agrarian corporatists—not only receive the largest

subsidies but are also unencumbered by any requirement that they pass on their largesse to the impoverished tenants who often farm much of their acreage.

The U.S. Department of Agriculture study—the Schnittker study—issued last November 27 shows the limitation proposed in the amendment before us would have "no serious adverse effects on production or on the effectiveness of production adjustment programs." The same study reported that a limitation on payments of the level suggested in this amendment would yield "budget savings ranging from \$200 million to nearly \$300 million." Although this limitation may produce certain administrative problems, the USDA study concluded:

Administrative problems . . . are not good reasons for opposing payments limits.

I would point out that this amendment does not propose the abolition of farm payments but rather proposes the elimination of the excessive subsidization of the most wealthy farmers.

Second, those farmers most in need of Federal assistance—those who do not own enough land to profitably take their acreage out of production—would not be affected by this amendment. What this amendment would do is to limit the amount of booty which corporate farms could reap from the program.

Since the \$20,000 limitation proposed today would affect only those crops planted in 1970, both the Department of Agriculture and the farmers will have ample time to make adjustments for this limitation.

The farm payments program as it is now administered is only one example of the inverted policy of socialism for the rich and free enterprise for the poor. Urban renewal, while it was designed to provide for the needs of low- and moderate-income citizens, has too frequently benefited only the real estate developers. Only last year did Congress finally require that a majority of the housing built on urban renewal land be for low- and moderate-income people.

The highway program is another example. While the poor of the inner city have their homes and businesses bulldozed in order to make room for unnecessary and ill-considered highways, the construction, trucking, oil and automotive interests reap enormous profits from this massive public works venture.

The defense and space budgets provide further illustration. Recently the House approved authorization for a \$14 million supplemental appropriation to the Air Force which was nothing more than a subsidy to Northrup Aircraft to build an aircraft which could be sold profitably in the foreign military sales market. Boeing Aircraft has received almost three-quarters of a billion dollars in Federal subsidies for the design and development of the supersonic transport, an aircraft which solves none of our most pressing national transportation needs and which will create still more environmental and atmospheric problems.

Neither of these "projects" could apparently be left to the "invisible hand of the market."

There are countless other examples of the perverse and counterproductive ways in which the Federal Government is sub-

sidizing the rich while leaving the poor to fend for themselves.

I urge the adoption of the Conte amendment which will help to make sense out of our irrational Federal farm subsidy program.

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

The Chair recognizes the gentlewoman from Washington (Mrs. MAY).

Mrs. MAY. Mr. Chairman, I was rather shocked to hear my colleague from Ohio (Mr. VANIK) say very scathingly just a moment ago that the only contribution the farmers make is \$1 billion in taxes.

Mr. Chairman, I submit that the agricultural economy of our country makes the greatest of contributions, and that this is a nation that is the best fed at the lowest cost of any nation in the world. Remember, this is where the food to feed the hungry you plead for comes from. On behalf of this American farmer who makes us the envy of the world, I offer this plea—that we treat in an orderly, responsible way, legislation which affects his livelihood. This, at least, the Congress owes him. It is impossible to change basic national policy with an amendment on the wrong bill without harming the man who feeds and clothes us all.

I am deeply concerned over the proposal to limit payments to farmers under the Federal farm programs. My concern stems from two basic points. First, that this is neither the time nor the place for such a proposal to be presented, and second, that a limitation on farm payments is unlikely to achieve the objectives for which it is offered, and may, indeed, do more harm than good.

Speaking to my first point, although ostensibly a farm payment limitation would affect only the expenditure of funds in the Federal farm programs, the practical effect of such a limitation would be a basic restructuring of the farm programs themselves. Since it is inappropriate under the rules of the House to legislate on an appropriation bill, this proposal should not be brought up at this time.

With reference to my second point, it has been purported that a limitation on payments to farmers under the Federal farm programs would save the Government, and the taxpayer, several millions of dollars annually. Upon closer examination, however, it is evident that this is a questionable assumption, to say the least. In fact, a payment limitation may, in the long run, cost the Government as much or more than could be saved.

How is this possible? In the wheat program, for example, many of the larger operators whose payments would be reduced under this proposal might well choose to go out of the program if no additional incentives to participate were offered. Outside the program, they would be free to plant as much wheat as they wanted, and the economic advantage of expanded acreage under those circumstances would certainly not be overlooked.

We already have more wheat than we know what to do with in this country, and even the slightest increase in production would exert a downward pressure on market prices far in excess of what its weight would be if supply and demand were more nearly in balance.

Under the loan program, the Commodity Credit Corporation is required to assume ownership of all wheat which is not reclaimed by producers who have obtained Government loans on it. So, whenever the market price drops to or below the loan price, large quantities of wheat become the property of the Federal Government. A payment limitation, then, may result in lower market prices and higher expenditures by the Commodity Credit Corporation—expenditures which could substantially offset any savings effected by the limitation on payments. This is only one factor which could cause greater expense, and does not take into account the increased cost of a larger land diversification program which might be required, or other more expensive program modifications which might be necessary.

A payment limitation, it has also been suggested, would help remove inequities between large and small farmers. Actually, just the reverse could occur—a limitation would probably not help small farmers, and could, in fact, be quite harmful. Under the present wheat program, for example, the Secretary of Agriculture must establish a national wheat acreage allotment for program compliers annually on the basis of total anticipated U.S. production. If larger farmers go out of the program because of a payment limitation, and produce more, this means that the acreage of those smaller producers who stay within the program must be cut back to compensate for this expanded production.

Another problem of considerable significance which presents itself here is that of the effect of a payment limitation on the cotton program. Because of the so-called snapback provision in this program, imposition of a payment limitation would result in a major drastic change—reversion to an earlier Federal program, and increased Government expenditures.

I think it is important to point out that even the oft-quoted "Schnittker Memorandum" in support of payment limitations referred to other basic changes in the farm programs which would necessarily have to accompany such a limitation. Walter Wilcox, senior specialist in agriculture in the Legislative Reference Service, also prepared a memorandum on farm payment limitations and in an early draft of that memorandum stated:

A limitation similar to the Conte amendment, however, without other changes in the basic legislation would destroy the effectiveness of the programs.

The amendment referred to was a straight \$20,000 limitation on total payments from all farm programs. I would suggest that both memorandums may be significantly understating the problems which might arise from a limitation on payments, even if the changes to basic farm legislation to which they refer were accomplished.

In short, I feel there are some very serious questions here which have not been satisfactorily answered by the proponents of farm payment limitations. I want to make it clear that my opposition to the payment limitation proposal certainly does not imply my blanket en-

dorsement of the present farm programs—far from it. I have been something less than enchanted with the operation of the current programs—their inequities and failure to meet the income needs of rural America, especially—and feel that a complete reexamination of U.S. farm policy is definitely in order. We need to take a fresh look at just where we are going and how we want to get there. However, this is not the way to do it.

Over the years, Congress has established procedure for consideration of basic national policy—procedure which includes public hearings, committee consideration and due deliberation by this and the other body. I urge my colleagues to choose this course for consideration of farm payment limitations and the other related fundamental farm policy questions, rather than to pursue these important issues in the present situation.

In conclusion, I would like to list a summary of five points which have been made in opposition to this particular limitation amendment:

First. Land diversion and price support payments are an integral part of current voluntary farm programs. They enable farmers to work together to solve some of the economic ills and are an inducement to farmers, both large and small, to make a contribution to supply management. This type of limitation would affect program costs and participation differently.

Second. Payment limitations would prevent paying farmers on the basis of their contribution to balancing production with needs. Payments are not hand-outs or welfare grants. The land diversion payments are compensation for giving up income—production—on those acres diverted to a conservation use. The price-support payments enable farmers to obtain a fair return on the remaining acres used for production while farm prices are at world levels. It is generally recognized that the cost of production in the United States is higher than in other countries with which we have to compete. The price-support payments make it possible to maintain market prices at world levels and still permit our farmers to obtain a fair return. Price-support payments also assist in maintaining fair and equitable prices for domestic consumers.

Third. Cost savings generally would be less than that indicated because (a) many large farmers would continue to participate but would attempt to avoid the payment limitation through participating at the minimum level, splitting up of farm allotments or by other devices, or (b) could result in large farmers—those affected—dropping out of the program which would result in increased unneeded production. This would place a greater share of the burden of balancing production with requirements on small farmers. Any added surplus would increase total price-support operations.

Fourth. In the case of certain commodities such as wool, payments are made to encourage greater production. A limitation on payments would defeat this objective.

Fifth. Price support and related commodity supply management programs are being reviewed by the USDA and in

the review one of the items would be a study of payment limitations. Thus no change should be made in the current programs until this review is completed and specific legislation for improving our farm programs has been developed.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I certainly want to reiterate the words of the gentlewoman from Washington about this program being one of good bargain to the American taxpayers.

The purpose of the program is to keep supply and demand in balance. I submit that the program we have has basically done that and done it well. We do not spend but about 18 cents, each of us, of our disposable income, for food. If you were to take the actual cost of this program, I suppose less than 2 cents of our Federal dollar is actually going into these funds and into this appropriation for support payments.

We ought to be fair about it and remember that for a man to be able to farm today, he has got to be a little bit bigger than he was when he could take 40 acres and a mule and start into business. He simply must have a larger operation. The investment is terrific. That is why smaller farmers are finding it difficult.

If there are to be changes made and if there are weaknesses in the program, the time to do that is when the legislation is properly brought to this floor.

If we try to put a limitation on the program by putting a limitation on these payments today, you are in effect killing the present programs. It is not fair to do that under the circumstances of an appropriation bill.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I rise in support of the Conte-Findley amendment.

Mr. Chairman, I wish to call attention of the House to the fact that the whole bill before us is a \$6.6 billion package of which \$3 billion involves farm subsidies.

Even if the Conte-Findley amendment is adopted, \$2.7 billion will still continue to flow to small farmers all over the country. But if it is adopted, you will break up the remaining \$300 million that is now being distributed to a select group of fat cat farming corporations. That is what this is all about.

The gentleman from Texas said here earlier today that he received \$393 in farm subsidies. The Conte-Findley amendment does not disturb him nor does it disturb thousands of small farmers around the country. What it does do is address itself to the \$300 million being distributed to less than 500 large farming corporations.

The Committee on Agriculture can never deal with this problem of placing limitations on farm subsidies because whatever they do in terms of helping the smaller farmer will benefit the big farmer more than the small farmer, if the present formula is retained. The way to start toward reforms is by supporting the Conte-Findley amendment. Once limitations are written into the farm sub-

sidy program, we can then move to an orderly revision of all formulas.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MOORHEAD).

Mr. MOORHEAD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE) for the gentleman from Illinois (Mr. FINDLEY) limiting payment support to farmers to no higher than \$20,000 per year per farmer.

I supported a similar amendment in my first term in Congress.

Before I offer my reasons for doing so, I would like to thank the gentleman for his very informative and interesting entry in the record on May 12 of this year.

This excellent comparison study showing which counties receive the most Federal farm handouts—for this is exactly what these payments are—and which counties deny their poor people Federal food programs is quite illustrative of the twisted set of priorities which beset our Federal agriculture program.

It is disheartening to realize that with budget problems and hunger problems in the United States today, there are five farmers being paid a total of \$10,889,036 not to plant their property.

It is even more scandalous to note that 15 more farmers are being paid between \$500,000 and \$1 million each not to plant their property, that 388 farmers are being given \$100,000 and \$500,000 not to plant, that 1,291 farmers are being gifted with between \$50,000 and \$100,000 not to produce crops, and that 4,880 farmers are being subsidized with grants of between \$25,000 and \$50,000 not to plant crops on their property.

To me, it is just plain incredible that with our budget problems and our hunger problems that we are paying payments of more than \$233 million to fewer than 500 wealthy farmers in order to pay them not to produce food and fiber.

Gentlemen, in this period of an overheated economy, where we owe it to every American to tighten our Federal budget wherever possible, I think it is obvious where our Agriculture program can be trimmed. And again let me quote Mr. FINDLEY, we can cut back here with "no serious adverse effects on production or on the effectiveness on production adjustment programs."

A \$20,000 ceiling on payments to any one farmer can save us about \$300 million annually.

It would seem that saving money on this program and applying it to more pressing problems, primarily hunger, housing, and other national necessities, makes more sense than cutting back urban programs for lack of funds.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the Quie substitute and to the Conte amendment. The gentleman who just preceded me in the well finally placed in proper perspective what you are doing here today. I would agree that perhaps these five farmers out of some 2.9 million total farmers are getting too much. But are you going to back down on the word of the U.S. Congress?

I voted against this bill when it was originally passed and I still have many objections to it because it does have flaws but this past year we agreed that it would be wise and good for agriculture, in view of a change in administrations, to extend this program for 1 year to allow us to rationalize and write a good farm program. We told our farmers what they could count on. But no. Because five people, some people think, are getting too much—and I do, too—we are going to bring the house down on agriculture. Do you think we have confusion today? You have not seen anything. You have not seen confusion compared to what we will have if this Congress goes back on its word. To do what you propose will cost more money, not less. I share your concern for the consumer but take pride in the good job our farmers have done in feeding the Nation. Let the city people get hungry and the top will really blow. Are you going to bring the house down on agriculture that feeds this Nation because you are sore that five people are getting too much money? Yes, the program must be changed but do not do it in the middle of the game after telling them what to plan for. Is it fair when a man owns land and equipment to farm that land, and is farming his land, to be told by the Government that he can no longer do so, to put him out of business without compensating him for his loss until he is free again to do as he chooses? Of course it isn't. If you, by force, put any legitimate man out of business against his will he should be compensated for his loss. This legislation has only 1 year to go. That is the time to make the change. Many farmers have made obligations for this last year because we told them to. There is a real difference in paying a man for not doing something when he has the desire and wants to but is prohibited as compared to paying those who have no desire to work and won't work for not working. The very least you can do is keep your word and that is absolutely all I am asking if it means anything to you.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I rise to oppose both amendments, because I still believe the Nelsen amendment is the best approach, and I think, if prepared in a proper manner, simply as a limitation, it would be germane. If the amendments are voted down, I shall attempt to gain the floor to offer such an amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is an old adage that when the economy of the farm is going well, the economy of the Nation is going well. I think that holds true today. But I do not think that in giving these tremendous benefits to the wealthy farmer we help the little farmer, in the least bit, or the Nation.

May I also say, Mr. Chairman, that my colleagues from the cities who have any idea of voting against this appropriation bill might be reminded that the school food program and the food stamp program are in this bill. I intend to vote for the Conte amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. LANGEN).

Mr. LANGEN. Mr. Chairman, I rise in opposition to both of these amendments, even though I supported such an amendment when it was offered to this House at the right time and in the right place. This is not the right time nor is it the right place. It is too complex an amendment. I do not think we know what we are doing when we consider this amendment. Let me show you how ridiculous it is. In the first place, the amendment is confined to only crops planted in the fiscal year 1970. There will be no payments out of this appropriation for crops planted in 1970. The moneys that will be paid out in this appropriation are going to be for crops that were planted in fiscal 1969. Consequently, it does not constitute any limitation. This, in reality, could do more harm to small farmers and be of benefit to big farmers, if you will, because they would eventually get their money. The amendment is not complete because it cannot work by the language that it contains.

The Secretary of Agriculture has issued a very strong and meaningful position on this matter. Let me read it for you:

MAY 26, 1969.

POSITION OF THE DEPARTMENT OF AGRICULTURE ON PAYMENT LIMITATIONS AS PROPOSED IN THE FINDLEY AMENDMENT TO THE AGRICULTURAL APPROPRIATIONS BILL

The Department of Agriculture believes it is possible to design a sound farm program that limits the number of dollars that can be paid to any one farmer for programs following the 1970 crop year.

However, to make such a limitation effective, legislative changes are needed. With only the simple amendment that is possible in connection with appropriation bills, the so-called "snap-back" provision for cotton would come into effect. The cotton program would then become subject to a loan-and-redemption or a buy-and-sell-back arrangement that would increase costs while the large producers would escape the intent of the payment limitation.

A simple amendment to the appropriations bill will not suffice. The Department is ready to work with the legislative committees on basic changes in the legislation and has modifications to suggest.

The preferred time for considering these changes would be later in this session or early next session, when consideration must be given to the type of legislation that is to replace present laws. These laws are scheduled to expire after the 1970 crop.

CLIFFORD M. HARDIN,  
Secretary.

Inasmuch as I have already stated that the amendment applies only to crops planted in fiscal 1970, since there could be practically no payments related to those crops in this appropriations bill, it would be a meaningless gesture to adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I have some mixed emotions today about being in opposition to this amendment, because I opposed it when it was last considered on last year's appropriation bill. I supported it, however, when it was offered to the legislative extension of the act for a year. Incidentally, I opposed the extension of the agriculture bill for a year

because I did not want to prolong this agony any longer. What we have here is, in effect, for another year, an agricultural production control bill. Make no mistake about it.

One-third of our farmers produce about 85 percent of what is produced.

So it follows that to have any control program be effective, we have to include the biggest operators with the smaller ones. You can't have a control program work any other way.

If you do not like that kind of approach, then we must amend the legislative act. As for me, I would say we ought to move for sure in this session of Congress to enact a new farm bill. It is imperative that we move, and I would hope the Agriculture Committee would get hearings underway soon.

I think this debate is good. It will get the message across to the Agriculture Committee and the administration that we cannot go along this course any more. These mountainous payments are coming under attack and they cannot be ignored. Just as the people are distressed over the machinations of the big foundations and millionaires evading taxes through loopholes, so are they opposed to these outlandish payments in the agricultural program.

I am in full sympathy with what the authors of the amendment and the substitute amendment are trying to do, but make no mistake about it, if the amendment is adopted it will not be the large producers that will be hurt. They have the wherewithal to break the market price for every commodity, and the small farmer will be at their mercy.

The small farmer will not be able to afford selling on the open market and if he is in the program CCC will have to take all his production. Then we are going to have to pay storage charges on these acquisitions of commodities and the price will be so low that even CCC could not afford to dump the accumulated stocks on the open market. That would of course compound the problem.

One final point. There are many increases here for those who want to help the poor and the needy. There is a great deal in this bill which provides for more food, better nutrition, and for food stamps and so on. Instead of getting increases for these food allowances provided in this bill beginning July 1, adoption of this amendment will delay the bill over in the other body and will be operating under a continuing resolution at a lower rate of expenditure. It is another aspect that you ought to think about, for those of you who have been shedding tears for those who need this help so much. Mark my word, we will not have a conference with the other body before Labor Day with this limitation in the bill and as I said, I am for it in principle but not as an amendment to an appropriation bill.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN), to close the debate.

Mr. WHITTEN. Mr. Chairman, having sat in Congress for many years, I find it most disturbing to see this rift developing between regions and sections of the Nation. I think the debate this afternoon is something which the agriculture

legislative committee should consider in connection with any revision of the farm bill.

But I would point out again that, insofar as the present situation is concerned, the Commodity Credit Corporation has, in addition to other funds in this bill, \$5.6 billion on hand or on loan, and it would be obligated to carry out existing payments and to make such payments as the present plans call for.

This proposal does not change what our Agriculture Committee sponsored last year. I would say, if this is adopted, the large producers would get one check from funds in this bill and get the remainder of their payments from other funds available to CCC. Also, I have a statement from Secretary Hardin saying if this limitation is adopted, the snap-back provisions would operate and it would cost the Government a great deal more.

I respectfully suggest we vote down both the substitute for the amendment and the amendment and let our Agriculture Committee work out these amendments in due time.

The CHAIRMAN. All time has expired. The question is on the substitute amendment offered by the gentleman from Minnesota (Mr. QUIE) for the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 93, noes 84.

Mr. WHITTEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CONTE and Mr. WHITTEN.

The Committee again divided, and the tellers reported that there were—ayes 112, noes 100.

So the amendment was agreed to. The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CROPLAND ADJUSTMENT PROGRAM

For necessary expenses to carry into effect a cropland adjustment program as authorized by the Food and Agriculture Act of 1965 (7 U.S.C. 1838), \$78,000,000: *Provided*, That no additional agreements are authorized for fiscal year 1970.

AMENDMENT OFFERED BY MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWENGEL: On page 26, delete everything after the comma on line 2 and all of line 3 and insert in lieu thereof the following: "That agreements entered into during the fiscal year 1970 shall not require payments during the calendar year 1970 exceeding \$99,300,000."

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that the amendment be reread.

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

There was no objection.

The Clerk reread the amendment.

Mr. SCHWENGEL. Mr. Chairman, the purpose of my amendment is to carry

forward with our cropland adjustment program. The bill as it now stands only provides funds for payments on contracts now in force. It would permit no new land retirement in 1970 under the Cropland Adjustment Act of 1965. To cut back on this program is to achieve a false economy. The leading experts in the field of agricultural policy are placing more and more emphasis on the need for long-term retirement of agricultural land as the solution for our farm problems. Iowa State University, long known for its outstanding contributions to agriculture and agricultural policies, has recently published a document entitled "Farm Programs for the 1970's," which deals with this very question. The Center for Agricultural and Economic Development at Iowa State University, which prepared the document, urges the increased use of long-term land retirement as an alternative to our present unworkable and very expensive programs. The center's position is pretty well summarized in the following statement:

One of the least restrictive types of government programs for agriculture is one which removes all cropland on individual farms from production under a long-term contract. This type of program does not restrict individual crop production, but rather reduces acres of cropland available for planting of crops. Such a program reduces the size of the land input, and if combined with complementary programs, would return less productive cropland to grass, trees or other natural states. Such a program would initiate a reversal of government policies and programs of the last century which continue to shift additional land from a state of low productivity to an advanced state of crop production.

Mr. Speaker, both the Johnson administration and the Nixon administration budgets included the exact amount proposed by my amendment. The committee report indicates that this item was deleted because of our costly commitments in Vietnam, and the allegations of hunger and malnutrition here at home. As to the commitment in Vietnam, I can only say that I am confident that President Nixon will move to drastically reduce our commitment there in the very near future. As for the argument that we cannot take more land out of production when hunger exists here at home, I think a careful analysis reveals the fallacy of this argument. We now have in excess of 40 million acres retired under the various annual programs, in particular, the feed grains program. This 40 million acres is more than adequate to give us any needed flexibility to take care of hunger and malnutrition. If there is a need for rapid increase in production acres, the acres currently in the wheat and feed grain program are the acres to use.

The cropland adjustment program is one of our best investments. Best because it is also a conservation program and in addition, when this program was authorized, 1965, the Congress indicated its belief in this approach by authorizing \$225 million per year for the program. The increase proposed by my amendment is still far below the amount authorized. Of the \$99.3 million appropriation in my amendment, only \$21.3 million would be available for retirement of new acreage. But this would provide for re-

tirement of about 4 to 5 million new acres.

Of particular importance here is the fact that many acres previously retired under the conservation reserve program will again be available for production. It is essential that we have sufficient funds available under the cropland adjustment program to keep this land out of production. By 1973 all of the land retired under the conservation reserve program, some 40 million acres, will again be in production unless we act now. Much of this land is marginal, and should remain in a reserve status. Even with respect to land which is not marginal, by putting it in reserve, we are conserving the land for future use.

In fact, if the suggestions of Dr. Wallace Ogg, extension economist at Iowa State University, are followed, long-term land retirement would result in a lower net cost to the Government. Dr. Ogg suggests that emphasis be placed on retiring land which involves the highest production costs. This is a sound approach.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

May I say that after the vote on this amendment I will propose that the Committee rise.

Mr. Chairman, this is another case of adding money to pay people not to grow crops. This House has just put a limitation on the moneys that can be paid to farmers for complying with programs to take crops out of production. Now, this amendment would authorize additional contracts to take new land out of production.

I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SCHWENGLER).

The amendment was rejected.

Mr. WHITTEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WRIGHT, 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. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, had come to no resolution thereon.

#### GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill, H.R. 11612.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### HEALTH AND SAFETY STANDARDS

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

Mr. HECHLER of West Virginia. Mr. Speaker, on May 16, the Secretary

of Labor announced certain health and safety standards for industries performing work on public contracts under the Walsh-Healey Public Contracts Act. I think it is very unfortunate that in promulgating these health and safety standards the Secretary of Labor fixed a standard of 4.5 milligrams of coal dust per cubic meter of air, which is 50 percent above the level of 3 milligrams recommended by the U.S. Public Health Service last December as a proper level for the protection of the health of coal miners.

Mr. Speaker, the history of social legislation reveals that it is usually the Federal Government which first makes the great initial advances in wages, hours, and working conditions.

I believe the Secretary of the Department of Labor has missed a great opportunity here to protect the health and lungs and lives of those coal miners working under conditions adverse to their health and safety.

In addition to that, this order was issued as a result of the recommendation of a 15-member National Safety Advisory Committee. When I asked the Department of Labor for the minutes of the meetings of that committee, I was denied access to those official minutes, which I believe is a clear violation of the Freedom of Information Act of 1967.

I would certainly hope, Mr. Speaker, that the Secretary of Labor will reverse his decision and set a standard of 3 milligrams in order to protect the health of the coal miners. In addition, other measures to protect the health and safety of coal miners should be brought in under the protection of the Walsh-Healey Act.

Mr. Speaker, I ask unanimous consent to include the text of a telegram which I have sent to Secretary of the Department of Labor Shultz on this issue.

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

There was no objection.

The telegram follows:

TEXT OF TELEGRAM SENT MAY 26 BY CONGRESSMAN KEN HECHLER TO SECRETARY OF LABOR GEORGE SHULTZ

Your May 16 announcement of health and safety standards for work performed on Government contracts completely ignores the recommendations of the Surgeon General of the United States on coal dust levels necessary to protect the health of the Nation's coal miners. In promulgating a standard of 4.5 milligrams per cubic meter of air on all coal mined for Federal contracts, you are subjecting thousands of coal miners to fifty per cent more coal dust than the level of 3.0 milligrams recommended last December by the United States Public Health Service. The Surgeon General testified before the Senate Subcommittee on Labor on March 18, 1969 that the health of coal miners will be better protected by the 3.0 milligram level than the 4.5 milligram level. The Surgeon General further testified that there is a straight-line progression of pneumoconiosis related to the level of coal dust, which means that there is fifty per cent more exposure at the 4.5 milligram level than the 3.0 level.

You indicated in your May 16 statement that you had followed the recommendations of the 15-member National Safety Advisory Committee, established by you on April 7. When I made a request to your office to examine the official minutes of the two meet-

ings held by this committee, I was denied access to these minutes. I have lodged an official protest with Congressman John Moss of California, as I believe suppression of these minutes to be a clear violation of the Freedom of Information Act. I find it incomprehensible why you would suppress information on why you have elected to subject a large number of the Nation's coal miners to excessively high levels of coal dust.

I am shocked to learn that your Advisory Committee acted without any public hearings, without any consultation whatsoever with the House and Senate committees currently considering health and safety legislation, and without full consultation with the United States Public Health Service which recommended the 3 milligram standard. Your Committee members could have learned from a 3-page letter written to them on May 1, 1969 by the president of the National Coal Association that "The matter of dust standards has in the course of these hearings received the most careful consideration." There was only a cursory attempt to ascertain the effect of coal dust on the lungs and lives of thousands of coal miners.

The history of most social legislation reveals that it is the Federal Government which usually makes the first advances in wages, hours and working conditions, with the private sector catching up at a later time. You have missed a great opportunity to lead the way in establishing a Federal standard which can later be applied in the 90 per cent of the Nation's coal mines not performing work for Government contracts.

There are many other aspects of coal mine health and safety which can and should be written into regulations governing Federal contracts. I respectfully suggest that in light of the shockingly secret, furtive and arbitrary methods used in arriving at the 4.5 milligram standard, you should reverse your action on the 4.5 milligram standard and institute a standard of 3 milligrams per cubic meter as recommended in December, 1968 by the United States Public Health Service.

#### CONSTITUENTS CONCERNED ABOUT REPORTS THAT UNITED NATIONS FLAG RATHER THAN U.S. FLAG WILL BE PLANTED ON THE MOON BY OUR ASTRONAUTS IN JULY

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

Mr. NICHOLS. Mr. Speaker, a number of my constituents are concerned, as I am, about reports that the United Nations flag rather than the U.S. flag will be planted on the moon by our astronauts in July. At first, I thought this was too absurd and had discounted it altogether. But I wrote to the National Aeronautics and Space Administration asking if there was any possibility that some flag other than our own would be taken aboard Apollo 11. Their reply was rather vague and led me to believe that the United Nations flag might be under consideration as a marker on the moon.

Giving further credence to this is the fact that Apollo 10 has 117 United Nations flags aboard it. These flags will be presented to each member of the United Nations, presumably including those nations which are helping the Vietcong kill American men in Vietnam.

The American taxpayers have single-handedly financed the research and experimentation which will lead to this moon landing. It would be an insult to the people of our country if any flag

other than Old Glory should be planted on the moon by the Apollo 11 astronauts.

Mr. Speaker, I sincerely hope that our colleagues in the House will add their opposition to any consideration which might be given to the United Nations flag being planted on the moon by U.S. astronauts. I also include a copy of the letter from NASA in the RECORD at this point:

NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION,  
Washington, D.C., May 23, 1969.

HON. BILL NICHOLS,  
House of Representatives,  
Washington, D.C.

DEAR MR. NICHOLS: We have received your inquiry on behalf of a constituent, concerning the possibility that the first astronauts on the moon may erect a United Nations flag.

As we approach the time when we may attempt the first manned landing on the moon, we are giving consideration to the symbolic articles, such as flags, emblems, or other articles, that should be carried on this historic mission, including articles to be left on the moon to commemorate the landing and those that might be taken to the moon and brought back to earth for permanent display. Before making decisions on these matters, a careful review is being made within NASA, taking account of the many suggestions received from outside the Agency.

We appreciate knowing of your constituent's expression of concern, and assure you that all viewpoints will be seriously considered before decisions are reached.

Sincerely yours,

ROBERT F. ALLNUTT,  
Assistant Administrator for Legislative  
Affairs.

#### FINANCIAL DEALINGS OF FEDERAL JUDICIARY SHOULD BE INVESTIGATED

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

Mr. RAILSBACK. Mr. Speaker, serving on the Nation's highest Court is not and can never be a part-time job. And yet, it apparently is considered just that by some of the men who sit on the Supreme Court. We hear a lot of talk about requiring judges to make a full disclosure of their income. We should prohibit our Federal judges who are paid as much as \$60,000 per year from receiving outside earned income for services performed which necessarily detract from their judicial duties.

The resignation of Justice Fortas because of his financial dealings with convicted stock market manipulator Louis Wolfson; the \$12,000 annual payment to Justice William O. Douglas by the Albert Parvin Foundation, which had dealings with the Las Vegas gambling industry; and now the revelation that President Nixon's choice for Chief Justice—Warren Burger—has been paid \$6,000 by the philanthropic Mayo Foundation as a trustee, demand an urgent change in the laws on the Federal judiciary.

Mr. Burger's nomination by the President is a good one. I am not commenting on the interests of this able jurist with this worthy organization—a foundation devoted exclusively to the advancement of medical technology. The President, in

his nationally televised statement, said Burger was a man of "unquestioned loyalty." I concur in this.

But, the fact remains that at least two Justices before him; namely, Fortas and Douglas, have received substantial amounts of outside income for outside work while serving on the Supreme Court, thereby making their duties on the bench part-time responsibilities.

A few days ago I requested EMANUEL CELLER, chairman of the Judiciary Committee, on which I serve, to begin public investigations into the financial dealings of not only Fortas and Douglas, but of other Federal judges as well.

As I said in my letter to the chairman:

My request is not based on wanting to impeach or punish any federal judge, but rather to determine to what extent judges are receiving income from outside sources so that definitive legislation might result in correcting future improprieties.

The inquiry is not a witch hunt. It is to be a constructive investigation aimed at determining the need for legislation which may require Federal judges to reveal outside financial interests, whether in the nature of honorariums, consultant fees or any other remuneration; indeed, the result of our inquiry may be to prohibit entirely payment for work that is not directly related to a judge's responsibilities on the Federal bench.

I am well aware of the meeting called June 10 of the U.S. Judicial Conference to consider financial disclosure rules. It is my opinion that not only Federal judges but Congressmen as well should disclose all income earned while not performing their Federal duties and should be prohibited from earning any outside income whatsoever. They should, however, be able to receive out-of-pocket expenses for lecturing, writing, and so forth. The money which goes into their pockets should end there. This would take away any initiative for them to go gallivanting around the country to subsidize their judicial income.

Members of the Federal judiciary and indeed Members of Congress are being looked at by the public with a critical eye. The opinion by many of many in the Government is already jaundiced by the Fortas affair, by the Douglas matter, and by the sometimes rather disparaging view of "those politicians in Washington."

Let us define the nebulous guidelines of judicial conduct so that there can be no opportunity for "impropriety" in the judiciary much less any question about conflict of interests.

The letter referred to follows:

MAY 16, 1969.

HON. EMANUEL CELLER,  
Chairman, House Committee on the Judiciary,  
Washington, D.C.

DEAR MR. CHAIRMAN: I have been most concerned about recent developments relating to the federal judiciary. In my opinion, the Fortas case is only one example of judicial indiscretion by federal judges. I am concerned that there are apparently many federal judges who are earning and receiving outside income for diverse reasons. Justice Douglas of the Supreme Court is another example of a persons who is receiving outside compensation for services performed during his judicial tenure, thereby making his duties on the nation's highest court a part time responsibility. Congressman Gross has suggested our Judiciary Committee investigate the Douglas matter. I recommend that we

expand his suggestion and investigate the propriety of any federal judge receiving any outside earned income, whether in the nature of honorariums, consultant fees or any other remuneration. My request is not based on wanting to impeach or punish any federal judge, but rather to determine to what extent judges are receiving earned income from outside sources.

We are paying our Supreme Court Justices \$60,000 per year, which represents a nearly \$20,000 increase over their previous salaries. Certainly this should be a full time job, and the taxpayers ought to be able to expect full time service. I differentiate between income from investments which require no work to be performed, and outside income which is in the nature of compensation for services rendered.

Our public investigation should also relate to requiring a full disclosure of any outside income. I realize that some of the points made above should also properly relate to Members of Congress and I, for one, would support separate legislation prohibiting Members of Congress from receiving outside earned income and requiring an even more comprehensive disclosure of outside income.

With kind regards, I am,  
Sincerely,

TOM RAILSBACK,  
Member of Congress.

#### UNITED TRIBES OF NORTH DAKOTA DEVELOPMENT CORP.

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

Mr. ANDREWS of North Dakota. Mr. Speaker, at appropriate ceremonies at the Department of the Interior last week, it was announced that an employment training center for Indians from the Northern Plains States will be opened at Bismarck, N. Dak., this September by a corporation composed of the Indian tribes of North Dakota.

The corporation, United Tribes of North Dakota Development Corp., is now in the process of negotiating with Bendix Field Engineering Corp., Owings Mills, Md., a subsidiary of the Bendix Corp., to subcontract the operations of the center and conduct its educational program.

The center will be funded by several Federal sources. The site of the center will be the deactivated Lewis and Clark Job Corps Center operated by the Office of Economic Opportunity. The training center, renamed the United Tribes Employment Training Center, will receive more than \$500,000 worth of equipment from OEO.

Congress passed a supplemental to the 1969 fiscal year appropriations bill, containing an amendment introduced by North Dakota Senator MILTON YOUNG to provide \$700,000 to rehabilitate the center and equip it for the new educational program. The Department of Labor and the Bureau of Indian Affairs of the Department of the Interior will fund the operation of the center.

The initial enrollment will be 25 families, 10 solo parents, 50 single men and 50 single women. Because wives often take training too, a total of 160 people will be entered in the actual training program.

Under the family training center concept, the entire family receives an educa-

tion—basic three R's related to the selected vocation, job skills and a thorough grounding in the techniques of living in urban areas—the places where most of the jobs are.

Two similar centers are being operated under contract by the Bureau of Indian Affairs in Madera, Calif., and Roswell, N. Mex., but this will be the first center initiated by the Indians and with an Indian contractor at the leadership level. Tribes in the development association are the Standing Rock and Fort Totten Sioux, the Turtle Mountain Chippewa, and the Affiliated Tribes of Fort Berthold—Gros Ventre, Arikara, and Mandan.

The board of directors of the United Tribes of North Dakota Development Corp. consists of: Chairman Lewis Goodhouse, Fort Totten Indian Reservation; Ted Jamerson, Standing Rock Indian Reservation; Nathan Little Soldier, Fort Berthold Indian Reservation; J. Dan Howard, Standing Rock Reservation; J. Henry, Turtle Mountain Indian Reservation; and Austin Engle, secretary of United Tribes of North Dakota Development Corp. and coordinator of Indian affairs for North Dakota.

At the time of the announcement that plans for the employment center are now moving through to final stages toward completion, the chairman of the United Tribes of North Dakota presented a resolution they adopted expressing their gratitude to Senator MILTON YOUNG for his efforts in securing this important facility. This resolution reads as follows:

RESOLUTION OF UNITED TRIBES OF NORTH DAKOTA DEVELOPMENT CORP., BISMARCK, N. DAK., MAY 13, 1969

Whereas, the United Tribes of North Dakota Development Corporation comprising the Chairmen of the Standing Rock Sioux, Three Affiliated Tribes, Devils Lake Sioux and the Turtle Mountain Chippewa Indians are a recognized Development Corporation, and

Whereas, said Development Corporation is responsible to the Tribal Councils and members of each tribe represented to promote the socio-economic development of the resources and general welfare of the Indian people, and

Whereas, the United Tribes of North Dakota Development Corporation in a determined effort and long range planning requested the congressional delegation from the State of North Dakota to assist the United Tribes of North Dakota Development Corporation in obtaining the former Lewis and Clark Job Corps Center and converting it into a training center for the Indians, and

Whereas, the aforementioned Lewis and Clark Job Corps Center is now officially named the United Tribes Employment Training Center and sponsored by the United Tribes of North Dakota Development Corporation, and

Whereas, the United Tribes of North Dakota Development Corporation in cooperation with the State and Bureau of Indian Affairs and the Honorable Milton R. Young, Senator from North Dakota, united forces to obtain funds for the United Tribes Employment Training Center, and

Whereas, the Honorable Milton R. Young, United States Senator, by his selfless, untiring, ceaseless efforts guided by dedication, foresight and a sense of fairness to his fellowmen, and

Whereas, the Honorable Milton R. Young introduced an amendment to the appropriations bill constituted the primary motivat-

ing force which guided the worthy piece of legislation through the hallowed halls of the United States Congress to its enactment into law and funds are available.

Now therefore be it resolved, that the United Tribes of North Dakota Development Corporation duly assembled in session takes this means for the Indians of North Dakota to express their immeasurable gratitude and appreciation to the distinguished member of the United States Senate from North Dakota who through his accomplishments has become one of the outstanding legislators from the State of North Dakota.

Be it further resolved, that appropriate action be taken to place a duly executed resolution in the hands of Milton R. Young, United States Senator from North Dakota.

Be it further resolved, that the Chairman from the four Indian Reservations be authorized and instructed to sign this resolution for and on behalf of the Indian Tribes of North Dakota.

#### CERTIFICATION

We, the undersigned, Chairmen of the United Tribes of North Dakota Development Corporation hereby certify that the Board of Directors is composed of five (5) members of whom 4 constituting a quorum were present at a meeting called and convened and held the 8 day of May, 1969, at Bismarck, North Dakota and that the foregoing resolution was duly adopted by an affirmative vote of 4 with 0 opposing.

A. J. AGAND,

Chairman, Standing Rock Indian Reservation.

PETER MARCELLAIS,

Chairman, Turtle Mountain Indian Reservation.

LEWIS GOODHOUSE,

Chairman, Fort Totten Indian Reservation.

VINCENT MALNOURIE,

Chairman, Fort Berthold Indian Reservation.

AUSTIN ENGEL,

Secretary, North Dakota Indian Affairs Commission.

#### OHIO STATE UNIVERSITY—ROTC

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

Mr. DEVINE. Mr. Speaker, in order to correct some information appearing in the CONGRESSIONAL RECORD of May 14, 1969, I am submitting a letter dated May 23, 1969, from William F. Rounds, of the office of public relations, the Ohio State University, together with a press release of May 9, 1969, both of which are self-explanatory:

THE OHIO STATE UNIVERSITY,

Columbus, Ohio, May 23, 1969.

HON. SAMUEL L. DEVINE,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN DEVINE: The Congressional Record of May 14, 1969, published letters addressed to you and to President Nixon in which an erroneous reference to Ohio State University's ROTC awards ceremony appeared.

The annual awards ceremony took place May 8 in Mershon Auditorium, on the campus. Some demonstrators, both pro- and anti-ROTC, clashed briefly outside the auditorium. Police made one arrest inside the building. The ceremony, however, was not "broken up," but was carried out as scheduled.

It would be appreciated greatly if this information could be published in the Congressional Record to correct the impression given by the earlier letters.

With reference to the same May 8 event, it may be of interest to report also the part played by an Ohio State faculty group in quelling the campus disturbance. The group's work is described in an enclosed news release.

Sincerely,

WILLIAM F. ROUNDS,

Director, News and Information Services.

**STUDENT NEWSPAPER LAUDS FACULTY ACTION IN ROLE OF CAMPUS PEACEMAKERS**

COLUMBUS, OHIO, May 9.—Ohio State University's student newspaper—as well as university officials—had high praise Friday (5/9) for a group of faculty members who helped avert possible serious violence during a campus demonstration Thursday (5/8).

Sixteen faculty members of a Green Ribbon Commission, formed a "demilitarized zone" between pro and anti-ROTC demonstrators who gathered near the university's Merston Auditorium.

The "Lantern," campus newspaper, said the commission's action "helped deter a very embarrassing confrontation between university students and law enforcement officers."

The commission was formed in 1963 for the purpose of helping keep peace at demonstrations. However, Thursday's incident was the group's first physical involvement, according to the commission head, Prof. Paul J. Olscamp of the philosophy department.

Identified by green ribbons on the lapels of their business suits, the faculty were punched, kicked and egged as they stepped between the two opposing factions. Student tempers flared, and there were several fist-fights outside the auditorium, where ROTC cadets and midshipmen had gathered for their annual spring award ceremonies.

Olscamp himself said he had been "accidentally kicked" and was hit under the left eye. At least five of the Green Ribbon men were pelted with eggs, he said.

"I don't think this was intentional," Prof. Olscamp added. "We just happened to be in the middle."

The demonstrators eventually moved to the campus Oval for talks, but no more fights occurred. The group finally dispersed when a heavy rainstorm occurred.

Prof. Olscamp praised university officials for restraint in not using police and both John E. Corbally Jr., vice president for academic affairs and university provost, and John T. Mount, vice president for student affairs, commended the Green Ribbon Commission members for their participation.

The student newspaper lauded the courage of the faculty members and commented editorially:

"By placing themselves between angry left wing demonstrators and counter demonstrators, commission members managed to lessen the flammability of a very flammable situation.

"By their action commission members helped deter a very embarrassing confrontation between university students and law enforcement officers.

"Without the Green Ribbon Commission to rely on, Ohio State's administrators might very well have had to rely on police.

"... Green Ribbon Commission members have made a valuable contribution to the image of a university as a place of reason."

The Ohio State commission, now with more than 200 members, is unique as an organization of this kind on university campuses, Prof. Olscamp believes.

**EVERGLADES NATIONAL PARK: THE FUTURE**

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

Mr. ROGERS of Florida. Mr. Speaker, recently I have commented to the House

on the threat to Lake Okeechobee, Fla., because of a decision by the U.S. Army Corps of Engineers to proceed with hearings on a mining permit.

One of the possible casualties to mining in the lake is the Everglades National Park.

Park Superintendent John C. Raftery made an excellent presentation to the Florida Academy of Sciences earlier this year on the future of the park. As he pointed out:

Water is life, and the everglades is truly living. . . . In reality the sawgrass prairie—the true everglades—historically was a broad, shallow river originating at Lake Okeechobee.

He further states:

Not only must the Park's water supply be timely and adequate, but it must also be of high quality.

I include Superintendent Raftery's remarks at this point in the RECORD:

**EVERGLADES NATIONAL PARK: THE FUTURE**

(By John C. Raftery, superintendent, Everglades National Park, at the 33d annual meeting of the Florida Academy of Sciences, Gainesville, Fla., Mar. 14, 1969)

Man is a strange animal living in a strange and complex world, engulfed by technology and well insulated from the natural environment. Early man must have felt a personal identity with nature, for he derived directly from the environment his basic needs. In acknowledging his dependence on nature, he reached a balance with it and was an integral part of it. His survival rested on his sensitivity to the environmental scheme.

Modern man no longer feels close ties to nature, but rather apart from it. His abuse of the environment indicates an ignorance of his dependence on it. Fortunately, man has not exploited everything. He has set aside parcels of the natural environment, places that have the capacity to restore a feeling of oneness with nature.

National Parks are established to protect natural areas from human exploitation. They are islands of wilderness in a sea of civilization, relatively unspoiled by man's encroachment. We correlate national parks with scenic splendor and solitude that soothes the human spirit. In these places nature is free and only man's actions are disciplined. Here nature's eternal processes are at work, molding and changing an orderly environment inhabited by a myriad of living things.

Every National Park is of prime significance, and Everglades is no exception. Situated on the fringe of the tropics, Everglades exhibits a colossal display of plant and animal communities that combine tropical and temperate characteristics. A blanket of sawgrass, punctuated by elevated tree islands, stretches to the horizon, eventually giving way to a broad mangrove belt, interlaced by a labyrinth of waterways, that lies along the Park's west coast. This is a strange land, a lonely land where the sounds and smells are those of nature. It is a timeless land blending earth, sky, and water. Timeless, but changing; still, but dynamic. Many forces acting with and against one another shaped the everglades region. Of these forces water was most vital.

Water is life, and the everglades is truly living. Perhaps many of you are familiar with Everglades' water problem. The Park's need for water is still of utmost concern. Recurring summer rains and winter drought established in south Florida a water cycle to which all life was bound. In reality the sawgrass prairie—the true everglades—historically was a broad, shallow river originating at Lake Okeechobee. A film of water spilled over the Lake's southern bank during the flood season and coursed imperceptibly seaward. As it flowed, the water picked up nutrients that supported an immense quantity and va-

riety of aquatic life. These organisms, in turn, provided a food supply for the larger forms of wildlife for which the area is renowned. When the 'glades dried up during the winter months, deeper channels and ponds became reservoirs capable of supporting a nucleus of aquatic life that could repopulate the everglades when the summer rains resumed.

The supply of fresh water also produced fertile coastal estuaries that provide nursery grounds for a tremendous array of fish, shrimp, and other marine organisms. In time, a dynamic balance of life, keyed to this annual water cycle, evolved to form the everglades ecosystem. The everglades region became home to an incredible diversity and abundance of living things, each an integral part of the intricate ecological web and each ultimately tied to water, the life blood of the everglades.

Man is bleeding life from Everglades National Park. In the interest of flood control, agriculture, and real estate development, he has constructed an elaborate system of canals, dikes, and levees designed to divert much of this water from its natural course. Drainage has greatly reduced the everglades' phenomenal productivity, destroying habitat and food supplies for many creatures. Aquatic animals that once found refuge in water holes during the short dry season have diminished; their reservoirs become dry. The million and a half wading birds that nested here 30 years ago now number less than 50,000. Curtailment of water flow has permitted inland intrusions of salt water, reducing estuarine productivity.

A bill passed by Congress last year should resolve this problem, but not soon enough. Under the provisions of the plan the Park will receive at least 315,000 acre feet of water annually from the Conservation areas, administered by the Central and Southern Florida Flood Control District, north of the Park. This minimal amount should adequately meet the Park's needs, as its distribution will simulate the seasonal water cycle. Unfortunately, the plan will not be implemented until at least 1976, when the modified project will be completed. In the meantime the interim release schedule, tied to the water level in Lake Okeechobee, remains in effect. Everglades must have a more dependable water supply—and soon—for it is the key to the preservation of its natural values. Water is life, and the living character of the Park is slowly ebbing. As population pressures mount in south Florida and the need for human living space expands, water demands will increase. Let us not forget the needs of this esthetic and biological resource that is so essential to our well-being.

Not only must the Park's water supply be timely and adequate, but it must also be of high quality. As agriculture, housing, and industry expand toward the Park, pollution from pesticides, fertilizers, sewage, and industrial wastes threatens the Park increasingly. Steps must be taken to insure the proper disposal of contaminants that could destroy much life significant to south Florida.

The potential adverse effects of the proposed jetport in Collier County concerns us greatly. The possible impedance of the water flow into the northwest portion of the Park looms ominously. Jet fuels will pollute the air, while fuels, detergents, insecticides used in mosquito control, and industrial wastes may wash into the water that flows into the Park. What will be the effects of noise pollution, created by the new supersonic transports upon the traditional isolation and solitude of the wilderness? We need many answers before construction of this facility proceeds.

Everglades National Park theoretically provides sanctuary for wildlife, but even here some species find little more than statutory protection. Alligator poaching flourishes, as it does throughout the alligator's native

range of the southeastern United States. A relic of the Age of Dinosaurs, whose evolution virtually stopped 100 million years ago, this creature is essential in the everglades system. When water levels drop during the dry winter months, the gator wallows out holes to form reservoirs for aquatic life that provides food for many other animals. As a predator, it helps maintain a balance of life in the community. Despite its status as the first citizen of the everglades, poaching and drainage of wild swamplands have reduced the alligator population at least 95% in the last 20 years. The gator's belly hide furnishes the leather for items such as handbags and shoes. Present laws are ineffective. Risk of capture is slight. Convictions are difficult to obtain. Penalties are light. As you may have recently read, additional funds are being appropriated to increase our patrol efforts, but the ultimate solution is legislation that bans the sale of alligator products. In the meantime, a species vanishes, and once it is gone, it is gone forever.

Additional threats to the integrity of the Park include development of private inholdings; the invasion of exotic plants and, potentially, exotic animals; and canals in the Park, constructed years ago, that have adversely changed brackish estuarine areas by accelerating run off and permitting salt water intrusion.

The problems facing Everglades today categorically relate to one major challenge—to maintain the wilderness character of this area for the enjoyment of people, now and in the future. Why? Why save it? Why should we concern ourselves? Why is Everglades important to people?

Congress has charged the National Park Service with a dual purpose. We must maintain parks in a natural condition while making them available for visitor use and enjoyment. Actually, these two seemingly diverse objectives coalesce, for parks must relate to people. Use must be compatible, of course, with the natural values the area was established to protect.

Development is limited, as to would impair the parks' purpose for being. Easy access to the parks would create such an impact that visitors could conceivably love them to death. But to those willing to accept nature on its terms, the parks offer delightful experiences. Their natural beauty contrasts sharply with the environmental blight spawned by our technology. They offer solitude and serenity that provide spiritual uplift and mental refreshment. They represent outdoor museums, where nature herself is the curator, where we can study the intricate fabric of nature under natural conditions. Recreational benefits afford respite from the impoverished environment in which we live. Most important, national parks furnish the opportunity for man to renew his ties with the land and to understand his relationship to the world around him.

The greatest function of the National Parks lies in their potential to create in man an environmental awareness. Frankly, we are concerned about man's future. His attitude toward the environment has been to exploit it for personal gain, to take more from the earth than he has been willing to give in return. While enacting laws to govern his societies, he has exempted himself from the basic laws of nature. Civilizations have flourished where the earth was bountiful—and perished when the bounty was depleted. Man the conquering animal has divorced himself from nature. Now he is confronted with sobering alternatives. Nature is in revolt; we can no longer take the environment for granted. Unless man achieves harmony with the environment, he will ultimately destroy himself.

The National Parks can restore in man a perception of his profound kinship with nature. In Everglades wilderness trails and miles of navigable waterways, some of which are marked, enable visitors to gain a more

intimate feeling for the natural environment. Accessibility is largely limited to those means that can provide this experience. Our interpretive programs are environmentally oriented, stressing man's place in the ecological scheme of things. A program designed to create in school children an environmental awareness has recently been implemented in the Park. The major element in this new effort is an Environmental Study Area that exhibits natural interrelationships as well as the impact of man. We hope eventually to establish new facilities that will interpret man's role in the environment. These programs hopefully will motivate people to discover nature and thus to discover themselves. Perhaps through their experience here they will ultimately recognize a personal responsibility to the environment, if only because they are a part of it.

The fate of Everglades National Park depends entirely on man's recognition of this responsibility. Outside forces control its destiny. South Florida is changing rapidly—and haphazardly. South Florida desperately needs an environmental design that will strike a balance with the natural environment.

We can no longer afford the luxury of changing the environment without prior planning if we are to assure optimum benefits to all. We must insure that any change we make results in minimal damage to the environment. A systematic management plan based on ecological understanding and environmental responsibility will achieve that end. But it involves the concern of everyone. Only when we learn that we are part of nature's intricate web and not the weavers of it, only when we concede the necessity of environment unity—here, as everywhere—will we preserve the integrity of Everglades National Park, and, subsequently, the quality of our own existence. Indeed, if we lose Everglades, we will have lost a part of ourselves.

The future of Everglades National Park is a challenge to man. A challenge to preserve this great natural reserve not only for his enjoyment but to retain a bit of his natural environment to which he may return to conserve his Soul.

#### THE HONORABLE DON RUMSFELD

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

Mr. STEIGER of Wisconsin. Mr. Speaker, this morning Don Rumsfeld took the oath of office as Director of the Office of Economic Opportunity and a special assistant to the President.

I rise at this time to pay tribute to the record of Don Rumsfeld as a Member of the House and to wish him well as he assumes his new responsibilities.

During his service in this body our colleague from Illinois has made a substantial contribution in congressional and draft reform, freedom of information and enhancing the responsiveness of Government.

Eve Edstrom of the Washington Post wrote an excellent article today which I include at this point for the information of my colleagues.

Don Rumsfeld has undertaken an important and challenging job. I salute his past service and pay personal tribute to him as he moves into the executive branch.

When Donald Rumsfeld is asked about winning—whether it be a wrestling match or the war on poverty—he counters with: "Do you know anyone who likes to lose?"

In much the same way, Rumsfeld's prede-

cessor as head of the Federal antipoverty effort, Sargent Shriver, used to have emblazoned on his office door: "Nice guys don't win ball games."

Like Shriver, Rumsfeld is exuberant, energetic and thinks in terms of winning big. That's why at 10 a.m. Monday, when Rumsfeld is sworn in as director of the Office of Economic Opportunity, the war on poverty becomes a brand new ball game.

When Shriver left OEO in early 1968 to become Ambassador to France, OEO was described as a "sad shop" that had lost its creative zing.

It became even sadder as former President Johnson failed to replace Shriver, and as the Nixon Administration shifted Head Start and the Job Corps to other agencies.

#### COLLEAGUES PUZZLED

Therefore, some of Rumsfeld's closest colleagues on Capitol Hill wondered why he gave his safe Illinois Congressional seat to become commander of a war on poverty that was being reduced to a skirmish.

But Rumsfeld 36—a former Princeton wrestling champion, an ex-Navy jet pilot and captivator of thousands of young people who have worked for him in his Congressional campaigns—may soon give the war on poverty a visibility and a vitality to match that of the early Shriver days.

President Nixon has already handed Rumsfeld a headline-grabbing issue. In the May 6 hunger message to Congress the President called for a "greatly expanded" role for OEO's Community Action agencies in getting food to the poor.

Rumsfeld, therefore, will be among the chief Administration leaders in the battle against hunger, perhaps the most popular domestic issue of the year.

#### CABINET RANK

Furthermore, in his new post, Rumsfeld has Cabinet rank and will be a member of the President's Urban Affairs Council.

This means that shortly after he is sworn in at the White House Monday, Rumsfeld probably will be named chairman of the Council's poverty subcommittee, a post that Health, Education, and Welfare Secretary Robert H. Finch has held.

This will give Rumsfeld wide latitude in examining all poverty-related Government programs and in designing new pilot projects to combat poverty.

Rumsfeld already speaks with great enthusiasm for "RPPE"—OEO's Office of Research, Plans, Programs and Evaluation. It is through that Office that the Nation's first experiment in an income-maintenance program is being conducted. It is a program quite similar to one that Finch would like to see replace the Nation's welfare system, which he thinks is outmoded.

#### FOCUS OF DEBATE

Just as the spotlight is now on hunger, income maintenance plans can be expected to be the focus of national debate in the years ahead. And Rumsfeld's operation will be the test tube for such plans.

Rumsfeld has avoided discussing his concrete ideas for OEO's future until he is officially on the job. But he has done a prodigious amount of homework on OEO since President Nixon appointed him on April 21.

His briefcases over the last few weeks have bulged with hefty reports and books on the Nation's antipoverty efforts.

Government and outside experts that he consulted for the first time said they were amazed at the perception and orderly thrust of his questions. They said he showed a sensitive awareness of the many difficult problems he is inheriting, particularly the conflicts between Model Cities and Community Action agencies and the fights between city halls and state houses over control of OEO funds.

But long before he was OEO director-designate, Rumsfeld had a VISTA sign on his wall. It said: "If you are not part of the solution,

you are part of the problem." Rumsfeld gives every indication that he will provide solutions.

#### ASSOCIATE JUSTICE WILLIAM O. DOUGLAS AND THE PARVIN FOUNDATION

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

Mr. GROSS. Mr. Speaker, in a New York Times story of today, May 26, on the Parvin Foundation and Associate Justice William O. Douglas, there is an interesting paragraph dealing with correspondence in the files of Mr. Albert Parvin relative to an investigation that the Internal Revenue Service was conducting of the Parvin Foundation. That paragraph indicates Justice Douglas was giving advice only 14 days ago to Mr. Parvin relative to the tax matters under study by the Internal Revenue Service, and relative to the manner in which the Parvin Foundation could reorganize its activities to eliminate its present tax problems and to limit new difficulties.

I am certain that Parvin must have believed that this was the best legal advice since it came from an Associate Justice of the Supreme Court, and since it dealt with a matter that in the final analysis might be settled before the same U.S. Supreme Court of which Justice Douglas was a member.

It would seem to me that there would be a conflict of interest or a possible conflict of interest in the advice and other actions taken by Justice Douglas. But, I am also told that there are laws that bar a Supreme Court Justice from giving legal advice, and this would certainly apply on Federal tax matters.

The New York Times story does not provide a direct quote from the Douglas correspondence, but it does state:

In Justice Douglas' letter to Mr. Parvin . . . the Justice insists that the allegations of the revenue service must be fought. Mr. Douglas also makes several suggestions in his letter as to how, in the future, the finances of the foundation can be completely and unquestionably set apart from Mr. Parvin's control or the implications of it. His suggestions, Mr. Douglas says, probably won't help the foundation in its present problems with revenue service, but they ought to limit new difficulties.

If this is a correct paraphrase of the Douglas letter, it would appear that there is a law violation and this would certainly be grounds for serious consideration of impeachment. I hope the Internal Revenue Service and the Justice Department have taken appropriate steps to seize this correspondence.

The New York Times story follows:  
DOUGLAS SAYS TAX INQUIRY AIMS TO GET HIM OFF COURT

(By Bernard L. Collier)

LOS ANGELES, May 25.—Supreme Court Justice William O. Douglas has privately characterized Internal Revenue Service investigation of the Albert Parvin Foundation as a "manufactured case" intended to force him to leave the bench.

The characterization was included in a letter dated May 12 to Albert Parvin, a multimillionaire Los Angeles business executive.

"The strategy is to get me off the Court," Mr. Douglas wrote. "I do not propose to bend to any such pressure."

When Mr. Douglas wrote the letter, he was still president and a director of the foundation and was earning a \$12,000 annual salary in those posts.

According to foundation records here, he used the salary primarily for travel expenses in connection with foundation business.

Mr. Douglas's resignation was announced Friday in a statement released by the foundation.

The statement said that Mr. Douglas had indicated to other foundation directors more than a month ago that expanding foundation activities posed "too heavy a work load" for him and that his health was also a matter of concern following an operation of appendicitis.

In Washington, Justice Douglas, informed that his letter had been released in California, made no comment.

A spokesman for the revenue service rejected the suggestion that any of the agency's inquiries could be motivated by personal or political considerations.

A memorandum in the files on foundation business maintained by Mr. Parvin—who was for nearly seven years the foundation's finance committee chairman and is still a director—showed that Mr. Douglas on May 1 advised the foundation's board that he wanted to give up his posts after nine years.

It was in a file with that memorandum and numerous other letters and records pertaining to foundation business that Mr. Douglas's letter of May 12 discussing the Federal tax investigations appeared.

The issue of Mr. Douglas's connection with the Parvin Foundation was raised recently because of the controversy surrounding the resignation from the Supreme Court of Justice Abe Fortas, who had been offered a \$20,000-a-year fee by the Wolfson Family Foundation.

Mr. Parvin says that he has known Louis E. Wolfson for many years. Mr. Parvin was named a co-conspirator—but was never tried—in a stock fraud case involving Mr. Wolfson, who is now in prison for violations of the securities law.

Despite the prestige of some of the board members of Mr. Parvin's foundation, critics still point out that the Parvin Foundation was started with the nearly \$3-million in profits Mr. Parvin gained when he sold the Flamingo Hotel and gambling casino in Las Vegas 10 years ago.

#### RECORDS MADE AVAILABLE

Mr. Parvin made many of his foundation records, which included Justice Douglas's letter, available to the New York Times to show he asserted, that "nothing the foundation had done is in any way wrong."

Also contained in Mr. Parvin's files is a packet of documents pertaining to the Internal Revenue Service investigation of the tax-exempt status of the foundation.

The packet, which Mr. Parvin's lawyers advised him he could not release for publication, included a series of allegations by a revenue service field agent questioning more than a dozen transactions involving Mr. Parvin's investment of foundation funds.

Along with a copy of the allegations were answering letters and documents prepared by Mr. Parvin and lawyers for the foundation, including Miss Carolyn Agger, the wife of Abe Fortas, who recently resigned from the Supreme Court.

Miss Agger is a noted tax lawyer with Mr. Fortas' old Washington law firm of Arnold & Porter.

"I think we will be able to answer every single allegation," said the 69-year-old Mr. Parvin, "and prove that the foundation was never used as any sort of tax dodge for me, my friends, my companies or anyone else."

#### NO FORMAL CHARGES

Although the revenue service has never made any formal charges against the foundation, its agents have been investigating

Mr. Parvin's and the foundation's books and records for nearly three years.

Correspondence in Mr. Parvin's files indicates that revenue service agents have examined Justice Douglas's files in Washington. Numerous bank records and records of stock transaction have also been investigated.

In Justice Douglas's letter to Mr. Parvin, which says in its opening sentence that the Justice drafted it on yellow foolscap paper on a plane returning from Brazil, the Justice insists that the allegations of the revenue service must be fought.

Mr. Douglas also makes several suggestions in his letter as to how, in the future, the finances of the foundation can be completely and unquestionably set apart from Mr. Parvin's control or the implication of it.

His suggestions, Mr. Douglas says, probably won't help the foundation in its present problems with revenue service, but they ought to limit new difficulties.

Foundation records indicate that Mr. Parvin personally managed the fund for the philanthropy for nearly seven years and increased its initial capital during that time.

When the revenue service became concerned about his financial management, he relinquished control of foundation investments to a New York investment firm.

#### BOARD CLEARED DEALINGS

During the time Mr. Parvin was chairman of the finance committee, the records show, virtually all of his dealings were cleared by the board of directors—either before or after the transactions were made.

In the minutes of the foundation through 1968 there are several references to the other directors' expressing "complete confidence" in Mr. Parvin's judgment in managing the foundation's cash assets and its stock portfolio.

Besides Mr. Douglas and Mr. Parvin, the directors of the foundation were, until last Friday when Mr. Douglas resigned as president and a director:

Robert F. Goheen, the president of Princeton University; Dr. Robert M. Hutchins, who is also the president of the Center for the Study of Democratic Institutions in Santa Barbara, Calif.; Harvey Silbert, a Los Angeles lawyer and an old friend of Mr. Parvin's, and Sidney Davis, a New York lawyer.

The new president and a director of the foundation is Fred Warner Neal, a professor of international relations and government at the Claremont Graduate School, in Claremont, Calif.

Professor Neal was at one time a consultant in Russian affairs for the State Department and has also served as a consultant for the center of democratic studies.

A letter in Mr. Parvin's files from Harry S. Ashmore, a director of the foundation, details the position of the foundation in relation to investigations by the revenue service in early 1967 when the first stories about the foundation's tax problems came to light in newspapers.

The letter was sent by Mr. Ashmore, a Pulitzer Prize Winner, to newspaper executives he knew.

The letter says in part:

"The other point is the implication by the Internal Revenue Bureau that the foundation has been used by Albert Parvin to serve his own financial interest and to avoid the payment of income taxes.

"No such charges have been filed, but they have been suggested by I.R.S. agents as the basis for inspection of the foundation's records.

"The fact of this investigation, along with selected details from the foundation's private files, obviously were leaked to the newspapers before the I.R.S. even had a chance to evaluate the records it had requested.

"This was in late October [1966], and the board immediately acted to initiate an investigation of its own. The highly competent national firm of independent accountants

that checks out every investment and every expenditure to see that I.R.S. regulations are complied with reaffirmed its clearance.

"However, because the I.R.S. accusation was directed against him personally, Parvin took the position that the other members of the board should arrange for a new investigation by experts without prior association with the foundation.

"In November the board retained Miss Carol Agger, the leading tax authority in the Washington law firm of Arnold & Porter. On her recommendation, the accounting firm of Haskins & Sells was brought in with the instructions to trace every dollar paid into or disbursed by the foundation from the time of its inception.

"And, under the Caesar's wife principle, we had even transferred management of the foundation's assets to an independent investment company, Carl M. Loeb, Rhodes of New York.

"Haskins & Sells began its audit in December, and while the final report is not yet available, the accountants have provided Miss Agger with an interim report in which they state that the most exhaustive investigation they can devise has produced nothing to justify I.R.S. action.

"Even so, rumors are still afloat in Washington, and I presume in Los Angeles, that the I.R.S. is getting ready to move against the foundation and/or Parvin, and the implication, of course, is one of fraud."

The letter went on: "Miss Agger wrote me last week:

"The more difficult problem is the belief, apparently held by the Internal Revenue Service special agents, that in some way not reflected in the foundation's records, Parvin used the foundation for his own benefit. I have been trying to smoke-out what basis, if any, there is for the Internal Revenue Service suspicion. I have invited the Internal Revenue Service to examine the foundation's books and records and the Haskins & Sells draft audit report."

"The point is that we are being systematically frustrated in our effort to deal with the I.R.S. head on and satisfy any legitimate questions, while at the same time, on the basis of leaks that can only come from the I.R.S., Albert Parvin, the foundation and Justice Douglas (who obviously cannot reply) are taking a beating in the newspapers."

Mr. Ashmore, who is also a director of the Center for Democratic Studies in Santa Barbara, added in his letter:

"I apologize for belaboring this at such length, but I think you ought to have all the facts. The Center [for Democratic Studies] has only a minor financial interest in this matter, and I have none.

"My concern is personal; I am convinced that we are up against an outrageous act of persecution by a Federal agency."

The Parvin Foundation, which was founded in 1960, has concentrated mainly on projects in education and international affairs. It is now a substantial sponsor of international meetings of scholars, jurists and politicians under a program called Pacem in Terris Convocation.

Justice Douglas has traveled extensively in Europe and Latin America to support the program, which was named after the Papal encyclical of Pope John XXIII. Pacem in Terris can be translated from the Latin as "peace on earth."

The foundation also sponsors a fellowship program at Princeton University for students from underdeveloped countries and at one time sponsored a similar program at the University of California at Los Angeles.

It has also financed conferences in association with the Center for the Study of Democratic Institutions, and in 1963 it sponsored a literacy program for the government of President Juan Bosch in the Dominican Republic.

When Mr. Bosch was overthrown, the spon-

sorship of the program by the Parvin Foundation was ended.

Professor Neal said in a statement on Friday in discussing the future of the Parvin foundation:

"We expect to carry on and expand the foundation's programs, particularly in the area of small, high-level international conferences, along the lines Justice Douglas initiated.

"The concept of what he called 'private international relations' is an important one, and it often performs a great service in thawing channels frozen by the rigidities of formal diplomacy."

#### JUSTICE DOUGLAS RESIGNS BUT FROM WRONG BODY

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

Mr. RARICK. Mr. Speaker, many Americans were pleased with the announcement that Douglas had resigned—only to be disappointed on learning that it was from his tax-exempt sinecure and not the Supreme Court.

Douglas' interlocking activities with the Parvin Foundation and Center for the Study of Democratic Institutions are far more damaging to the Supreme Court than were Abe Fortas' indiscretions. Not only are Douglas' personal honor and integrity questioned, but every decision on which he cast a vote as a Justice of the Supreme Court is under suspicion.

Fortas took \$20,000 and paid it back—but it didn't satisfy ethics. Douglas' resignation from the tax-free foundation—even if he pays back his \$72,000 outside income—is wholly unacceptable.

The matter is now beyond Douglas' control. In order to salvage the essential honor of the High Court, he no longer has alternatives. He must resign at once. Continued evasion of the plain moral issues involved in his shocking misconduct can only further damage the Court, and prove more humiliating to Douglas.

Public confidence in the Court's decisions, already badly shaken, must not be permitted to disintegrate further.

Several news clippings follow:

[From the Washington (D.C.) Daily News, May 23, 1969]

#### JUSTICE DOUGLAS QUILTS PARVIN FOUNDATION JOB

LOS ANGELES, May 23.—Supreme Court Justice William O. Douglas, under fire for accepting \$12,000 a year as the only paid officer of a charitable foundation, has resigned that post, it was announced today.

The Albert Parvin Foundation said Mr. Douglas had indicated early in April that he wished to be relieved as president and board member but an appendicitis operation on the justice delayed a meeting of the board.

The foundation said the board accepted the resignation "with deep regret" at a meeting at Santa Barbara, Calif., on May 21.

Fred Warner Neal, professor of international relations and government at the colleges of the Claremont (Calif.) graduate school was appointed to succeed Mr. Douglas as president of the foundation, a Los Angeles-based philanthropy.

[From the Washington (D.C.) Evening Star, May 26, 1969]

#### TAX LAW ADVICE TO FUND DISCOUNTED BY DOUGLAS

(By Lyle Denniston)

Supreme Court Justice William O. Douglas today claimed that he "knew very little"

about the tax law problems of a private foundation he headed for nine years.

His statement, issued through the court's press office, was intended as a reply to published reports that he gave the Albert B. Parvin Foundation advice about its difficulties with the Internal Revenue Service.

Douglas has been under increasing criticism for his role as the only paid officer of the foundation. Partly because of that criticism, he resigned from the post last Wednesday.

Several members of Congress have linked the Douglas involvement with the foundation with a somewhat similar relationship that led to the resignation of Justice Abe Fortas from the Supreme Court.

The New York Times reported today that it has been given access to foundation files regarding a tax investigation, and that it had seen a letter by Douglas commenting on the tax inquiry.

#### "ALL RIGHT WITH HIM"

Douglas said through the court's press spokesman that he would not release any documents himself, that he had turned all records of the foundation over to its new president, and that it was "all right with him" whatever documents the foundation chose to make public.

The May 12 letter discussed in the Times article was alleged to have included suggestions to Albert Parvin about Parvin's financial ties to the foundation and about the tax difficulties that had resulted.

Douglas authorized the court's press officer, Banning E. Whittington, to tell reporters the following about these allegations:

"As far as the tax troubles are concerned, they had tax lawyers and it's up to them, it's their job. He (Douglas) knew very little about these tax troubles."

The foundation's new president, Fred Warner Neal, reached in California by telephone, told a reporter that "I assume that in no case did he (Douglas) ever" advise the foundation or Parvin about tax troubles.

But Neal said he did not know anything about a letter to Douglas discussing the tax difficulties. He said he had been told that Parvin had shown such a letter to the Times reporter but he insisted that he himself had not seen the letter.

Neal acknowledged that the IRS has been carrying on "some kind of investigation into the tax record" of the foundation but has taken no action.

The Times quoted Douglas as saying in the letter to Parvin that the IRS inquiry was a "manufactured case" and that "the strategy is to get me off the court. I do not propose to bend to any such pressure."

Internal Revenue Commissioner Randolph W. Thrower, in response to inquiries, said he is "confident that there is no real justification" for reports that the IRS inquiry of the foundation had "some political or other inappropriate motivation."

Thrower said the examination of the foundation's tax-exempt status "started several years ago" and has been going ahead "in an orderly way since that time."

He vowed to "make every effort to keep the decisional process completely insulated from political and emotional reactions that have been reflected in the press."

Saying he preferred not to discuss the case, Thrower concluded: "I have seen nothing to indicate any political motivation in the examination under the past administration, and give assurance that none exists within the IRS today."

Douglas' resignation last week from the foundation was interpreted as an indication that he does not intend to give up his court seat as Fortas had done.

The foundation, in announcing his resignation, said that it had been under consideration since April, and was postponed until last week only because Douglas had had an emergency operation on March 31.

The reason Douglas gave today for declin-

ing to release any material about the tax matter was that he had "completely divorced" himself from the foundation and had turned over all its records to Neal.

But Neal told a reporter that he personally regarded the May 12 letter as a personal matter from Douglas to Parvin.

The new foundation president said that Douglas had not, to Neal's knowledge, given the foundation advice on how to handle its finances. Those decisions, Neal said, had been made by a finance committee and Douglas was not a member of that committee.

Douglas received \$12,000 a year as foundation president since 1962. However, his association with the foundation goes back to 1960.

[From the Washington (D.C.) Evening Star, May 26, 1969]

#### PARVIN BOSS CALLS PROBE UNJUSTIFIED

LOS ANGELES.—The chairman of Parvin-Dohrmann Co., in the news because of a link to Supreme Court Justice William O. Douglas, criticized today a Securities and Exchange Commission investigation and told stockholders it was not justified.

Delbert Coleman said the investigation and the suspension twice of trading in the firm's stock on the American Stock Exchange have placed a "cloud" over the company and caused the value of its stock to drop severely.

Yet he said the hotel supplies company has cooperated fully with the SEC and conducted its own study of charges against it and is aware of no wrongdoing "of any consequence."

"I am completely confident that this situation will not change, no matter how long the investigation continues," Coleman said. He said the SEC staff may be "contradicting their own precepts" by having "thrown confusion into the market for our stock."

#### PLANS CHANGES

He said the firm will soon announce a change in its corporate name "to break more completely with the past and to improve our corporate image."

Parvin-Dohrmann, which owns three Las Vegas, Nev., casinos, jumped into prominence because of its ties to the Albert Parvin Foundation, headed by Justice Douglas until his resignation announced Friday.

The Parvin Foundation recently sold its \$2 million stock holdings in Parvin-Dohrmann.

The Nevada Gaming Control Board launched an investigation of Parvin-Dohrmann after Coleman bought 300,000 of its shares and transferred nearly half of them to a group of 21 "associates," including FOF Proprietary Funds Ltd., based in Geneva.

FOF also had interests in gambling casinos in the Bahamas and this is prohibited by Nevada law. But FOF sold its interest in Parvin-Dohrmann at the gaming board's insistence.

Later it was disclosed Parvin-Dohrmann holds securities readily convertible to nearly 10 percent of the outstanding shares of Resorts International, the same Bahamian casino operator in which the Swiss-based mutual fund held an interest.

Besides the SEC, American Stock Exchange and Nevada investigations, the baseball commissioner is investigating stock holdings in the firm by top officials of the Atlanta Braves and the Oakland Athletics.

Parvin-Dohrmann stock, which had soared earlier this year to 14½, closed at 8¾ Friday, off 7¼.

"I have no reason to doubt that the market value of our stock, at its highest, fairly reflects the financial condition of the company and its earnings prospects," Coleman said, adding that the firm recorded record earnings of \$1.02 per share in the first quarter of this year.

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

Mr. RARICK. I most certainly shall yield to the gentleman from Florida.

Mr. HALEY. I thoroughly agree with the gentleman in the well of the House when he states that Justice Douglas has resigned from the wrong position. He should go a little further.

Mr. RARICK. I thank the gentleman from Florida.

#### ETHICS IN GOVERNMENT

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

Mr. MACGREGOR. Mr. Speaker, a week ago Saturday, I sent the following letter to the Honorable Earl Warren, Chief Justice of the United States, and to Mr. William T. Gossett, president of the American Bar Association:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 17, 1969.

Re ethics in Government.

HON. EARL WARREN,  
Chief Justice of the United States,  
Supreme Court of the United States,  
Washington, D.C.

MR. WILLIAM T. GOSSETT,  
President, American Bar Association,  
Chicago, Ill.

GENTLEMEN: The Library of Congress advises me that the following Canons of Judicial Ethics of the American Bar Association were adopted July 9, 1924, and have not since been revised:

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

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

"31. *Private Law Practice.* In many states the practice of law by one holding judicial position is forbidden. In superior courts of general jurisdiction, it should never be permitted.

"If forbidden to practice law, he should refrain from accepting any professional employment while in office. . . ."

In your judgment, are these standards of conduct, adopted nearly 45 years ago, sufficiently precise and adequate in scope to effectively deal with the problems of today?

What investigatory and disciplinary authority exists within the Judicial Conference of the United States or the American Bar Association to determine if federal judges are violating the CANONS and to require adherence to their provisions?

In the New York Times of May 15th Mr. James Reston cites the Fortas controversy as one of several matters which has "dramatized one of the deepest problems and anxieties of our time.

"This is the crisis of belief. . . .  
"Where are sincerity and integrity? Where are honesty and plain speaking in the courts, the legislatures, the executive and the press?"

After referring to some of the activities of Associate Justice of the Supreme Court William O. Douglas, Richard Wilson writes on May 15th in the Minneapolis Tribune:

"To what extent can and should Supreme Court justices become involved in activities external to the high court?"

"If Fortas resigns in expiation of his bad judgment in accepting and then returning

a \$20,000 grant, and justice is therefore supposed to have been done, nothing will have been gained from the incident. The issue is what Fortas did, all right, but several of his brethren in the judiciary could well afford to spend a few sleepless nights wondering if what they have been doing equally offends the principle of detached noninvolvement."

On May 15th I introduced the following two bills in the House of Representatives:

Making it a federal criminal offense for anyone to pay or to offer, and for any federal judge, Member of Congress, or policy-making official in the executive branch to receive, any sum greater than \$500 for a speech, published work, professional service, personal appearance, or otherwise by way of honorarium.

Requiring the quarterly disclosure to the Comptroller General for printing by the U.S. Government of the source and amount of all income received by federal judges, Members of Congress, or policy-making officials in the executive branch.

I enclose copies of my remarks made in the House on May 14th and May 15th so that you might better understand the reasons why I feel each of these bills must be enacted.

On the basis of the information which I now have, I feel most strongly that the Canons of Judicial Ethics are imprecise and inadequate, and that the machinery to insure compliance with these standards of conduct is ineffective. I solicit your comments, and should you agree with me in whole or in part, I would welcome your suggestions as to how these matters might be remedied.

I would also deeply appreciate your reaction to the legislation referred to above which I introduced earlier this week.

Best regards,  
Sincerely,

CLARK MACGREGOR,  
Member of Congress.

While neither the Chief Justice nor Mr. Gossett has to date favored me with a reply, I am pleased to read in newspaper articles that both the Chief Justice and the American Bar Association have agreed to reexamine and clarify the ethical patterns of nonjudicial activities of U.S. judges.

While forward progress on the part of the Judicial Conference and the American Bar Association is both encouraging and necessary, it does not lessen the need to pass the bills referred to in my letter. I am hopeful that the House Judiciary Committee will promptly schedule hearings on this subject. The aforementioned newspaper articles follow:

[From the New York Times, May 23, 1969]  
WARREN SEEKING CODE OF ETHICS—JUDGES WILL MEET TOMORROW ON PROPOSED REGULATIONS FOR THE FEDERAL BENCH

(By Fred P. Graham)

WASHINGTON, May 22.—Chief Justice Earl Warren has called a meeting for Saturday of a committee of top Federal judges to begin drafting a code of ethics and financial reporting rules for all Federal judges.

Mr. Warren hopes to have the new regulations formally adopted by the policy-making arm of the Federal judiciary, the Judicial Conference of the United States, before he retires next month.

If so, they will become the first formal standards of conduct ever to be adopted by the Federal judiciary.

The move marks the first concrete sign that Chief Justice Warren and the Federal judiciary feel an obligation to set their house in order in the wake of the recent Fortas controversy, even before the new chief justice takes office.

It sets the stage for a possible conflict with

Congress over who should police the courts and what the standards of conduct for Federal judges should be.

The broad outlines of the proposed rules are already under study. The proposals, if adopted, would require annual reporting of income in extensive detail, but the reports would be kept secret within the judicial branch.

The rules would also prohibit outside employment other than teaching, writing and lecturing on general legal subjects, and compensation for these activities could not be out of line with services rendered.

If these standards are adopted, the result would be to rule out such involvements as former Supreme Court Justice Abe Fortas's receipt of \$20,000 (which he later returned) for advice to family foundation of Louis E. Wolfson.

They would also apparently preclude Justice William O. Douglas from continuing to receive \$12,000 a year as president of the Parvin Foundation.

According to sources here, Chief Justice Warren moved to create a self-imposed judicial code of ethical conduct when it appeared that Congress might react to Justice Fortas's resignation under fire by imposing standards of its own making on the judiciary.

On Friday, May 16, the day after Mr. Fortas's resignation was announced, Mr. Warren called this Saturday's meeting of the Judicial Conference's 11-member committee on court administration. It will draft the proposed standards over this weekend, and Mr. Warren tentatively plans to call a meeting next month of the 25-member Judicial Conference to adopt the rules.

#### MAKE-UP OF CONFERENCE

The Judicial Conference, a body established by Congress, is headed by the Chief Justice and is composed also of the chief judges of each of the Federal Courts of Appeals and the chief judges of two special Federal courts, plus one district judge from each of the 11 judicial circuits.

It is understood that Mr. Warren hopes to have the new standards formulated before he leaves office and that he does not intend to involve Chief Justice-designate Warren E. Burger in the matter. Judge Burger, a member of the Court of Appeals for the District of Columbia, is not a member of the Judicial Conference.

Judge Burger may be affected, however, by any new code that is adopted in the 11th hour of the Warren regime.

It was disclosed today by an official of the Mayo Clinic in Rochester, Minn., that Judge Burger has been receiving a \$2,000 annual honorarium since 1959 as a member of the Board of Trustees of the clinic. Each of the six public members of the clinic's board, including Judge Burger and former President Lyndon B. Johnson, receives the same salary.

Judge Burger, in a statement issued at his home, said he did not know whether he would remain on the board in view of his nomination. He listed his total payments at \$3,500.

It is understood that Chief Justice Warren hopes to head off Congressional action on ethics in the judiciary by adopting a reporting system similar to the one being used in the Senate, where most of the financial items that are reported are kept secret and only large lecture fees and contributions are made public.

The rules now being contemplated would require detailed annual reporting by all judges—including Supreme Court Justices—of gross income, honorariums, gifts, large debts and assets, trust relationships, shareholdings in closely held corporations, and offices in organizations. These reports would be held in secret by the administrative office of the United States courts, however.

The proposed rules contemplate a code of ethics that would forbid conduct that would

create an appearance of impropriety and would prohibit outside employment except for teaching at established institutions, writing assignments and lectures on general legal subjects.

They would also forbid such embarrassments as political activities, informal contacts with litigants and the receipt of gifts from potential litigants. The committee and the full Judicial Conference have the authority to adopt any standard or to reject the idea of a standard, but the ideas being considered suggest that Mr. Warren, at least, is prepared to accept rather strict self-regulation by judges.

The enforcement of any rules propounded by the Judicial Conference would pose legal and constitutional problems. The status does not specifically give the Judicial Conference the power to set standards for judges, and the Constitution does not suggest that judges could be punished for disobeying any such standards.

Federal judges are theoretically subject to the canons of judicial ethics of the American Bar Association, but these serve only as guidelines for conduct because the bar association has no machinery for enforcing them against United States judges.

The members of the committee that is scheduled to meet at the Supreme Court at 10 A.M. Saturday are: Robert A. Ainsworth Jr. of New Orleans; John Biggs Jr. of Wilmington, Del.; James R. Browning of San Francisco; J. Edward Lumbard of New York and J. Skelly Wright of the District of Columbia, all Circuit Judges.

Also, District Judges Bailey Brown of Memphis, A. Sherman Christensen of Salt Lake City, Bernard M. Decker of Chicago, Elmo B. Hunter of Kansas City, Mo.; Edward T. Gignoux of Portland, Me., and Edwin M. Stanley of Greensboro, N.C.

[From the Washington (D.C.) Sunday Star, May 25, 1969]

#### U.S. JUDGES WEIGHING ETHICS CODE (By Lyle Denniston)

A committee of 11 federal judges has made a tentative decision to draft a "written code of standards" to guide judges on their out-of-court ethics.

However, it now appears that the code cannot be finished and put into effect in time to head off efforts in Congress to write a new law imposing new ethical strictures on U.S. judges.

Stirred by the financial relationships that led Justice Abe Fortas to resign from the Supreme Court and Justice William O. Douglas to give up a nine-year tie with a private foundation, several members of Congress are intent on getting prompt action on disclosure legislation.

The demand for such legislation and the Fortas controversy led Chief Justice Earl Warren to summon the 11-member judges' committee here yesterday to consider judicial ethics.

While the judges now seem unable to head off the legislation by first acting on their own ethical code, they nevertheless will attempt to influence what Congress does.

The panel is already at work on recommendations that the U.S. Judicial Conference could make about a series of pending bills to force judges to disclose their financial status.

After discussing judicial ethics for more than five hours yesterday, the panel and Warren agreed to summon the Judicial Conference into a special session here June 10.

Then, the 11-member committee—a standing Judicial Conference committee on court administration—will suggest a stand for the conference to take on the disclosure bills.

In addition, the committee will present "an interim report as to what we are trying to do on a written code of standards," according to the panel chairman, Circuit Judge Robert A. Ainsworth Jr. of New Orleans, La.

Ainsworth said his panel did not expect to have "anything definite" on either the disclosure legislation or the interim report about standards, until June 9, the day before the conference meeting. The committee will meet again that day, and put together its conference report he said.

#### CODE TO TAKE TIME

Preparation of the code of standards, the judge said, is expected to take considerably longer than drafting proposed reactions to the disclosure bills.

This may mean that the code could not be ready for presentation to the full conference until after Chief Justice Warren has retired.

This could hand the sensitive issue over to the conference after the next chief justice assumes its leadership. President Nixon has nominated Federal Judge Warren E. Burger to be chief justice; with that job goes the top post in the conference. He might be confirmed by early July.

Conceivably, the standards code could be an early test of Burger's federal judiciary leadership.

When such a code is written, it presumably will suggest to judges what outside activities they should agree to do and how much they ought to accept in fees or reimbursed expenses. It might also include some suggestions for financial disclosure.

The conference apparently has been uncertain about its power to tell judges what ethical norms should guide them. Over the years, the group has written a few rules of conduct, but these come nowhere near to specifying the full range of noncourt activities considered acceptable.

Federal judges are named to their posts for life. As a result, a strong sense of personal independence frequently develops.

If some judges are likely to react negatively to a full code of standards written by the conference, it is even more likely that they would object to having Congress draft mandatory controls on judicial behavior.

Thus, it is by no means certain that the June 10 conference will endorse any of the pending disclosure bills.

Even as the judges' committee and Warren met, the American Bar Association's top command was taking cautious and hesitant steps towards a possible inquiry into Justice Douglas' ethics.

Without taking a vote, the key ABA officers decided to permit what was described as a "routine referral" of Douglas' case to an eight-member ABA committee on professional ethics.

However, this does not necessarily mean there will be an investigation at all, or even a quick inquiry like the one which last week led to a condemnation of Justice Fortas for violating the ABA judicial ethics code.

Douglas' resignation Wednesday from his \$12,000-a-year post as president of the Albert B. Parvin Foundation has stiffened the resistance of some ABA officials to a probe of his ethics.

#### COMMITTEE ROLE

Within the ethics committee itself, some members object to investigations of past conduct of individual judges or lawyers. They view their function as advisory only—setting down standards to guide the bench and bar, but not undertaking to enforce them.

Despite the strong demand for a probe of Douglas by Sen. John J. Williams, R-Del., some committee members were described as unwilling to yield.

Still, the officers decided to make an informal referral of Williams' request to the ethics panel. One reason they did so, apparently, was that ABA President William T. Gossett of Detroit had already publicly promised to make such a referral.

Yesterday's action was simply a decision not to interfere with Gossett's intention.

[From the Washington Post, May 25, 1969]  
FEDERAL JUDGES MEET JUNE 10 ON FINANCIAL  
DISCLOSURE RULE

(By John P. MacKenzie)

In an apparent attempt to clean its own house without help from the bar or Congress, the Federal judiciary yesterday scheduled a top-level meeting to consider rules for financial disclosure and non-judicial activities of judges.

Chief Justice Earl Warren called a meeting June 10 of the United States Judicial Conference, policy and administrative arm of the Federal judiciary, at the Supreme Court. The Conference includes the chief judges of the 11 Federal circuits and selected lower-court judges.

The meeting was recommended by the Conference's 11-judge Committee on Court Administration, which itself had been summoned to a special meeting yesterday in the wake of the resignation of Justice Abe Fortas and the continuing controversy over outside activities of Justice William O. Douglas.

Committee chairman Robert A. Ainsworth Jr., a member of the Fifth U.S. Circuit Court of Appeals, said in a three-sentence statement that by June 10 the Committee will have prepared recommendations for the Conference.

The Conference action had all the earmarks of a crash program to impose new self-regulation on judges and restore confidence in the Federal judicial system before the retirement of Warren at the close of the current Supreme Court term next month after final opinions are announced in the four dozen cases now pending.

If the Conference should delay in arriving at a self-regulation formula, the court term could be stretched to allow Warren to remain on the bench until the Conference acts. This in turn could delay the nomination and confirmation of a successor to Fortas, a process which President Nixon has indicated will not begin until Judge Warren E. Burger is confirmed as the new Chief Justice.

The further possibility arose that a sweeping code of judicial ethics could embarrass Burger and the Nixon Administration especially if it condemns outside income from foundations and sharply curtails extra-judicial service on boards of outside organizations.

Burger has received \$2000 in compensation from the Mayo Foundation in Rochester, Minn., for the past three years. He is reported to deny any trace of impropriety and to be considering dropping the Foundation and many other outside activities upon confirmation.

But Burger also is reported strongly opposed to resigning under any conditions suggesting that propriety was compromised by his service on the Foundation's Board.

Compared with the outcry against the foundation connections of Fortas and Douglas, the relationship between the Mayo Foundation and Burger has drawn only mild criticism. Burger, in fact, has picked up strong defense from influential members of Congress of both parties.

Nevertheless the question of the drafters of ethical codes will be the difficult one of where to draw the line—and whether to treat some foundations and some fees differently from others.

Fortas entered into a lifetime agreement with the Wolfson Family Foundation for a \$20,000 annual fee in return for social research, but returned the first installment after Wolfson was indicted for stock fraud.

Douglas, whose resignation as president of the Albert Parvin Foundation was announced Friday, drew \$12,000 a year for nine years as he directed programs aimed at fostering international goodwill among students. Critics noted that the Foundation drew income from a mortgage on Nevada gambling casinos.

Douglas' resignation did not defer the

American Bar Association's board of governors yesterday from upholding the action of President William T. Gossett in referring the Douglas matter to the ABA's Professional Ethics Committee.

That Committee stirred controversy within the ABA this week by announcing that in its opinion Fortas "clearly violated" ethical rules by actions he admitted in his May 14 letter to Warren explaining his resignation.

Critics said the Committee's report was badly drafted and departed from past practice under which the Committee confined itself to rendering advisory opinions on current questions, not issuing pronouncements on past conduct by lawyers and judges.

The Committee, which ordinarily does not conduct its own investigations, defended its action by saying that Fortas himself had supplied facts sufficient to justify the conclusion that at least the Wolfson-Fortas transaction had the appearance of impropriety.

Some bar officials suggested that the Ethics Committee might balk at passing judgment on a sitting Supreme Court Justice partly on grounds that insufficient facts were on record.

However Douglas, like Fortas, wrote a letter to the Chief Justice defending his foundation work.

[From the Washington (D.C.) Post,  
May 25, 1969]

FORTAS CASE MAY STIR QUESTIONS ON HILL'S  
DISCLOSURE RULES

(By William Greider)

While Senators and House members have waxed indignant over the subject of judicial purity, the issue promises to raise embarrassing questions about their own rules for disclosing private financial interests.

In the wake of the Fortas affair, about a dozen bills have been introduced on both sides of the Capitol to require some form of financial disclosure for Federal judges, including the Supreme Court. Most of these measures go substantially beyond what the House and Senate now require of themselves. If Congress does take some action on judicial ethics, this double standard is going to be part of the debate.

There currently are no rules requiring Federal judges to report their off-the-bench earnings.

It was a choice coincidence that, at the same time they were condemning impropriety across the street at the Supreme Court building, members of Congress were filing their first statements on their own private financial interests. The House and Senate rules of ethics were requiring limited disclosures, adopted by the last Congress, in the wake of involuntary financial disclosures about Sen. Thomas Dodd and Rep. Adam Clayton Powell.

But if Justice Abe Fortas had been a Senator, he still would not have had to report anything to the public about the \$20,000 he received from the family foundation of Louis Wolfson, now in Federal prison for stock fraud. If Fortas had been serving in the House of Representatives, his report might have said simply, "fee—Wolfson Family Foundation," without any public mention of the \$20,000 figure or the purpose.

This year's Senate reports revealed that many Senators earn impressive fees as after-dinner speakers. The House reports showed, among other things, that one in every five members has a direct interest in the banking industry. But the disclosure rules are riddled with exceptions—the details on earnings and investments that are not made public.

"HYPOCRISY" CHARGED

Sen. Clifford P. Case (R-N.J.), a perennial advocate of full public disclosure, called the Senate reporting this spring "an exercise in hypocrisy." Rep. Philip E. Ruppe (R-Mich.), who himself reported a portfolio of 100

stocks, said the House requirements are "a sham and a facade. A listing of holdings without accompanying financial statements is next to meaningless. Loopholes under the present reporting procedure are legion."

The ambiguities in the House reporting system were illustrated by the fact that 10 members revised their reports after the April 30 deadline, adding private interests that they didn't report the first time around. Several explained that the disclosure rules weren't required by the rules but they were making them anyway.

The group included Rep. J. Irving Whalley (R-Pa.), whose original report said "none." He added later that he is president of the Citizens National Bank in his hometown of Windber, Pa. Seven other Representatives belatedly reported that they own bank stocks, including four who serve as bank directors. Among other exceptions, the rules do not require a House member to report banking interests if his investment is in a state-regulated bank or is less than \$5000.

On the Senate side, the public reports cover gifts and honorariums for speeches or articles, but details on the rest of a Senator's financial interests, including any fees he might receive, are placed in a sealed envelope and sent to the Comptroller General. He must keep the envelope sealed unless the Senate Ethics Committee asks to see it.

Thus, the sticky point for Congress is that in order to design a disclosure rule for judges that would cover something like the Fortas fee, it will have to be tougher than its own standards.

Several Senators and House members, who have advocated full public disclosure for their colleagues appreciate this point and intend to make the most of it when the issue of judicial disclosure comes up.

ACTION EXPECTED

According to current assessments, the outlook for action on judicial disclosure is good. Congressional interest could be dampened if the U.S. Judicial Conference adopts its own set of rules requiring financial reports of Federal judges. However, if the judges adopt a weak requirement that does not involve public disclosure, that probably won't satisfy Congressional critics.

One measure, introduced by Sen. Robert P. Griffin (R-Mich.), takes the present Senate disclosure rules and applies them to the Federal judiciary—with one important addition. Griffin's bill, introduced by several House members, too, would require a judge to report any fee or compensation for services other than his work on the bench. That would have caught Fortas' fee and is more than the Senators must report themselves.

"If Congress does pass the legislation which I have introduced," Griffin said, "I'm confident that Congress will take a new look at its own standards—and I would favor complete disclosure."

Others are coupling judicial ethics with Congressional ethics in a more direct manner. In the House, Rep. Clark MacGregor (R-Minn.) is sponsoring a bill that flatly requires complete public disclosure for all three branches of Government—judges, Congressmen and the top executive officers.

Sen. Case, with 10 cosponsors from both parties, intends to amend his annual bill for complete Congressional disclosure to include the judiciary. Case, who makes annual voluntary disclosures of his own financial interests, has been introducing essentially the same bill since 1958 without success, but he does not consider it a lost cause.

Last year, when the Senate was adopting its narrow disclosure rules, Case offered his amendment for full public disclosure and it came within four votes of adoption, losing 40 to 44. Among those voting against it were some of the Senators who were quick to criticize Fortas—Strom Thurmond of South

Carolina, Carl Curtis of Nebraska, Paul Fanlin of Arizona.

The action on judicial disclosure is likely to begin in the Senate Judiciary Committee and one of Case's cosponsors is Sen. Joseph D. Tydings (D-Md.), chairman of the subcommittee on improvements in the judiciary. Tydings has sponsored his own mild version of financial disclosure for judges, but has indicated he may be willing to go with something stronger.

Sen. Sam Ervin (D-N.C.), chairman of the Judiciary subcommittee on the separation of powers, intends to approach the question of off-the-bench activities by judges from a different and broader angle. Ervin has raised questions about a whole range of extrajudicial activities by Supreme Court Justices in which compensation is necessarily involved—advising Presidents (Fortas), serving on fact-finding commissions (Chief Justice Earl Warren), or plunging into public controversies (Justice William O. Douglas and his conservation crusades).

Ervin's inquiry will probably also look at the questions of outside financial interests. He originally planned hearings for mid-June but is postponing them so that the study will not become a rehash of the Fortas affair.

House members are, by no means, burning to amend their own rules and go to a full public confession of where they earn off-the-job income. On the contrary, the first year's experience with reporting produced a lot of cloakroom grumbling to the effect that they have gone too far already. It took years of persuasion plus the Dodd and Powell controversies before the House would take the first, limited step. It is hardly in a mood to rush on to new reforms.

However, according to Rep. MacGregor and others, the ambiguities of this year's reporting increased the support among his colleagues for more complete reporting.

"The source of a lot of unhappiness," MacGregor said, "was that we had taken only a halfway step. Are you clean or unclean? I think there is a lot of feeling that we would be better off with absolute disclosure."

MacGregor said some are also unhappy because they had to report their private interests while others had investments that fall outside the rules and so reported "none."

There are some important differences between a Federal judge and a Congressman that might be used to justify different rules—particularly the fact that Congressmen must face the electorate regularly while judges are insulated from public opinion.

In addition, Congress has found it possible in the past to live with double standards. For example, it requires Executive Branch officers to sell their private investments to avoid a conflict of interest, but hardly stirs at the revelation that 13 members of the House Banking and Currency Committee have investments in the banking industry.

The supporters of full disclosure believe that, if the public considers the two issues of Congressional and judicial ethics as one, it will be hard for members to turn down reforms.

"I just can't believe," said MacGregor, "that we'll make the judiciary pure as the driven snow, but won't do it for ourselves."

**U.S. JUDICIAL PANEL CALLED TO WEIGH CODE OF ETHICS—WARREN SCHEDULES JUNE 10 MEETING AFTER SECRET SESSION TO DRAFT PROPOSALS—BAR TO RULE ON FEES TO DOUGLAS**

(By Walter Rugaber)

WASHINGTON, May 24.—The Judicial Conference of the United States will meet next month to consider a code of ethics and financial disclosure regulations for all Federal judges.

The meeting was called today by Chief Jus-

tice Earl Warren after an 11-member committee of the Judicial Conference met secretly at the Supreme Court to discuss "nonjudicial activities" by Federal judges.

The Chief Justice, acting on the recommendation of the Committee on Court Administration, scheduled a gathering of the full policy-making body of the Federal judiciary for June 10.

The move toward the first formal standards of conduct established by the Federal bench came in reaction to the outside dealings that led to the resignation of Justice Abe Fortas.

The effort by the judiciary to set its own house in order came amid continuing indications that Congress might impose its own standards on the courts as a result of recent disclosures.

A statement on today's session by the committee on administration gave no details of the meeting and no details of the code that the panel may have worked out.

"... the committee met and considered several matters relating to nonjudicial activities of United States judges and possible financial disclosure rules for the Federal judiciary," the statement said, adding:

"The committee recommended that a special meeting of the Judicial Conference be called to consider recommendations the committee is preparing and will submit to the Conference."

Court officials would not say whether the proposals were completed at today's meeting or whether other sessions would be required in advance of the June 10 meeting.

#### BAR TO ACT ON DOUGLAS

Also today, the American Bar Association's Board of Governors voted to forward to its committee on ethics a Congressional question on the propriety of Justice William O. Douglas's association with the Albert Parvin Foundation.

Senator John J. Williams, Republican of Delaware, had asked the bar association for an opinion about Justice Douglas's \$12,000 annual salary as president of the foundation. The group's decision to pass along the Senator's inquiry was not considered as indicating that the committee would rule the justice's conduct unethical as it did in Mr. Fortas's case.

Justice Fortas resigned from the Court amid a controversy over his acceptance of \$20,000—which he later returned—from the family foundation of Louis E. Wolfson, the imprisoned financier.

Yesterday, the Parvin foundation announced the resignation of Justice Douglas from its presidency.

The administration committee of the Judicial Conference assembled today behind barriers at the Supreme Court Building and the fact that reporters were barred even from the corridor off which the meeting occurred was symbolic of its sensitivity.

The full Judicial Conference, a body established by Congress, is chaired by the Chief Justice and also includes the chief judges of the Court of Appeals, the chief judges of two special Federal courts, and a District judge from each of the 11 circuits.

It has been reported that Chief Justice Warren would like to forestall Congressional moves in the judicial area by setting up a code of ethics similar to the one established by the Senate.

Under that code, most of the financial information submitted by Senators is kept secret and only large lecture fees and contributions are disclosed publicly.

[From the Washington Sunday Star, May 25, 1969]

#### JUDGES CAN PUT THEIR OWN HOUSE IN ORDER

Canon 4 of the American Bar Association's Canons of Judicial Ethics declares: "A judge's official conduct should be free from impropriety and the appearance of impropriety... and his personal behavior, not only upon the Bench and in the performance of judicial

duties, but also in his everyday life, should be beyond reproach."

There are other canons, but canon 4 lies at the heart of the standard of conduct which the ABA believes should govern the conduct and behavior of judges, and this certainly applies with particular force to the members of the Supreme Court. If there has been a tendency in the past to look the other way as far as judicial observance of the canons is concerned, and we think there has been, a change for the better appears to be setting in.

At the request of Senator Williams, Delaware Republican, the ethics committee of the ABA measured the conduct of former Justice Abe Fortas against the yardstick of the ethical canons. The committee's findings amounted to a stern rebuke to Fortas. "It is our opinion," the committee reported, "that the conduct of Mr. Fortas, while a Supreme Court justice as described in his statement of the facts, was clearly contrary to the canons of judicial ethics, even if he did not and never intended to intercede or take part in any legal administrative or judicial matters affecting Mr. (Louis) Wolfson."

In other words, the committee thought that Fortas, on the basis of his own explanation, taken at face value, was clearly guilty of unethical judicial conduct.

The committee then took an unusual additional step. Noting that Fortas had resigned from the court, it said it had decided to go ahead with its opinion so "the ethical issues shall be made clear for the legal profession, for members of the judiciary and for the public."

This brings us to the matter of Supreme Court Justice Douglas and his association with the Albert Parvin Foundation.

It was announced on Friday that Justice Douglas had resigned as president and board member of this foundation, something he should have done long ago. Shortly before the announcement of the resignation, Senator Williams had asked that the ABA also look into the link between Justice Douglas and the Parvin Foundation. The request presumably is now under consideration. What will be done in the light of Justice Douglas' resignation from the foundation is uncertain. It is our view, however, that the facts should be studied and a finding made. As in the Fortas case, the ethical issues involved in the Douglas matter should be "made clear for the legal profession, for members of the judiciary and for the public."

The factual situations, of course, are not identical. Wolfson was under criminal investigation when Fortas received a \$20,000 fee from the Wolfson Family Foundation. This was later returned, after Wolfson had been convicted of a criminal offense. Fortas insisted he was not guilty of wrongdoing. But in his letter to Chief Justice Warren he conceded that Wolfson, while Fortas was on the court, had talked to him about his troubles.

There is no suggestion that Douglas did anything wrong in behalf of anyone connected with the Parvin Foundation. What is suggested, and what seems to be the fact, is that the foundation until quite recently was supported in part by revenues from gambling joints in Las Vegas, that since 1962 it paid about \$72,000 to Justice Douglas as the only compensated official of the foundation, and that Douglas rendered rather little in the way of services in return for this money.

Furthermore, it is hardly conceivable that Justice Douglas, as head of the foundation, was not aware of the gambling connection and that he did not know that some of the foundation's sponsors were having their problems with the government.

If he was not aware of these things he should have been. And while we do not consider Representative Gross, Republican of Iowa, a model of self-restraint, we think he was right when he told his colleagues last week: "There is too much similarity between the Fortas and Douglas cases to be sheer coincidence. If Fortas was guilty of gross mis-

conduct, which he most certainly was, Justice Douglas is equally guilty." He went on, however, to say: "I again urge most strongly that the Committee on the Judiciary begin an investigation and I suggest that the committee seek the assistance of the Justice Department and the FBI in carrying it out."

Unless there is some serious intent to begin impeachment proceedings against Justice Douglas and nothing of this sort has been proposed, an investigation by the House Judiciary Committee would be pointless and possibly even harmful. As far as the ethics of the matter are concerned, a finding by the ABA committee would serve much the same purpose without, at the same time, involving Congress in what could be an ugly clash with the judicial branch.

Even assuming that the ethics committee makes a finding in the Douglas case, however, this will not be enough. Something more is needed to re-establish the reputation of our highest court and to fortify that public confidence in its probity which is indispensable to its successful operation.

There is, of course, the remedy of impeachment. But this, as the record shows, is not very satisfactory, except perhaps in the most extreme cases. Another possibility lies in legislation. Congress might require full disclosure of outside income by federal judges. This could help. Senator Tydings has submitted a bill upon which hearings may be held next month. It does not apply to Supreme Court justices, and that is a defect which needs correction. But the bill's basic approach—creation of a commission of judges to investigate complaints, with provision for subsequent procedures looking toward removal in the case of complaints which appear to be well founded—has merit.

There is no good reason under the sun, however, why the problem of what to do about errant judges is not something that can be and should be handled within its own ranks by the federal judiciary.

Responding to a call by Chief Justice Warren, a committee of 11 federal judges assembled here yesterday to study the feasibility of promulgating ethical rules or guidelines which would be applicable to the men and women who preside in our federal courts. We see no reason why this cannot be done, and if an ethical code should be drafted the machinery for enforcement is readily available in the Judicial Conference of the United States.

This conference consists of the Chief Justice and the senior federal circuit judges. Not long ago, after some embarrassing disclosures, the Judicial Conference decreed that federal judges must not serve as bank directors. If the conference can do this, why can it not also forbid federal judges to accept money for any non-judicial work? Or, if this might be too harsh, to spell out the conditions and circumstances under which judges can be paid for extra-curricular activities?

It may be argued that the Judicial Conference would lack the authority to enforce such a rule. We doubt that there is much merit in this, for any judge would be most reluctant to violate a clearly-defined rule that is backed by the moral authority of the conference. In the unlikely event that such a non-conformer should emerge, he might have to be dealt with by other means. Meanwhile, it seems to us that there is a great deal to be said for encouraging the federal judiciary to put its own house in order.

#### CANAL ZONE AFL-CIO UNIONS SUPPORT PANAMA CANAL MODERNIZATION

The SPEAKER pro tempore (Mr. WRIGHT). Under a previous order of the House, the gentleman from Pennsylvania, Mr. FLOOD, is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, the inter-

oceanic canal question has been under periodic consideration by our Government since the end of World War II. Many improvements have been made in the Panama Canal but they have not been of basic character either as to increase of capacity or for improvement of operations.

During fiscal year 1968 the total number of transits was 15,511. The maximum capacity of the existing canal is about 26,000 vessels and additional capacity will be required around 1985.

In 1939 the Congress, without adequate investigation, authorized the construction of a third set of locks that was suspended in May 1942, which effort involved a total expenditure of \$76,357,405, mostly on enormous lock site excavations at Gatun and Miraflores that are still usable. The current program for enlargement of Gaillard Cut is scheduled for completion in 1970 at an estimated cost of \$81,257,097. These two projects together, totaling more than \$157 million, represent a substantial commitment by our Government for the major modernization of the existing Panama Canal.

Experience over many years of operation has conclusively established that what is needed in such a program is: First, a two-way ship channel in the summit level; and second, ample and logically arranged locks at both ends of the canal. The two-way ship channel will be provided when the enlargement of Gaillard Cut is completed. The proper lock capacity and arrangement will be supplied under the Terminal Lake-third locks plan. The resulting capacity would be a minimum of 39,000 vessels, which would be sufficient for many years to come and, most significantly, would not require a new treaty with Panama.

To meet the resulting situation, bills have been introduced in both the House and Senate for the Panama Canal Modernization Act.

On May 6, 1969, the Panama Canal Subcommittee of the Committee on Merchant Marine and Fisheries held hearings at Balboa when the Canal Zone Joint Labor Committee submitted a prepared statement expressing its views on the subject of a "new sea level canal versus modernization plan". It strongly supported H.R. 3792, 91st Congress, as providing "the best operational canal at least possible cost for the next 75 years or more."

It is noted that the Canal Zone Labor Committee is composed of the officers and members of the National Maritime Union; the Masters, Mates & Pilots Association; and the Central Labor Union and Metal Trades Council, AFL-CIO. The members of these bodies are not impractical theorists with predetermined objectives, but well-informed persons with long experience in the maintenance, operation, sanitation, and protection of the Panama Canal. They know its problems at first hand, cannot be hoodwinked by clever propaganda as regards the canal, however plausible, and can visualize realistically the problems of a so-called sea level canal.

Mr. Speaker, in order that the Congress and the Nation may be adequately informed in the premises, I quote major excerpts from the indicated AFL-CIO

statement and the full text of H.R. 3792 as follows:

STATEMENT OF CANAL ZONE JOINT LABOR COMMITTEE PRESENTED TO THE HOUSE MERCHANT MARINE AND FISHERIES SUBCOMMITTEE ON THE PANAMA CANAL, MAY 6, 1969, BALBOA, C.Z.

Madam Chairman and members of the committee: Thank you for affording us an opportunity to meet and discuss with you and your committee matters which are of vital concern to all employees of Federal agencies on the canal zone. The members of our group here today represent the majority of the employees, both citizens and non-U.S. citizens employed by the Panama Canal Company-Government, and the U.S. military agencies in the Panama Canal Zone.

The Canal Zone Joint Labor Committee, composed of the officers and members of the National Maritime Union, the master, mates and pilots association, and the Central Labor Union and Metal Trades Council, AFL-CIO, is extremely pleased to welcome you and the members of the Panama Canal subcommittee back to the canal zone.

Madam Chairman, it is our unanimous desire to offer to you, and the members of your committee the full support, knowledge, and experience of our entire membership towards maintaining and/or improving the efficiency of each of the U.S. agencies in the Panama Canal Zone.

#### TREATY

Madam Chairman, it is our desire that the records show it is neither our intent nor our purpose to outline foreign policy. We are fully cognizant that the executive department is charged with the duty of the conduct of our foreign policy, with review by Congress. We accept, and acknowledge that inter-relations of the United States and Panama are not within our purview. Nevertheless, we are charged with representing the workers in the Canal Zone in areas of working conditions, wages and living conditions. When the foreign policy of the United States touches on these areas, we are properly concerned.

Madam Chairman, as you well know, the labor annex of the proposed treaty affects the Canal Zone workers. Therefore, we are asking your assistance in keeping the Joint Labor Committee informed as to the progress of this portion of the treaty.

#### NEW SEA LEVEL CANAL VS. MODERNIZATION PLAN

The modernization plan outlined in H.R. 3792, 91st Congress, 1st Session, is a technically sound concept which will provide the best operational canal at the least possible cost for the next 75 years or more. It should be noted that all realistic sea level plans have provided for tidal locks or tidal regulating structures and that the proposed waterway would not be a Strait of Magellan but merely a restricted channel canal with tidal locks, which structures would be more complicated than the present locks.

The Joint Committee, after reviewing the various plans, fully supports the Flood, Thurmond, Rarick and Gross bills which provides for the complete modernization of the present waterway.

#### H.R. 3792

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

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

SEC. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the

Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of not less than one hundred and forty feet by not less than one thousand two hundred feet by not less than forty-five feet, and including the following: elimination of the Pedro Miguel Locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks capacity at Gatun, raise the summit water level to its optimum height of approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at an estimated total cost not to exceed \$850,000,000, which is hereby authorized to be appropriated for this purpose.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

(c) In carrying out the purposes of this Act, the Governor of the Canal Zone may act and exercise his authority as President of the Panama Canal Company and may utilize the services and facilities of that company.

Sec. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which its work under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is \$500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay as a retired officer, will establish his total rate of pay from the United States at a per annum rate

which is \$500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, a Secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The Secretary and other personnel of the Board shall serve at the pleasure of the Board.

Sec. 4. (a) The Board is authorized and directed to study and review all plans and designs for the Third Locks project referred to in section 2(a) of this Act, to make on-site studies and inspections of the Third Locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the Third Locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval or disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the Third Locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

Sec. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpoena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control of jurisdiction of the United States, including the Canal Zone.

Sec. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations there in accordance with section 3109 of title 5, United States Code, at rates not in excess of \$200 per diem.

Sec. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

Sec. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

Sec. 9. The Administrator of General Services or the President of the Panama Canal Company, or both, shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

Sec. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

Sec. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

Sec. 12. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out its functions and activities under this Act.

Sec. 13. Any provision of the Act of August 11, 1939 (54 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), or of any other statute, inconsistent with any provision of this Act is superseded, for the purposes of this Act, to the extent of such inconsistency.

#### JOHN WESLEY POWELL, 1834-1902: PRINCIPAL FOUNDER OF THE COSMOS CLUB

Mr. FLOOD. Mr. Speaker, one of the truly great clubs of the Nation is the Cosmos Club of Washington, D.C., composed of men distinguished in science, literature, art, a learned profession, or in public service. Incorporated in 1878 under the leadership of John Wesley Powell, its first president, the club has become one of the most important monuments of the great leader after whom it has named its auditorium, and continues to honor as a principal founder.

The May 1969 issue of the Cosmos Club Bulletin featured a brief biographical sketch of Powell by William C. Darrah, professor of biology at Gettysburg College, Pennsylvania. It is accompanied by the following editorial note by Dr. Paul H. Ochser, editor of the bulletin:

#### AFTER 100 YEARS

[This *Bulletin*, during the time since its first issue in November 1947, has printed a good many words about John Wesley Powell, for among the heroes in the saga of the Cosmos Club his name is at the top. This year, 1969, is a Powell year; and this month, May, is a Powell month; for it was on May 24, 1869, that he set forth on the historic expedition down the Colorado whose centennial the nation now is celebrating. The Club is observing the centennial in several ways—e.g., the lecture by William H. Goetzmann, "The Heavenly Country of John Wesley Powell," on April 14, and another, "Following Powell Through the Canyons in an Open Canoe," by Homer L. Dodge ('42), scheduled for May 26, and the *Bulletin* here adds another bit by a simple retelling of the well-known but still inspiring Powell story. We do this in the words of one of Powell's best biographers, William Culp Darrah, whose book *Powell of the Colorado* was published by the Princeton University Press in 1951 and is now being reprinted in conjunction with the centennial. Mr. Darrah, professor of biology at Gettysburg College, has written extensively in the

of science in America. He also edited, for the Utah State Historical Society, the documents of both the 1869 and 1871-72 Colorado River explorations. The following brief account by Mr. Darrah appeared in the April-May 1969 issue of *National Wildlife*. It is reprinted by permission of the National Wildlife Federation.—P.H.O.]

In order that the indicated biographical sketch may be recorded in the permanent annals of the Congress, I quote it as part of my remarks:

[From the *Cosmos Club Bulletin*, May 1969]

JOHN WESLEY POWELL

(By William C. Darrah)

Explorer, geologist, anthropologist and conservationist, John Wesley Powell a hundred years ago unlocked the secrets and mystery of our great Southwest. The legends of his explorations into this forbidding land will live forever.

Powell was born at Mount Morris, New York, of English parents on March 24, 1834. His father was a Methodist circuit rider who progressively moved his family to Ohio, Wisconsin and finally to Wheaton, Illinois. Wes Powell from early childhood collected minerals, molluscs, insects and plants yet showed little propensity for regular study. After attending several colleges without earning a degree, he began teaching in public school and by 1861 was superintendent of schools in Hennepin, Illinois.

At the outbreak of the Civil War, Powell organized an artillery battery and was elected its lieutenant. During the battle of Shiloh he lost his right forearm but remained in military service until 1865.

After the war Major Powell accepted the professorship of natural history at Illinois State Normal University and at once included outdoor field trips in his instruction. In the summer of 1867 he led a party of students and adult amateurs in the park region of Colorado to study and collect birds, mammals and insects and to study geology. The following summer a more elaborate expedition explored northwestern Colorado, particularly the Colorado River (then known as the Grand River). By then the Major had a passionate ambition to explore the last unknown area of the United States, the Colorado River from Wyoming to Yuma, Arizona, a distance of fifteen hundred miles.

The story of this spectacular expedition is well known. The Powell Centennial Celebration this year commemorates his emergence as a towering public figure. The Major with eight companions set out from Green River Station, Wyoming, on May 24, 1869 in four boats and provisions for three months on the river. Powell had personally raised all the money and other support for the expedition and the only official recognition of the project was the loan of scientific instruments by the Smithsonian Institution and permission to draw rations at Army posts if needed. Mishaps, near starvation and the desertion of three men who climbed out of the canyons only to be slain by Indians, limited the scientific work, but Powell and the others passed through the canyons safely with a wealth of data and a determination to return. Major Powell suddenly found himself a national hero acclaimed for his audacious feat, but he considered it only an unfinished challenge.

The second survey of the Colorado River extended over two years, 1871-1872, with a Federal grant of \$25,000 to study the geology and map the course of the Colorado River. This Powell Survey, under the auspices of the Department of the Interior, was but one of four western surveys, two of which were under the War Department. Powell was an advocate of civilian control of all western land surveying because policies of land use were at stake.

Powell then turned propagandist. His

field work from 1871 to 1877 had led to the concept of land, water, vegetation and man as a delicate balance of nature. The first edition of Powell's *Report on the Lands of the Arid Region of the United States* was published in 1877, a classic in the philosophy of land use. He pleaded for the reform of laws pertaining to the rights to water, grazing, exploitation of the public domain and the necessity of understanding the inherent limitations of a region in which there is insufficient water to irrigate all the land capable of irrigation.

Major Powell remained a public servant, director of the Bureau of American Ethnology from 1879 to 1902 and concurrently director of the United States Geological Survey from 1881 to 1894. He initiated the great irrigation surveys of the Southwest, the geological and quadrangle maps of the United States and fought unsuccessfully for four years for the establishment of a Federal agency or department of science.

John Wesley Powell died quietly after long illness at his summer cottage in Haven, Maine, on September 23, 1902 and was buried with full military honors at Arlington National Cemetery. He bequeathed a great legacy to the nation he served: the Geological Survey, the Bureau of American Ethnology, the Bureau of Reclamation, the Bureau of Mines and the Forestry Bureau (their names have changed from time to time). And there is more. Powell directed, at times single-handed, the course of development of Federal policies in the vast public domain, especially the semiarid West. Above all, his was the vision of man and the land in the broadest sense of their mutual interdependence.

#### SCANDAL AT SBA—X

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, today the Federal grand jury meeting at San Antonio, Tex., handed down an indictment charging that Albert Fuentes and others entered into a conspiracy to defraud the Government. So ends speculation as to the seriousness of the charges that I raised against the former special assistant to the Administrator of the Small Business Administration. Now it is up to the courts to determine the final disposition of the case. But as this matter closes one phase, it enters into another, and one with implications going far beyond the actions of Fuentes himself.

Indeed questions must now be raised as to how this man ever got the high post that he was appointed to. Many people have stated that if anyone had just asked, or even listened to warnings about Fuentes, he probably would never have been employed in the first place. For example, the Civil Service Commission reported to me that it had conducted a complete investigation of Fuentes' background and that the result was that "no derogatory information" had been received. But in fact Fuentes had a \$12,246 judgment against him entered by a State court in August 1968—only a few short months before he was appointed to his post. The question is, did the Civil Service Commission know this, or did they not consider it relevant? It might well have not known of the judgment, in which case it is clear that the investigation left much to be desired. And if the Commission did know of the judgment, it

should have known that a man who had such a judgment against him might be tempted to use his position for financial gain.

Or, had the Commission investigated into Fuentes' employment with Johnny Cortez Investments, it would have discovered that the firm engaged in questionable practices, practices which have resulted in charges being brought against one principal of the company for writing bad checks, and his subsequent conviction therefor. And investigation would have shown that the company collected a great deal of money for services that it allegedly never performed. Fuentes himself was paid wages by the company in the form of a hot check. Did the Civil Service Commission consider that association with shady business practices had nothing to do with the character of a man applying for high office? Or did it simply not investigate the man's background?

It is distressing to raise these questions, but the integrity of the Government, and the confidence of the public is what is at stake here. We are supposed to have ways of protecting the Government against employment of questionable character, and the general character of our civil service is magnificent. But Mr. Speaker, one wonders whether precautions taken in the investigation of political appointees is adequate. If in this case the investigation failed to turn up information of the sort I have described, then the investigation was clearly inadequate. But if this information was turned up by the investigators, then it is a great mystery to me how the short and inglorious career of Albert Fuentes in Government service ever got started.

Mr. Speaker, I include for the RECORD newspaper stories from the Washington Star dated today, and the San Antonio Express and News dated May 23 and May 22.

[From the Washington (D.C.) Star, May 26, 1969]

#### JURY INDICTS FUENTES IN SBA CASE

SAN ANTONIO, TEX.—A federal grand jury indicted Albert Fuentes Jr. and Edward J. Montez today on two counts of conspiracy and seeking to share in a San Antonio business in return for a \$100,000 loan from the Small Business Administration.

The 20-member grand jury met for 30 minutes this morning before reporting its findings to Federal Judge Adrian Spears. Bail of \$2,500 was set for each man.

Fuentes was fired last week as special assistant to SBA administrator Hilary Sandoval for "failing to follow orders and not get involved in events in the Southwest."

The first accusations against Fuentes were made in San Antonio late last month by U.S. Rep. Henry B. Gonzales, of San Antonio.

[From the San Antonio (Tex.) Express, May 23, 1969]

#### FUENTES JUDGMENT DISCLOSED

(By James McCrory)

Albert Fuentes Jr. was named special assistant to Small Business Administration administrator Hilary Sandoval while he still had a \$12,246 judgment against him in state district court.

Ironically, that judgment grew out of two loans made to Fuentes in his 1964 campaign for lieutenant governor—as a candidate for the Democratic nomination before he turned Republican.

U.S. Rep. Henry B. Gonzalez, whose accusation of impropriety against Fuentes based on an affidavit by San Antonio businessman Emanuel Salaz wound up with a federal grand jury investigation, had complained earlier that Fuentes' background had not been thoroughly checked before he was hired.

The suit which was the basis of the \$12,246 judgment was brought in 1967 by E. B. Taylor of Dickinson, Galveston County, against Fuentes. Taylor complained that on March 21, 1964, Fuentes for a valuable consideration executed and delivered to Taylor his promissory note for \$3,000, payable on or before Sept. 21, 1964. On April 24, 1964, he said, Fuentes for valuable consideration executed and delivered to him his promissory note for \$9,246, payable on or before Oct. 24, 1964.

Although he made repeated demands on Fuentes for payment, Taylor complained, Fuentes refused to pay.

In his answer to the suit, Fuentes denied the allegations and asked that a take-nothing judgment be entered.

On Jan. 26, 1968, a district court in Bexar County entered judgment holding that Taylor was entitled to recover \$12,246, the original sum total of the two loans, plus accrued interest of \$690 and \$2,427.48, plus attorney fees of \$1,536.

On Aug. 27, 1968, Judge Robert Murray issued an order returnable Sept. 28, 1968, for Fuentes to show cause why he should not answer Taylor's interrogations as to what property Fuentes held that could be attached for satisfaction of the debt. The proposed interrogation was to determine if Fuentes owned any acreage, personal property, businesses, savings association accounts or rental property, and his income tax report.

That order came after Taylor asked on Aug. 23, 1968, that Fuentes be required to appear for a hearing on his property holdings. That application pointed out that the judgment had never been satisfied. In the pleading, Taylor said he had information and belief that Fuentes has ample property subject to execution to satisfy the judgment, and that Fuentes willfully and fraudulently concealed the property from Taylor.

The case apparently is in a state of abeyance. There is no record that the questions contained in the interrogation were ever answered, and the judgment remains unsatisfied.

Fuentes Thursday explained that the loans came about during a "political situation," and he said the agreement was if he won the race of lieutenant governor, he would pay the money back and if he lost he wouldn't have to. He lost, and so did Taylor.

[From the San Antonio (Tex.) News,  
May 22, 1969]

#### FUENTES' OLD FIRM IS GONE (By Kemper Diehl)

The last business position Albert Fuentes, discharged this week as special assistant to the administrator of the Small Business Administration, held before taking over the post of leader of the Viva Nixon campaign, was as an executive assistant for the head of a firm which in the words of one associate "has evaporated."

At the time of the Republican National Convention last August Fuentes was a member of the Johnny K. Cortez Investments Organization.

It was during this period that President Nixon visited Houston during his campaign and met with 40 Mexican-American leaders, Fuentes and Cortez among them. The meeting was on Sept. 6 at the Shamrock-Hilton Hotel, and served as a platform for Nixon to tell the Mexican-American leaders that they represented the "forgotten people" and that he would remember them.

Cortez is now charged in two grand jury indictments with having written lavish hot checks—one on Sept. 20 for \$1,379 to finance

a trip for two to Rome where the San Antonian hoped to meet with the Pope.

Fuentes in February notified the hot check section of the district attorney's office that he had received a \$300 check from Cortez, also dated Sept. 20, which was returned for insufficient funds reasons. It was payment of wages.

Charges of theft by bailee over \$50 have also been filed by the district attorney's office against Cortez and are pending before the grand jury.

The Cortez investment firm operated at 310 East Ashby for a number of months last year, taking over the building which had housed Radio Station KBAT.

One of its activities was to serve as "money-finder" for various projects throughout the Southwest. It is understood that fees for such a money-finding operation are at issue in the case before the grand jury.

When he led the pledge of allegiance at the fourth session of the Republican convention in Miami on Aug. 7, Fuentes was executive assistant for the firm.

On July 30, Cortez had filed an assumed name certificate with County Clerk James W. Knight for the firm of Johnny Cortez Investments.

It listed Fuentes, James Damron and one other man as persons conducting or transacting or intending to conduct or transact business under the name along with Cortez.

Damron pleaded guilty on May 12 to a charge of paying Shaw's Jewelers for two diamond rings with a \$400 hot check. He faces a three year penitentiary sentence, but is under review for possible probation.

Fuentes was with the firm only briefly, it appears, since he was named to the Nixon campaign post in the early part of September. Following the election, Fuentes was a director of development for the Mexican-American Legal Defense Fund.

A former police patrolman, Cortez was dismissed from the force following an incident in which he was charged with pistol whipping a man in a tavern when he was off duty.

The incident was provoked by an Indian-wrestling match in which Cortez allegedly was bested.

The district attorney's office has listed a number of hot check convictions against Cortez in recent years.

#### THE MANPOWER ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 30 minutes.

Mr. O'HARA. Mr. Speaker, 105 Members of this House have joined together today in the introduction of legislation to create a comprehensive, flexible and effective active manpower mechanism by which the people of the United States can undertake to "assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability." The several identical bills which are being introduced for this purpose are entitled the Manpower Act.

The Manpower Act, Mr. Speaker, is the logical culmination of 7 years' experience with the Manpower Development and Training Act, of the experience we have had with title I(b) of the Economic Opportunity Act, and of the research and evaluation that have been directed to the achievements, the strengths and the weaknesses of these important legislative milestones.

The proposed Manpower Act begins

with a statement of congressional intent, which holds that "it is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility and remuneration within the limits of his abilities." This, I suggest, is the heart of the legislation, and a goal which the times we live in have made a necessity.

Since 1962, when the Manpower Development and Training Act was first enacted, through the present day, the field of manpower legislation has become one in which there has been constant activity. The Manpower Development and Training Act has been amended a total of five times since its first appearance on the statute books in 1962. Title I of the Economic Opportunity Act, another major component of our national manpower system, has been amended twice since its original enactment. And these changes, these legislative alterations in the manpower structure have been only the most obvious and formal steps in the evolution of a national manpower training and employment system. By Presidential initiative, and by administrative practice, other segments of the system have been designed and put to work.

Throughout this evolutionary process, there has been one virtually uninterrupted theme. At every step, we have sought, with more or less success, to make manpower legislation and manpower institutions more flexible, more interchangeable, more able to be fitted to given situations and capable of adjustment to changing times and changing demands. I think that there is a broad, bipartisan consensus in support of the notion that our national manpower needs are too large, too complex and too volatile to be neatly met and wholly solved by any one of the programs we have thus far developed. MDTA, title I(b) of the Economic Opportunity Act, the JOBS program, the concentrated employment program, the working of the Federal-State public employment service system, the contributions of other agencies and yet other programs—all of these, Mr. Speaker, have been designed with specific problems in mind, and all of them have contributed to solving those problems—yes, and they have all, as they have been amended over the past several years, contributed to meeting problems which were unimagined when the legislation or the programs were first launched.

In summary, Mr. Speaker, the thrust of manpower legislation over the past several years has been toward a more flexible, multipurpose, and interchangeable manpower system. This principle is now sufficiently accepted, in my judgment, to warrant the enactment of a basic Manpower Act, designed to provide the people of the United States with a single system by which they can achieve the manpower goals I believe they generally accept.

The Manpower Act begins, as I have said, with a declaration of policy, to the

effect that we will do what we can do, and must do, to guarantee every American who is willing and able to work an opportunity for a job, and for training so that the job he gets may be a meaningful one.

This simply stated, that may seem like a rather ambitious guarantee. But years ago it was assumed that a healthy and expanding economy required a pool of unemployed workers—that the suffering which unemployment might visit upon these individuals, while difficult for them to bear, was simply a price we had to pay for fiscal stability and economic good health.

Years ago, Mr. Speaker, the received wisdom of the time was that periods of massive unemployment were inescapable aspects of an unchangeable economic cycle, and that they were the price we all had to pay for the subsequent periods of high employment.

I think these theories have seen their last days. I believe, at least I hope, that responsible public leaders no longer accept the concept of a necessary level of unemployment or even of "acceptable levels of unemployment." Today, in a time when overall employment figures are at a record high, we nonetheless realize that we must make a very substantial national effort to eliminate that concentrated unemployment which affects certain areas and certain segments of our people. We realize that unemployment is never "acceptable" and that we can and indeed, must, eliminate it.

I think, too, we are beginning to realize that the productive, the economically and socially useful work that must be done in the years ahead is substantially in excess of the number of hands and brains that are presently equipped to do it. The problem of providing every American with a useful and productive job is not the major one before us. Our problem, rather is going to be to assure that we have enough people trained to do the work we are going to have to do.

The Manpower Act, Mr. Speaker, seeks to implement this goal by the use of techniques and institutions that we have at hand, and have used with great success.

The act vests in the Secretary of Labor the right to provide training opportunities and other needed manpower services, through contracts with the States, with local governments, with private nonprofit agencies and organizations, and with private businesses. The act does not specify a clientele because it is not envisaged as meeting only the special needs of a single clientele. It does not require concurrent approval by a host of Federal agencies, because our experience under MDTA and OEO has shown that such a requirement can often be nothing but an occasion for unnecessary and unprofitable delay. It is my hope in sponsoring this act that no unemployed or underemployed American, no citizen facing unemployment, no worker who has the ambition to seek to upgrade his own skills, will be left to await the outcome of some interdepartmental struggle for status and power. If there has been avoidable delay under the existing programs, much of it has stemmed from the friction of Washington "empire building." This bill seeks to insure, in

this way, at least, that our manpower policies will continue to be focussed on the worker, not on the interest of the agencies by which he is supposed to be helped.

Another major aspect of the Manpower Act is the provision of a broad program of public service employment opportunities. I would agree wholly with those who contend that the vast majority of Americans will find their best employment opportunities in the private sector. Working in the factories and offices and stores and service establishments of this Nation is the route most Americans will take to earning their daily bread. But there are jobs to be done which private enterprise, under any circumstances, simply would not be interested in undertaking. And there are people available who can be gainfully employed doing these jobs.

There is work to be done in conservation, in law enforcement, in public transportation, in beautification, in health and education, and other areas besides—work which desperately needs doing, and there are people who are ready and willing to work who have not found opportunities in the private sector. Years ago it was commonplace to point with scorn at the sight of food being destroyed while people went hungry. Today it is even more indefensible to be able to see significant numbers of Americans unemployed, while at the same time, vitally needed public services go unperformed because "we have not the people to perform them." A meaningful national manpower system seems to me to call irresistibly for a program by which these needed public services can be performed, and the unemployed can be trained to perform them. The cost of such a program will be substantial. The cost of not having such a program will be incalculable. We will count the cost of finding jobs for the hard-core unemployed in dollars. The cost of ignoring hard-core unemployment and ignoring needed public services can be counted in terms of city blocks destroyed and neighborhoods blighted.

I submit, Mr. Speaker, that whatever may be our domestic needs or our foreign needs, we can no longer afford not to have a major program of public service employment. The Manpower Act offers such a program as an integral part of a national manpower system.

The Manpower Act offers other elements of such a system.

It makes provisions for the provision of training, job counseling, and the whole range of supportive services to make the guarantee of a job a realizable one, even for those who have never been able to find a place in the permanent labor market. It provides for training allowances, based on the minimum wage. It spells out an upgrading program so that persons already in the labor force can learn new skills and move upward, thus not only improving their own lot, but vacating entry-level jobs for those whose skills are more rudimentary.

In summary, Mr. Speaker, the proposed Manpower Act would seek to provide the Nation with the integrated, broad-gage, flexible, and comprehensive manpower system that the manpower needs, not

only of 1969, but of the years ahead require.

Mr. Speaker, the 105 Members of the House who have thus far indicated their support by joining in the sponsorship of this legislation do not stand alone in their view that our manpower programs should be strengthened, and a public service employment opportunities program launched. I received today, for example, a letter from Mr. John Gardner, former Secretary of Health, Education, and Welfare, and chairman of the Urban Coalition. While Mr. Gardner does not specifically endorse the provisions of H.R. 11620, he does state that legislation "designed to give every American who wants to work an opportunity for a decent job has been a basic goal of the Urban Coalition Action Council since its beginning." Under unanimous consent I include the full text of Mr. Gardner's letter at this point in my remarks:

THE URBAN COALITION ACTION COUNCIL,  
Washington, D.C.

HON. JAMES G. O'HARA,  
House of Representatives,  
Washington, D.C.

DEAR MR. O'HARA: I have been informed that you will introduce on May 26 a Comprehensive Manpower bill designed to give every American who wants to work an opportunity for a decent job. This has been a basic goal of the Urban Coalition Action Council since its beginning.

In its original statement of principles, the Coalition called for an emergency work program that would concentrate on the huge backlog of employment needs in parks, streets, slums, countryside, schools, colleges, libraries and hospitals. The aim was to put at least one million of the presently unemployed or underemployed into productive work at the earliest possible moment.

I understand that this concept of public service employment is embodied in the measure you are introducing. I commend you for it. Your bill is a long step toward making meaningful, productive employment available to everyone willing and able to work.

Sincerely,

JOHN W. GARDNER.

At a press conference held this morning to announce the introduction of this bill, there was a very encouraging show of support from the community in the form of the presence of representatives from a number of organizations concerned with the crisis in our cities, and with full employment as an answer to that crisis. As with the Urban Coalition, I would not presume to interpret the interest shown by these organizations as equivalent to specific endorsements of H.R. 11620 in all its details. But I think I can say that these organizations, which are listed below, share interest in or a general commitment to legislation along these lines:

ORGANIZATIONS REPRESENTED AT PRESS CONFERENCE ON H.R. 11620

AFL-CIO.  
Alliance for Labor Action.  
Amalgamated Clothing Workers of America.  
Amalgamated Meat Cutters and Butcher Workmen.  
American Ethical Union.  
American Jewish Committee.  
American Jewish Congress.  
American Veterans Committee.  
Anti-Defamation League of B'nai B'rith.  
A. Philip Randolph Institute.  
Council for Community Affairs.  
Friends Committee on National Legislation.

- General Board of Christian Concern—United Methodist Church.
- Hadassah.
- Improved Benevolent and Protective Order of Elks of the World.
- Industrial Union Department—AFL-CIO.
- International Ladies' Garments Workers Union.
- International Union of Electrical Radio and Machine Workers.
- Iota Lambda Phi Sorority, Inc.
- Leadership Conference on Civil Rights.
- League of Women Voters.
- Lutheran Church in America—Board of Social Ministry.
- National Alliance of Postal and Federal Employees.
- National Association of College Women.
- National Association of Colored Women's Clubs, Inc.
- National Association of Negro Business and Professional Women's Clubs, Inc.
- National Community Relations Advisory Council.
- National Council of Jewish Women.
- National Council of Negro Women.
- National Urban League.
- Transport Workers Union of America.
- Unitarian-Universalist Association.
- United Automobile Workers of America.
- United Steelworkers of America.
- Urban Coalition Action Council.
- Young Men's Christian Association.
- Zeta Phi Beta Sorority.

I do not pretend, Mr. Speaker, that the Manpower Act cannot be improved, not that it is a panacea. I hope that we can soon have hearings on this and related proposals, including whatever proposals may in the future come from the administration. I hope that we can carefully explore all the experience we have accumulated in the past 7 years, and the experience other free nations have had with comprehensive manpower systems, and that, before this session ends, we will be able to take another long step toward the realization of the goals which, a generation ago, we began to reach for when we enacted the Full Employment Act—the goals which in 1962, we saw dimly beyond the horizon with the Manpower Development and Training Act—the goals which the Economic Opportunity Act have brought us appreciably closer to in the past 4 years—the goal of a job for every American, and a trained worker for every job that needs being done.

Mr. Speaker, under unanimous consent, I include the text of H.R. 11620, and its companion bills at the conclusion of these remarks, together with a list of the sponsors of each of these five identical bills:

H.R. 11620

A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability and for other purposes

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

STATEMENT OF PURPOSES

SEC. 2. The Congress finds and declares that—

(a) To attain the objective of the Employment Act of 1946 "to promote maximum employment, production and purchasing power" we must assure an opportunity for a gainful, productive job to every American who

is seeking work and make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

(b) It is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility, and remuneration within the limits of his abilities.

(c) The growth of the Nation's economic prosperity and productive capacity is limited by the lack of sufficient skilled workers to perform the demanding production, service, and supervisory tasks necessary to the full realization of economic abundance for all in an increasingly technical society, while, at the same time, there are many workers who are working below their capacity and who with appropriate education and training could capably perform jobs requiring a higher degree of skill, judgment, and attention.

(d) The human satisfaction and sense of purpose so important to employment cannot be fulfilled unless employees have a reasonable opportunity to advance in employment to positions of greater responsibility, status, and remuneration.

(e) The placement of unemployed or underemployed workers in private employment is hampered by the absence of a sufficient number of appropriate entry level employment opportunities to satisfy the need therefor and that the preparation of workers now occupying such places for, and their employment in, more responsible positions would increase the number of appropriate entry level employment opportunities.

(f) It is in the interest of workers, employers, and of the Nation to promote the filling of skill requirements in industry and to provide for the upward mobility of industrial workers by a program that will enable employers to educate and train their employees for positions of greater responsibility, to provide opportunities for advancement to industrial workers, and to create employment opportunities for the unemployed.

(g) The guarantee of meaningful employment opportunities for all Americans requires public investment to the extent the private sector is unable to provide such opportunities.

(h) There are great unfilled public needs in such fields as health, recreation, housing and neighborhood improvement, public safety, maintenance of streets, parks, and other governmental facilities, rural development, transportation, beautification, conservation, and other fields of human betterment and public improvement and that to meet these urgent public needs it is necessary to devote greater resources to public service and to expand public service employment.

(i) The organization and delivery of manpower training services is increasingly complex, the technological nature of the services is expanding, and the trained staff to provide such services is scarce, thus requiring an intensive program of technical assistance and staff training to public and private agencies providing manpower services.

(j) The economic prosperity of the United States and the well-being and happiness of its citizens would be enhanced by the establishment of a comprehensive manpower policy and program designed to assure every American an opportunity for gainful productive employment and to provide the education and training needed by a person to qualify for employment consistent with his highest potential and capability.

TITLE I—MANPOWER SERVICES PROGRAM

GENERAL RESPONSIBILITIES

SEC. 101. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall develop and carry out a program of compre-

hensive manpower services under this title that will—

(1) provide for the prompt referral of all those persons who are qualified and are seeking work to suitable employment opportunities;

(2) guarantee training and related manpower services to all other persons who are unemployed, in danger of becoming unemployed, employed in public service jobs authorized in title III, or employed in low-paying jobs who could through further training qualify for job opportunities that would provide an adequate standard of living for themselves and their families;

(3) provide appropriate training and related manpower services for persons in correctional institutions to assist them in obtaining suitable employment upon release;

(4) provide appropriate training and related manpower services for persons who have recently been or will shortly be separated from military service;

(5) develop an early warning system and standby capability that will assure a timely and adequate response to major economic dislocations arising from changing markets, rapid technological change, plant shutdowns, or business failure;

(6) promote and encourage the adoption of employment practices by public agencies, nonprofit agencies, labor organizations, and private firms that will remove unreasonable barriers to employment, without reducing productivity, and expand opportunities for upward mobility;

(7) reduce the level of youth unemployment by improving the linkages between educational institutions and job markets; and

(8) support and encourage the development of broad and diversified training programs by public, non-profit and private employers designed to improve the skills and thereby the promotion and employment opportunities of employed workers.

(b) The Secretary shall be responsible for the co-ordination of the activities of other Federal agencies that may contribute to the accomplishment of the purposes of this Act, for promoting the maximum possible coordination of State and local public agencies and private agencies and for recommending to the President and to the Congress combinations of programs or shifts in responsibility that facilitate the achievement of the purposes of this Act.

COMPONENTS OF MANPOWER SERVICES PROGRAMS

SEC. 102. (a) In meeting the responsibilities imposed on him by section 101, the Secretary shall, to the extent needed in each State and local area, provide a comprehensive manpower services program for all those eligible under this title which shall include but shall not be limited to the following:

(1) Occupational counseling and testing services to the extent needed by each individual.

(2) Basic education as needed to remedy the absence of or obsolescence of earlier schooling.

(3) Outreach to find the discouraged and undermotivated and encourage and assist them to enter employment or programs designed to improve their employability.

(4) Prevocational orientation to introduce those of limited experience to alternative occupational choices.

(5) Short-term work experience with public and nonprofit agencies for those unaccustomed to the discipline of work.

(6) Communication and employability skills for those pursuing, subsequently or concurrently, courses of occupational training who require such other preparation to render them employable and for those with sufficient skills for suitable employment who require such preparation to become employable.

(7) Occupational training designed to improve and broaden existing skills or to develop new ones.

(8) On-the-job training provided by public, nonprofit and private employers.

(9) Part-time training for employed persons where such training would lead to improved employment opportunities.

(10) Programs to provide part-time employment, on-the-job training, or useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school.

(11) Special programs for jobs leading to career opportunities including new types of careers, in programs designed to improve the physical, social, economic, or cultural conditions of the community or area served in fields including but not limited to health, education, welfare, neighborhood redevelopment, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

(12) Programs to provide incentives to private employers, nonprofit organizations, and public employers to train or employ unemployed or low-income persons, including arrangements by direct contract, for reimbursement to employers for the costs of recruiting and training such employees to the extent that such costs exceed those customarily incurred by such employer in recruiting and training new hires, payment for on-the-job counseling and other supportive services including transportation, and payments for other extra costs including supervisory training required by the program.

(13) Skill training centers wherever a consolidation of occupational training and related manpower services would promote efficiency and provide improved services.

(14) Supportive and followup services to supplement work and training programs under this and other Acts, including health services, counseling, day care for children, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs.

(15) Employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged.

(16) Special job development efforts to solicit job opportunities suited to the abilities of the disadvantaged job seeker and to facilitate the placement of individuals after training.

(17) Job coaching for a limited period to assist the employer and the worker to insure job retention.

(18) Relocation payments and other special services as needed to assist unemployed individuals and their families to relocate from a labor surplus area to another area with expanding employment opportunities where a suitable job has been located. Preference for such assistance shall be provided those who have been provided training before relocation or have been accepted for on-the-job and other types of employer-directed training.

(b) Where appropriate, the services authorized by this section may be provided, in whole or in part, through residential programs.

#### MANNER OF PROVIDING SERVICES; ALLOWANCES

SEC. 103. (a) The Secretary shall carry out section 102 either directly or through contracts with public or private agencies and organizations. Section 3709 of the Revised

Statutes of the United States (41 U.S.C. 5) shall not apply to such contracts.

(b) The Secretary, in the case of programs he carries out directly, and contracts entered into under subsection (a), may where appropriate provide for the payment of weekly allowances to individuals receiving services under section 102. Such allowances shall be a rate prescribed by the Secretary which when added to amounts received by the trainee in the form of public assistance or unemployment compensation payments shall approximate the minimum wage for a workweek of forty hours, under section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State minimum wage law, or where the trainee is being trained for particular employment, at a rate equal to 80 per centum of the weekly wage for such employment, whichever is greater. In prescribing allowances, the Secretary may allow the additional sums for special circumstances such as exceptional expenses incurred by trainees including but not limited to meal and travel allowances or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or other necessities furnished to the trainee. The Secretary shall take such action as may be necessary to insure that such persons receive no allowances with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein without good cause. Notwithstanding the preceding provisions of this subsection, the Secretary may, in the case of programs carried on outside the continental United States, make appropriate adjustments in allowances which would otherwise be payable under this Act to reflect the special economic circumstances which exist in the area in which the program is to be carried on. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

(c) For purposes of subchapter 1 of chapter 81 of title 5, United States Code, persons receiving services under section 102 shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply, except that in computing compensation benefits for disability or death, the monthly pay of such a person shall be deemed to be his allowance for a month, if he is receiving one, but in no event shall the monthly pay be deemed to be less than the minimum wage for four workweeks of forty hours each under section 6(a)(1) of the Fair Labor Standards Act of 1938, or, if higher, under the applicable State minimum wage law.

(d) (1) No allowance shall be paid to any person for any period for which a money payment has been made with respect to the need of that person under a State plan which has been approved under title I, IV, X, XIV, or XVI of the Social Security Act and which meets the requirements of the first sentence of paragraph (2) of this subsection. The Secretary is authorized to pay to any such person (A) such sums as the Secretary determines to be necessary to defray expenses of that person which are attributable to receipt of services pursuant to the provisions of this Act and (B) an incentive payment of not more than the difference between such money payment and the amount of the allowance to which such person would have otherwise been entitled.

Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under any such title shall provide that no payment made to any person pursuant to paragraph (1) of this subsection shall be regarded (A) as income or resources of that person in determining his need under such approved State plan or (B) as income or resources of any other person in determining the need

of that other person under such approved State plan. No funds to which a State is otherwise entitled under titles I, IV, X, XIV, or XVI of the Social Security Act for any period before the first month beginning after the adjournment of the State's first regular legislative session which adjourns more than sixty days after the enactment of this subsection shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of this paragraph.

#### CRITERIA FOR SELECTION OF MODE OF OPERATION

SEC. 104. (a) In exercising his authority under section 103, the Secretary shall select that mode of operation which, in his judgment, will—

(1) enable him to achieve the objectives of this Act most economically or efficiently, or, where services are urgently needed, to provide such services most quickly and effectively;

(2) assure that these services will be provided without discrimination on the basis of race, creed, sex, age, or national origin;

(3) enable persons seeking manpower services to be served by the smallest number of suppliers of such services, and most conveniently for the individual being served; and

(4) assure that services provided each individual will be tailored to meet his individual needs and capacities.

(b) In carrying out a program of the type described in paragraph (8) of section 102(a) the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

(3) that adequate and safe facilities, and adequate personnel and records of attendance and progress are provided; and

(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as prevailing industry practices and trainee proficiency.

#### TITLE II—OCCUPATIONAL TRAINING IN INDUSTRY

##### CONTRACTS FOR UPGRADING PROGRAMS

SEC. 201. The Secretary is authorized and directed to enter into contracts with private or public employers under the terms of which the employer undertakes to provide the necessary education and skill training to prepare employees for positions of greater skill, responsibility, and remuneration in the employ of such employer.

##### REQUIREMENTS FOR CONTRACTS

SEC. 202. Any such contract must contain assurances satisfactory to the Secretary that:

(a) the positions for which employees will be trained are positions that cannot with reasonable effort be filled by the employer with unemployed or underemployed workers already possessing such skills and willing to accept such employment;

(b) the selection of trainees shall be based upon merit, ability, and length of service, and that no person shall be selected as a trainee until such person has been in the employ of the employer for a period of not less than six months;

(c) the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment in a recognized skill or occupation in the service of that employer and of other employers in the same industry;

(d) the training period is reasonable and consistent with periods customarily required for comparable training;

(e) adequate and safe facilities, and adequate personnel and records of attendance and progress are provided;

(f) successful completion of the employee's training program can reasonably be expected to result in an offer of employment in the employer's own enterprise in the occupation for which he will be trained at wage rates not less than those prevailing for the same or similar occupations in that industry;

(g) the training and placement of such employees is part of a program that can reasonably be expected to lead directly to the employment of an equivalent number of new employees in entry level employment; and

(h) the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry practice and trainee proficiency, and that in no event shall the wages or employment benefits of any trainee be less than those received by him immediately before his starting such training program.

#### PAYMENTS TO EMPLOYERS

SEC. 203. Such contracts shall provide for payment to the employer undertaking a training program under this title in an amount equal to—

(a) ninety per centum of the instructional expense, other ordinary and necessary training costs, and trainee wage payments for time spent in training, less the value of productive services rendered by such trainees, plus:

(b) a bonus payment to reward the efforts of employers whose programs under this title have resulted in substantial upgrading and high retention, to be computed as follows:

(1) at the end of the first twelve months following the completion of a program authorized under this title, twenty per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees; and

(2) at the end of second twelve months following the completion of a program authorized under this title, ten per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees.

#### MANPOWER UTILIZATION STUDIES

SEC. 204. The Secretary is authorized to provide financial support for studies of the utilization of manpower and of job design by an employer or group of employers in industries where there are a large number of unskilled employees, with a view to redesigning and rearranging the work patterns involved in the jobs, so that career ladders may be created where they do exist, or are clearly inadequate.

#### TITLE III—PUBLIC SERVICE EMPLOYMENT

##### CONTRACTS FOR PUBLIC SERVICE EMPLOYMENT

SEC. 301. The Secretary may contract with any Federal, State, or local governmental agency, or with any private nonprofit organization, to provide useful public service employment to unemployed persons.

##### REQUIREMENTS FOR CONTRACTS

SEC. 302. Each contract entered into under section 301 shall provide that—

(a) all persons employed thereunder, other than necessary technical, supervisory, and administrative personnel, will be selected from among eligible unemployed persons;

(b) to the maximum extent possible, technical, supervisory, and administrative personnel shall be recruited from among eligible unemployed persons;

(c) persons employed under such contracts will be paid at rates comparable to the rates of pay prevailing in the same labor market area for persons employed in similar occupations, but in no event shall any person employed under such contract be paid at a rate less than that prescribed by section 6(a) (1) of the Fair Labor Standards Act of 1938, as amended; and

(d) all persons employed under such contracts will be assured of workman's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the contractor, and to working conditions no less favorable than such other employees enjoy.

#### INFORMATION FOR EMPLOYERS

SEC. 303. Every person employed under contract under section 301 shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

#### ENTITLEMENT TO EMPLOYEE BENEFITS AND PROTECTION

SEC. 304. No contract shall be entered into under section 301 with a contractor who is, or whose employees are, under State law, exempted from the operation of the State workmen's compensation or unemployment compensation laws, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self-insurance as allowed by State law, that the persons employed under the contract, shall enjoy workmen's compensation and unemployment compensation and unemployment compensation coverage equal to that provided by law for covered employment.

#### MAINTENANCE OF EFFORT

SEC. 305 (a) No contract shall be entered into under section 301 unless the Secretary determines that the execution of the contract will result in an increase in employment opportunities over those which would otherwise be available and that it will not result in a reduction in the employment and labor costs of the contractor or the displacement of persons currently employed, including partial displacement resulting from a reduction in hours of work or wages or employment benefits.

(b) Where a labor organization represents employees who are engaged in similar work so that performed under the contract in the same labor market area, such organization shall be notified by the Secretary prior to the awarding of the contract.

#### SAFE AND HEALTHFUL WORKING CONDITIONS

SEC. 306. All contractors under section 301 shall provide their employees with safe and healthful working conditions.

#### EVALUATION OF CONTRACT PROPOSALS

SEC. 307. In evaluating contract proposals received under this title, the Secretary shall consider the cost to the Government in relation to—

(a) the number of eligible unemployed persons who will be provided with suitable employment under the contract;

(b) the need of the community for the services to be provided under the contract;

(c) the nature and extent of unemployment in the community in which the contract is to be performed;

(d) the extent to which employment under the contract will prepare eligible unemployed persons for regular private or public employment or for other programs conducted pursuant to this Act;

(e) the degree to which effective linkages to other programs under this Act are provided so that enrollees are able to secure needed training and other services necessary to prepare them for regular private or public employment; and

(f) the extent to which effective systems have been developed to provide priority to

enrollees for entry into occupational training or directly controlled employer training programs designed to lead to regular employment.

#### PREFERENCE

SEC. 308. (a) Preference shall be given to any prospective contractor who is operating an upgrading program authorized in title II and is prepared to assure maximum opportunity for enrollees to qualify for the entry level positions that become available as a consequence of the upgrading program.

(b) Preference shall also be given to prospective contractors in accordance with the proportion of the total cost they are prepared to assume.

#### OBLIGATIONS OF THE SECRETARY TO ENROLLEES

SEC. 309. The Secretary shall on behalf of the enrollees be responsible for—

(a) assuring that every reasonable opportunity to find suitable regular employment or to enter a program authorized by title I has been explored before the individual is certified for public service employment; and

(b) maintaining a continuing review of the status of each enrollee to assure that he is receiving consideration of referral to suitable regular employment or to programs authorized by title I.

#### DEFINITIONS

SEC. 310. For purposes of this title—

(a) The term "eligible unemployed person" means any individual aged eighteen to sixty-five, inclusive, who has demonstrated that he is able and willing to work and (A) has been unemployed for five or more weeks; or (B) is employed, though able and willing to accept full-time employment, on a part-time basis.

(b) The term "part-time basis" means less than thirty-five hours a week for a continuous period of ten weeks or more.

(c) The term "private nonprofit organization" means any nonprofit educational institution, or any private nonprofit hospital, or any private nonprofit organization certified by the Secretary to be engaged in appropriate public service activities in the community or area to be served.

#### TITLE IV—EVALUATION; TECHNICAL ASSISTANCE; STAFF DEVELOPMENT

##### STAFF DEVELOPMENT

SEC. 401. (a) In carrying out his duties under this Act, the Secretary shall—

(1) Survey, at regular intervals, the various training programs and opportunities available to or utilized by staff of manpower service programs, including both managerial and technical staff;

(2) Analyze the manpower programs, operating or planned, including the conceptual basis, the operating structure, and the clientele to be served, in order to determine current and future staff training requirements thus correcting or avoiding deficiencies in staff performance and enhancing the impact of programs;

(3) Plan for and provide directly or by contract an integrated system of short term and intermittent staff training and instruction in managerial and technical matters relating to the conduct of manpower training programs and services, including but not limited to on-the-job training, the establishment and maintenance of fellowships and traineeships, exchange programs, and such other devices as are deemed necessary or appropriate. The staff training system thus established shall be aimed at and include manpower training and service staff at Federal, State, and local levels funded directly or indirectly by this Act and special attention shall be given to the utilization of this staff training system in a manner which will increase the number and effectiveness of previously disadvantaged persons serving in career staff capacities. Training under this section shall provide for such stipends and allowances (including travel and subsistence allowances) as may be deemed necessary, except that no such training or instruction (or fellowship

or scholarship) shall be provided for any one course of study for a period in excess of four years.

#### TECHNICAL ASSISTANCE

SEC. 402. The Secretary shall—

(a) Plan for, establish, and maintain, directly and through contracts, a program of technical assistance to public and private agencies, institutions, and employers in order to assist such organizations in operating programs more effectively and providing service under this Act, in the most effective and efficient manner possible;

(b) Provide for, directly and through contract, the development and distribution of technical manuals and guides in order to assure the early dissemination of information concerning advanced or improved techniques related to manpower services and their delivery. Such information shall include techniques developed both as a result of this Act and through other resources;

(c) Make, upon appropriate request, the special assignment of personnel to public or private agencies and employers to provide technical guidance with regard to programs funded under this Act; but no such assignments shall be for a period of more than two years;

(d) Without regard to the civil service laws or the classification provisions of title 5, United States Code, employ highly specialized or qualified personnel from public or private agencies and institutions, and assign them to units of the Department engaged in work under this section, for purposes of technical guidance or assistance. Such special assignments shall be limited to five per year and shall not exceed nine months in any two years for any individual and such persons shall not hold, or exercise the authority of, any policy or supervisory position. The Secretary may arrange for payments for subsistence, travel, and wage or salaries for individuals thus assigned: Provided, That such wage or salary payments shall not exceed the wage or salary that said individuals would otherwise receive had the assignment not been made.

#### EVALUATION

SEC. 403. The Secretary shall—

(a) Provide for the systematic evaluation of the management and impact of manpower programs and services provided under this Act. Such evaluation may be conducted directly or by contract and shall include the comprehensive analysis of programs and analyses of particular program or service components, cost effectiveness, and impact upon and receptivity of the trainee and the community.

(b) Compile the findings of such evaluations, with the recommendations for corrective action and a list of such actions as are implemented. This compilation, together with such supportive documents as may be required, shall be submitted by him to Congress annually by April 1;

(c) Allocate 1 per centum of the sum appropriated in any fiscal year to carry out titles I, II, and III for the purpose of this section.

#### TITLE V—MANPOWER RESEARCH AND DEVELOPMENT

SEC. 501. For the purpose of achieving the objectives set forth in this Act, the Secretary shall—

(a) Conduct (directly, or through grants or contracts) permanent and on-going programs of research and evaluation of—

(1) the impact, benefits, and problems created by technological progress and other changes in the structure of production and demand on the use of the Nation's human resources;

(2) practices of employers and labor organizations which tend to impede or facilitate the vertical, lateral, or geographical mobility of workers; and

(3) the adequacy of the Nation's public and private manpower development efforts,

not limited to those carried on under this Act, to meet foreseeable manpower needs.

(b) Establish a program of experimental, developmental, demonstration, and pilot projects, directly, or through grants or contracts, for the purpose of improving the techniques and demonstrating the effectiveness of specialized methods of achieving the objectives of this Act. In carrying out such programs, the Secretary may, where appropriate consult with other agencies of the United States Government.

SEC. 502. The Secretary, serving as the President's principal adviser on manpower, shall report to the President on the manpower implications of the Federal budget, and shall make recommendations to the President in regard to the budget and to manpower programs generally.

SEC. 503. In carrying out the responsibilities under this Act, the Secretary shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or the Vocational Rehabilitation Act, the Demonstration Cities, and Metropolitan Development Act of 1966, and other relevant Federal statutes.

SEC. 504. (a) The Secretary shall develop a comprehensive system of labor market information on a National, State, local, or other appropriate basis, including but not limited to information regarding—

(1) The nature and extent of impediments to the maximum development of individual employment potential including the number of characteristics of all persons requiring manpower services.

(2) Job opportunities and skill requirements.

(3) Labor supply in various skills.

(4) Occupational outlook and employment trends in various occupations.

(5) In cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends. Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

(b) The Secretary shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view of the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall

make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

(c) The Secretary is authorized to and shall plan, establish, and operate directly or through contract, an information service, to make available to agencies, organizations, and other groups and persons concerned with manpower programs and services, information on resources, techniques, and concepts useful in the conduct of training programs covered by this Act. Such information shall include that derived from research, experimental and demonstration programs, and the evaluated experience of Federal, State, and local operations. The information shall be so designed as to be helpful in the establishment and improvement of training programs and related activities covered under titles I, II, and III.

SEC. 505. Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II and III of this Act shall be available only for carrying out the provisions of this title.

SEC. 506. The Secretary shall make such reports to the President as he shall deem appropriate or the President shall require and the President shall submit to the Congress, not later than April 1 of each year (beginning not less than nine months after the effective date of this Act) a report pertaining to manpower requirements, resources, utilization, and training.

#### TITLE VI—MISCELLANEOUS

##### AUTHORIZATION OF APPROPRIATIONS

SEC. 601. There is hereby authorized to be appropriated such sums as may be necessary to carry out this Act. Funds appropriated under this Act shall remain available for one fiscal year beyond that for which appropriated.

##### ADVANCE FUNDING

SEC. 602. To the end of affording responsible Federal, State, and local officials concerned, adequate notice of available Federal financial assistance for programs provided for under this Act, appropriations for carrying out this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to seek a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under this Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

##### OTHER AGENCIES AND DEPARTMENTS

SEC. 603. (a) In the performance of this function under this Act, the Secretary, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government. Each department, agency, or establishments of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

(b) The Secretary shall carry out his responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

##### PROHIBITION ON RELOCATING ESTABLISHMENTS

SEC. 604. The Secretary shall not use any authority conferred by this Act to assist in relocating establishments from one area to

another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original locations or in any other area where it conducts such operations.

#### LABOR STANDARDS

SEC. 605. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating of projects, buildings and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133-133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

#### ADVISORY COMMITTEES

SEC. 606. (a) The Secretary shall appoint a National Manpower Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) For the purpose of making expert assistance available to persons formulating and carrying on programs under this Act, the Secretary shall, where appropriate, require the organization of a community, State, and/or regional basis of labor-management-public advisory committees.

(c) The National Manpower Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities, or for its responsibilities under subsection (b) of this section.

(d) Appointed members of the National Manpower Advisory Committee shall be paid compensation at the rate of \$100 per diem when engaged in the work of the National Manpower Advisory Committee, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

#### DEFINITION

SEC. 607. For the purposes of this Act, the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

#### REPEAL OF EXISTING LAWS

SEC. 608. Titles I, II, III, and V of the Manpower Development and Training Act of 1962 and part B of title I of the Economic Opportunity Act are repealed, effective June 30, 1969.

#### EFFECTIVE DATE; TRANSITION PROVISIONS

SEC. 609. (a) This Act shall take effect July 1, 1969.

(b) Notwithstanding the repeals made by section 608, in order to permit an orderly

transition from programs carried out under the provisions of laws repealed, to programs carried on under this Act, the Secretary may continue to use the authority provided in such repealed provisions of law for such period of time as may be necessary, but not in excess of two years beyond the effective date of this Act.

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#### CALIFORNIANS HONOR COMMUNIST ERRAND BOY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous material).

Mr. RARICK. Mr. Speaker, the California taxpayers are now forced to perpetuate the memory of an international communism errand boy.

Their new University of California law building was dedicated as the M. L. King, Jr., Law Building, appropriately by outgoing Chief Justice Earl Warren.

Perhaps it is a fitting tribute to a man whose only claim to fame was disobedience of the law—save those which served his own ends and conveniences. Or was this action by the regents felt necessary to prevent the building from being burned? Makes about as much sense as UNESCO's eulogizing the bloody dictator, Lenin, as a humanist.

Perhaps this is the beginning of a trend in the naming of law schools and buildings after others infamous in connection with the law—such as the James brothers, John Dillinger, or Bonnie and Clyde.

Many wonder why the present administration does not authorize the Department of Justice to tell the American people the truth about King and his lifetime of subversion and immorality and exploitation.

Or does it, too, fear it has more to gain by suppression of the truth than by telling the American people the facts.

A clipping from Parade for May 25 follows:

Q. I understand that California's Governor Ronald Reagan would not permit a new law building at a University of California campus to be named in honor of the late Martin Luther King Jr. Is this so?—Henry Ackerman, Berkeley, Calif.

A. The governor voted against naming the building after King. The reason, he explained, was because King had not been a lawyer. The majority of the regents, however,

outvoted the governor, and the new law building at the Davis Campus of the University of California is now known as the Martin Luther King Jr. Law Building. The building was dedicated by U.S. Supreme Court Chief Justice Earl Warren.

#### SILENCING OF THE PUBLIC'S VOICE

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, in the past 8 years there has been a period of unmatched progress in the efforts to correct the problems of water pollution that threaten the rivers, lakes, and estuaries of this Nation. Much of the credit for this progress must be given to the policies of former Interior Secretary Stewart L. Udall and the provisions of the Federal Water Pollution Control Act of 1965.

Mr. Speaker, many of the water quality standards for interstate waters and other waters under Federal jurisdiction have been reached by agreements reached by the State and Federal agencies following public hearings in which the voice of the concerned public was heard and heeded.

It is my understanding that this voice may be stilled not by a lack of concern, but by the action of the Department of the Interior.

Mr. Speaker, I would like to submit an article in the New York Times of Sunday, May 18, 1969, which tells of the proposed change in policy from public hearing to "informal, behind the scenes negotiations between Federal and State water officials."

Nowhere, Mr. Speaker, would such a policy have a more detrimental effect than in my State of California. California is unique among the States of the Union, Mr. Speaker, in that the agency charged with the responsibility for conserving the water resources of the State is also given the responsibility to sell that water to customers of the California State water project.

Only through the avenue of the public hearing has the voice of conversationists, sportsmen, and the concerned public been given the opportunity to comment on the proposals of water customers and the purveyors of California's water resources.

Only last week did the Governor of our great State override the wishes of water customers and the State-run water utility, the department of water resources, and postpone consideration of an ill-advised dam and reservoir on the middle fork of the Eel River.

It is generally acknowledged that the Governor responded to the voice of the conservationists of California in halting this unwise project.

What would have resulted if there had been no public forum? What would have been the result if there had been only "informal, behind-the-scenes negotiations"?

The answer, I think, is that Dos Rios Dam would have been approved by the State.

I sincerely hope, Mr. Speaker, that the Secretary of the Department of the Interior will recognize the real need for retention of the public's role in determination of water quality standards. It is possible that agreement between State and Federal agencies reached after pub-

lic hearings may take more time, but the results may be much more valuable in the long run.

The article from the New York Times of May 18, 1969, follows:

#### WATER POLLUTION FIGHT TO SHIFT FROM HEARINGS TO NEGOTIATIONS

(By Gladwin Hill)

DULUTH, MINN., May 16.—The Department of the Interior is about to shelve its 12-year-old program of formal water pollution abatement actions.

Instead, it will shift to a strategy of informal, behind-the-scenes negotiations between Federal and state water officials in an effort to speed rehabilitation of the nation's generally dirty waterways.

This major policy switch was confirmed by Assistant Secretary of the Interior Carl L. Klein in an interview.

The department opened the last of the pending abatement hearings—concerning Lake Superior—which were inherited by Interior Secretary Walter J. Hickel. His predecessor, Stewart L. Udall, credited the now-side-tracked statutory enforcement program with producing a great improvement in national water quality.

The program stemmed from a law of 1956, giving Federal officials power to dictate clean-ups of interstate water contamination under the threat of court action after a prescribed series of hearings.

This approach, however, was termed a "yelling and screaming" process by Mr. Klein, Mr. Hickel's aide for water quality and research.

"We think it will be much more effective to work on the level of informal conferences," Mr. Klein said.

"My idea is to just talk problem situations out with officials in the states. I think we can get action that way, cutting through the red tape without all these cumbersome formal proceedings."

Some national water pollution experts, while publicly reserving judgment, think this effort at "expediting" may prove illusory. They feel that it has been the harsh spotlight of publicity, focused on municipal and industrial water polluters through the public hearings, that has prodded offenders into cleaning up. The proceedings have involved more than 1,000 communities and 1,000 industrial establishments.

Secretary Udall estimated there was about \$26-billion worth of work to be done over a five-year period to clean up the nation's waterways—many times what is being spent. Two thousand communities still discharge raw sewage.

Mr. Klein still has the statutory abatement-action weapon up his sleeve. But the Lake Superior hearing, he said, is the last such proceeding for the time being.

"We don't intend to initiate any new formal actions at this time," he said. "But that doesn't mean we're slacking off. I have a list of about 40 problem areas that I intend to attack as fast as I can get at them."

#### LAWYER AND LEGISLATOR

Mr. Klein, 52 years old, is a lawyer and former Illinois legislator. When he was named a Hickel assistant, one Chicago paper identified him in its headline simply as "Carl Klein of the 15th Ward," where he was Republican state committeeman.

Mr. Klein said he intends to press for much more stringent sewage treatment standards than the current norm of "secondary treatment," in which bacteriological fermentation neutralizes up to 80 per cent of the most objectionable components.

The new goal, Mr. Klein said, will be "tertiary," or third-stage treatment, which chemically removes from sewage residue most of the nitrogen and phosphorus, which promote the growth of odorous, seaweed-like algae in waterways. Tertiary treatment restores sewage, which is largely water, to almost potable

purity. The process is now in use in only a few places experimentally.

"Acceptable quality for the Potomac River, for instance, can be met only by exotic tertiary treatment," he said. "Chicago and some cities in Ohio are working on it. If we don't go to it generally, we're going to choke to death on nutrient pollutants."

His 40 "problem areas," he said, correspond with many of the pollution situations on which previous Administrations initiated abatement actions where fulfillment is still pending.

The Lake Superior proceeding was the 45th such action initiated since 1967. Under the law, after Federal investigators collected detailed evidence of pollution, state water officials and individual polluters were given a forum for stating their case, along with spokesmen for citizen groups. Then an explicit, scheduled clean-up program was formulated.

The crux of the process was persuading state officials to subscribe to and execute such programs voluntarily, short of Federal-court action—a maneuver in which the Federal Water Pollution Control Administration's assistant commissioner for enforcement, Murray Stein, had gained renown for his dexterity. Only one of the 45 actions—involving St. Joseph, Mo.—has gone to the stage of court action.

Mr. Klein hopes through his informal-negotiation strategy to minimize a problem produced by the Federal effort to get every state to adopt satisfactory, hand-tailored water quality standards to obviate so much Federal policing.

Twenty-five states last year produced satisfactory formulations. But the draft standards submitted by 25 other states were deficient, raising the possibility that in one case after another, formal enforcement proceedings might have to be initiated. Mr. Klein said he thought this could be obviated by off-record discussions.

The three-day Lake Superior hearing, involving the states of Minnesota, Wisconsin and Michigan, centered on the suspected danger that Minnesota iron-mine tailings could ruin the only remaining one of the Great Lakes that generally retains its pristine purity. Extensive testimony on this was contradictory.

Water Pollution Control Commissioner David Dominick, who presided at the hearing, said the parties would be given about a month to digest the data presented, and then the hearing would be reconvened to decide what needs to be done.

#### THE SST—AN ANALYSIS

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, I would like to share the wisdom of a learned and most articulate gentleman, Mr. Charles L. Johnson, with the Members of Congress, on a subject of vital importance to all Americans—the proposed supersonic transport.

Mr. Johnson, a resident of Moraga, Calif., has many years of experience behind him and many years of wise study in diverse disciplines. I value his opinions and I would at this time like to share his thoughts on the SST with all the Members of Congress, as follows:

MORAGA, CALIF.,  
April 24, 1969.

HON. JEROME R. WALDIE,  
Cannon House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN WALDIE: Because the SST program seems to contain the elements of a sociological Vietnam, I have taken the

liberty of replying to your questionnaire in a more extended form than your inquiry requests.

Some of my comments may already be familiar to you, and others may even be fallacious in the light of your more intimate knowledge of the situation. But I believe that all of your constituents should share the burden of the many difficult decisions you are called upon to make and not let the responsibility for them rest on your shoulders alone. In this spirit, I have submitted to you these remarks on the SST, which, I trust, you may find useful in your deliberations on its future.

Most immediate among my reactions to the information in your questionnaire is the thought that the real economic unit to be considered, in addition to the staggering 1.5 billion dollars to be spent on the prototype, is the commercial air-fleet itself—the number of SST's an airline must possess to satisfy the demands of its traffic. Assuming that each of the four leading American airlines will require one hundred of these aircraft, the total cost, at present, would be 150 billion dollars per airline; and for the four of them combined, 600 billion dollars. Even if each company required as few as twenty such airplanes, the total cost to all of them would be 12 billion dollars, a financial sum that can produce hysteria among the most experienced airline executives.

The only alternatives to such expenditures seems to be deep and continuing assistance from the Federal government. And thus the decision to build the SST is unavoidably a decision to ultimately finance a larger adventure—the underwriting of airline fleets—and to sustain it indefinitely. Whether we like it or not, if the Congress votes affirmatively, the United States Government will find itself inextricably involved in the air-transport business, committed to a socialistic venture of astronomical proportions, which would not benefit all of the people and would, moreover, compel the government to guarantee private profits to commercial corporations, if only to protect its own huge investment.

Those persons who object to the high percentage of Federal participation in this enterprise are well justified in their position. If this unethical and unsupportable involvement continues, it may eventually become necessary for the United States Government to build and operate these aircraft outright and to inaugurate a new branch of the civil service. For it seems notoriously true that preliminary estimates of construction costs are always understated or somehow exceed the projected figures by exorbitant sums. If this is also true for the SST, the initial amount of 1.5 billion dollars may have to be drastically increased, resulting in a corresponding commitment by the Federal government.

And once the decision is made to complete this program, further complications must be immediately faced:

The SST's in themselves are inoperational without large airbase facilities. Consequently, immensely expensive overseas installations must be provided, as well as modern airports at home. But can foreign governments at whose countries our super-sonic aircraft will touch down afford to construct and maintain such terminals? Where, for example, will India get the billions of dollars to erect these structures? Where, indeed, but from the American taxpayer?

And how can the so-called developing nations compete for SST traffic without foreign assistance?

The answer, currently, seems to be that they simply can not—unless they receive enormous subsidies from somewhere else.

Suppose, for instance, that the Soviet Union offers to build a modern SST airport in Dahomey. Shall we be compelled for some neurotic reason to construct a bigger one at

our own expense in Sierra Leone? Are we, then, to embark on another pernicious round of foreign aid, this time to encourage tourism so that we can supposedly stop Communism?

Nor can commercial overseas airports, however peaceful their intent, be dissociated from military bases and support installations. The inevitable Air Force version of the SST, conceived perhaps as a cargo transport, but particularly as a troop-carrier, will inexorably require terminal facilities on foreign soil. These bases must be of sufficient size to cope with the logistical problems of such huge aircraft. And they must be strategically located and adequately defended.

Does this not imply continued involvement in Asia?

Must not our foreign policy throughout the Orient be linked to the loyalties of the larger Asian countries, meaning in particular India?

Such bases must be operational prior to the landing of SST's and to the commitment of American troops, should that unhappy contingency arise despite our fervent desire for noninvolvement.

Thus once we build a commercial SST, we must build overseas facilities for them. Then we must construct a military SST and acquire foreign bases as well—simply because the Air Force will insist on it. And so, starting with what were purely commercial considerations, we shall be confronted almost immediately with serious questions of foreign policy.

In this context, I trust that you will investigate the SST capabilities of our publicly-secret airbases in Thailand. If these installations can support super-sonic operations, as seems likely, does such foresight imply a permanent mutual-assistance pact with the Thai government, about which the American people have not been informed by the present, and previous, Administration? If they can not, are these bases now obsolescent in view of our possible reinforced presence in Southeast Asia when the British withdraw from Singapore in 1971, leaving behind a military vacuum in that region?

These questions are not irrelevant: We must have a Singapore policy—right now.

And the SST must certainly be implicated in it.

Is it necessary to win in Vietnam in order to protect Singapore and the surrounding archipelago? Should we not build an even larger SST than the one contemplated, say an aircraft capable of transporting troops by the brigade? Will Australia help construct airports for these airplanes? What would be the anticipated response of the Chinese to the implied threat of SST's serving Southeast Asia close to China's frontiers?

Again, these queries may suggest nothing but good, healthy political paranoia among your constituents. Yet I hope they will not be ignored during Congressional discussions.

Other matters than cost and foreign policy, however, are involved in the question of whether to complete the SST program.

As you no doubt know, any advantage gained by shortening transoceanic trips on SST's can be readily nullified by the disruption of the circadian rhythm. The biological dislocations which are induced by rapid changes in time zones produce corresponding psychological disorientations. Many American business firms will not, even now, permit their representatives to transact business immediately after disembarking from such flights. Their personnel are required to rest for a minimum length of time before conducting company affairs. The high speed of the SST can only aggravate such perceptual imbalances. These side effects can diminish the efficiency of rapid transit: Two sunrises within two hours can be a rather disconcerting experience. A thorough inquiry into these phenomena should be completed before a final decision to proceed with the SST is reached.

Sociologically, too, the SST can produce severe domestic dislocations.

Fleets of such aircraft will require completely modern facilities, which, as I have remarked, can be incredibly expensive. Certain cities, because of their strategic situations, must have these installations within their environments; for others, this will not be possible and new sites must be found. In the former cases, the familiar and irritating traffic congestion will certainly not be alleviated and very probably will be aggravated by super-sonic airplanes. In the latter cases, the construction of entirely new airports will necessarily entail the emergence of entirely new cities.

When the passenger-carrying SST is supplemented by the freight-carrying SST, and by larger jumbo-jets than are presently planned, a traumatic rerouting of railroads and highways and the relocation of many businesses will be mandatory. The resulting shifts in population, the alteration in municipalities, and the impact on industry—to mention a few more obvious consequences—will change the economic, physical, and social character of the American nation. Unless these are provided for in the projected SST era that Congress is considering, sociological disasters can be expected, which may well prove irremedial. It is perhaps worth noting in passing that such pressing problems as poverty, racial tensions, and concomitant urban blight may be made insoluble—and irrelevant—simply because the centers of social energy have been shifted elsewhere: such problems will be merely left behind, as they will have to be, when SST airports are located far outside the boundaries of our classical cities, the very sites of much contemporary discord.

Indeed, the SST is quite capable of dividing American society into two cultures, a new one and an old one, with a corresponding separation of political power. If SST airports are located concentrically around the middle third of the country, as transportation economics seems to indicate, several of our states which are now regarded as electorally small or middle-sized may emerge as the large states of the future. Favorable weather conditions over the southern United States may make the South a predominate region in national affairs.

And yet, when all these implications have been considered, a very humane question remains to be answered: Is the SST really the most desirable way to fly?

True, the super-sonic aircraft reduces the passenger's fatigue by getting him to his destination faster. But could not fatigue be lessened by getting him there more pleasantly? And why the fanatical insistence on annihilating space and time? What ultimate human purpose does this serve?

It seems that we have forgotten the leisurely and healing uses of time and are continually urging ourselves onwards at heart-stressing paces, ignorant of the fact the world is round and that we will eventually return to where we started from anyway, whether we blitz around the earth or travel across it more slowly. Agreed that there are important reasons for speed. Does this require an entire culture to be based on a technological treadmill?

Some of our more iconoclastic engineers have already concluded that if our buildings were made of light-weight materials, they could be transported through the air by jet-powered engines. As implausible as this vision may seem to many persons, such a possibility may well transpire in the near future. It is, at any rate, a suggestion worth examining. Instead of prematurely investing in the SST, it may perhaps be wiser to encourage these engineers to construct hotels that can be lifted across oceans or flown from city to city. After all, H. G. Wells wouldn't laugh; why should we? At least they might not produce sonic booms.

As for these unpleasant disturbances, it should be acknowledged that they are social problems of some importance.

Sonic booms can not be dismissed as unfortunate inconveniences—as part of the price we must pay for technological advances. Sound is a destructive force.

It is an environmental pollutant just as much as are smoke and contaminated water. And only now is research into the damaging effects of noise becoming public knowledge.

At a time, therefore, when legislation seems necessary to achieve some measure of noise abatement to protect the personal and domestic environment of the individual citizen, the sonic boom should not be made an unremovable part of the public scene as it will be if the SST is approved without adequate regard for civic well-being. For once this program is authorized, noise pollution and its attendant evils will become a permanent fact of daily existence, and another devious element will have been introduced into American life, pitting those whose concern is for public and private dignity against those who prefer to place selfish financial gain above the common good. If it is later shown that the sonic boom is a menace to health and an intolerable irritant, the Congress will have placed itself in a moral crisis similar to the one confronting it in the field of cigarette advertising, where unfortunately its members have responded in a cowardly manner that is becoming all too characteristic of a legislature which is falling in its functions. Faced with the morality of the sonic boom, the Congress will no doubt again espouse private profit against public good.

I, for one, however, hope that this time the electorate will not be so apathetic.

If the Congress approves the SST without scientific knowledge of the adverse physical and psychological effects such daily harassment may induce, then its members deserve the wrath of hysterical mothers whose infants are shocked awake, screaming in their cribs: of irate citizens, whose sleep has been devastated: or riotous homeowners, whose sagging houses are full of cracked walls and ceilings: of mutinous merchants, who are tired of replacing glass windows: and of the nervous gentry of our major cities, who will pervasively continue to interpret sonic booms as Russian missile attacks. (In fact, amigo, how do you tell the difference, especially in the middle of the night?)

Certainly, one of the responses which Congress must make to the SST is to legislate better safety regulations and to require the installation of more efficient safety equipment than it has evidently been willing to do so far. The crash of an ordinary jet liner almost always results in the loss of scores of lives—a tragedy which is stark enough. But the loss of possibly a thousand or more lives in an SST crash would be simply harrowing. And such equipment, it should be noted, must be installed not only within the United States, but on foreign bases as well.

The argument that we must always be first may have a certain emotional appeal to many of our citizens; but it should be remarked that we were the first to produce the atomic bomb and the Chinese entered the competition very much later. Yet, by taking advantage of our knowledge and that of others in the field, they are now emerging as a military menace of planetary magnitude.

Similarly, if we have the patience, and perhaps the wisdom, to let the French, British, and Russians pioneer in the development of the SST, we may be able to leap-frog into the lead in the near future by learning from their experiences.

And if we also pursue our inquiries into the deleterious consequences of noise and not act until convincing scientific data support our decisions, we may avert an irreparable national crisis.

Whatever advantages the French, British,

and Russians reap from their early entry into the field of super-sonic transportation need not be permanent. We should not be panicked into believing that our loss of leadership would be catastrophic. Perhaps it may seem that way to the fanatical patriot. And it surely will be charged by those who stand to gain financially from inciting such fear.

But far too much is at stake to hurry foolishly.

Let us wait a little longer, then, until all the vital questions have been asked—and answered—paying the price of this delay in dollars if necessary, rather than in future social turmoil and irreparable failure.

Permit these foreign governments to prove that this gigantic enterprise is economically feasible; allow them to correct the technical defects that usually inhere in such adventures; and let them face the problem of overcoming our competition—when we can build a bigger, faster, and safer SST.

Sincerely yours,

CHARLES L. JOHNSON.

(Glad to have helped. As they say in politics, any time I can be of service, just let me know.)

#### CIGARETTES MAKE A FINE WHIPPING BOY—AND AUTO EXHAUST INCREASES

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include an editorial.)

Mr. PERKINS. Mr. Speaker, I insert in the CONGRESSIONAL RECORD the article taken from the Licking Valley Courier of West Liberty, Ky., entitled "Cigarettes Make a Fine Whipping Boy—and Auto Exhaust Increases."

#### CIGARETTES MAKE A FINE WHIPPING BOY—AND AUTO EXHAUST INCREASES

It's been over two years since a government-named board of doctors and scientists reported that hydro-carbons from automobile exhaust constitute the second most potent causative agents of chest cancer. The board reported after a 28-month study. But the government hasn't yet commenced to eliminate the hydro-carbons from the air.

An Associated Press story from Washington last week stated the National Air Pollution Control Administration had finally decided a way to test auto exhausts—"just collect them in bags and measure them."

But the Air Pollution Administration said its new methods for controlling auto exhausts on new cars would not go into effect until 1972.

And in the meantime, the big corporations that will be affected are doing a fine job fooling the public into thinking cigarette smoking is the cause of the "great increase in chest and respiratory diseases."

Gift of \$3,400,000 to 12 reputable foundations to conduct "an educational campaign against smoking" should be investigated.

Cigarette smoking has declined since the 12 foundations started their "educational campaigns" with a \$3½ million slush fund, but chest diseases continue to increase—increase at about the same rate autos are increasing on the highways. The 12 foundations using the \$3½ million gift fail to say a word about the scientific report that hydro-carbons from auto exhaust is the second most potent cause of chest disease—second after radiation fallout from nuclear fission. And bear in mind the scientists couldn't find that cigarette smoke was a "known causative agent" in the increase of chest diseases.

Radio active elements was first, auto exhaust second and strontium 90 was third as known causes of chest cancers, according to the report of the 28 doctors and scientists who studied the problem.

#### CRISIS IN MILITARY LAWYER RANKS

(Mr. PIRNIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PIRNIE. Mr. Speaker, if anyone questions the need to retain qualified military lawyers at a rate higher than 12 percent per year for the Army, 14 percent for the Air Force, and 6 percent for the Navy, I would urge the reading of a fine article which appeared in the December 1968 American Bar Association Journal entitled, "A Lawyer's Day in Vietnam." This informative observation was written by four Army JAG officers who comprised the legal staff of an Army headquarters in Vietnam. Those who brush off the need to have experienced military lawyers would do well to note the services rendered daily, even during combat, by judge advocates in Vietnam. They handle everything from legal counsel in capital cases to family relation problems of the servicemen who are fighting in that war.

For years I have been trying to get the Department of Defense to recognize the need for experienced, well-qualified military lawyers. For 10 years, DOD officials have procrastinated and shoved the problem "under the rug." The implication has been that the need of lawyers was not critical since they were not involved on the front lines. If anyone thinks that military lawyers are away from the scene of battle, they will learn otherwise by reading the article to which I have referred, and which I append as follows:

#### A LAWYER'S DAY IN VIETNAM

(By Irvin M. Kent, Jon N. Kullish, Ned E. Felder, and Herbert Green)

(NOTE.—Does the military need lawyers in Vietnam? Repeatedly asked this question by their fellow lawyers in the United States, the authors, who comprise the legal staff of an Army headquarters in Vietnam, determined to let American lawyers decide for themselves. The authors selected in advance a day on which each would keep notes on his activities. This article is the description of that day—March 11, 1968.)

Do Judge advocates practice law? Why do we need lawyers in Vietnam?

These are two questions all four of us have frequently heard from fellow lawyers in the states. Perhaps this, the outline of one of our days in Vietnam, may provide an answer.

We constitute the lawyer complement of the Office of the Staff Judge Advocate, Headquarters, II Field Force, Vietnam. This is a corps-level headquarters that has operational control of several United States divisions and many nondivisional units and is responsible for military operations in the Vietnamese III Corps Tactical Zone, which includes the most heavily populated areas of the country and surrounds its capital city. We are authorized six lawyers, but only four are assigned. The office is also staffed by a warrant officer for office administration, a sergeant major as chief legal clerk, a sergeant first class as claims clerk and three specialists who are, respectively our court reporter, stenographer and clerk typist. The enlisted men also take their share of duty on perimeter guard and must be as handy with their rifles as with their typewriters. The captain and our warrant officer also take their turns as officer of the guard for the headquarters area.

We represent the Bars of California, Colo-

rado, Massachusetts, South Carolina and Texas as well as of several federal courts. We received our law training at Georgetown, Harvard, South Carolina State and Texas. One of us is Catholic, one Jewish, one Protestant, and one is nondenominational. Three of us are Caucasian and one is a Negro. Three of us are career military men and one is fulfilling his military obligation. The three career officers, all ROTC graduates, have all had military service in other branches—Armor, Finance, Infantry or Ordnance—before becoming judge advocates. Two of us are married with a combined total of six children. While all of us perform other duties, as required, Lieutenant Colonel Kent is assigned as staff judge advocate, Major Kullish as deputy and also as chief, international affairs, and legal adviser to the units located in and around the headquarters company, Major Felder as trial counsel (prosecutor) of the general court and also as claims officer, and Captain Green as defense counsel and legal assistance officer.

For this description of one of our days in Vietnam, we chose in advance a day that turned out to be neither our lightest nor our heaviest. We deliberately picked a day on which no general court martial was scheduled since we suspect that everyone will acknowledge that the prosecution or defense of a felony is the practice of law. It was just one of the 365 days of our tour here—the office is open and manned seven days a week from 7:30 a.m. to 6 p.m. Our mission is to provide total legal services for the commanding general, his staff and subordinate commanders and all other members of this command.

This was the day—Monday, March 11, 1968.

The Staff Judge Advocate: After a quick check of the office and a short conference with his deputy, the staff judge advocate, Colonel Kent, accompanied by the chief legal clerk, left by helicopter for the base camp of one of the II Field Force artillery groups and elements of two of its battalions. They had been alerted to notify all personnel that a legal assistance officer would be available. Every trip away from the headquarters is also a legal assistance trip. We have a one-briefcase legal assistance kit which contains interview cards, form clauses for wills and powers of attorney, income tax forms and instructions and applications for military ballots.

#### A QUESTION OF PROMPT JUSTICE

This visit was based on a complaint by a soldier of an apparently undue delay in the disposition of charges against him. These allegations, if substantiated, would raise the issue of the right to speedy trial.<sup>1</sup> Colonel Kent wished to discuss this with the group commander and to indicate that if investigation revealed that these allegations were true, the best interests of justice might be served by a dismissal of the charges. Further, as on all such trips, he wanted to re-emphasize some of the rules concerning the imposition of nonjudicial punishment<sup>2</sup> and to emphasize the Army claims program, particularly with regard to losses of personal property caused by hostile action.<sup>3</sup> A supply of claims forms was taken along and distributed to the units with instructions for their use. The staff judge advocate has authority for the approval of such claims up to \$1,000.

By 11 a.m., these matters accomplished, Colonel Kent set up shop for legal assistance. In the meantime the chief legal clerk was providing instruction on the administrative processing of courts-martial papers, nonjudicial punishment actions, and claims investigations for the clerical personnel of group headquarters. Except for a thirty-minute lunch break the legal assistance program continued until 3 p.m. During this time there were five requests for assistance on federal income tax problems. Four of these were relatively simple inquiries pertaining to combat zone pay exclusions, but the fifth

came from a soldier who wanted to complete his return for 1967. Rapid calculations revealed that he was due a substantial refund, and therefore he was advised to file immediately.

There were two requests for powers of attorney, one in connection with the settlement of an insurance claim and the other for a real estate transaction. A judge advocate has the powers of a notary.<sup>4</sup>

One soldier wanted information on the legality of his becoming a candidate for public office while still in the military service. The aspiring young politician was assured that "greetings from his friends and neighbors" did not deprive him of his civic rights in this regard.

Finally, two men with serious marital problems sought help. The apparent solution was the institution of divorce proceedings. One of them knew a lawyer in his home town and was helped with the drafting of a letter to that lawyer. The other man's case was complicated by a matter of choice of forum. His home was in one state and his wife had since moved elsewhere. The facts were noted, and arrangements were made to provide him with information on the grounds for divorce in each of the two states and then, if he wished, to work with bar referral agencies to obtain counsel in the better forum.

By 4 p.m. the circuit riders were home. A problem had arisen under the provisions of Article 5 of the Geneva Convention Relative to the Treatment of Prisoners of War<sup>2</sup> and the Regulations of the Military Assistance Command, Vietnam promulgated to implement this convention. A wounded Vietnamese had been brought into a United States military medical facility under obscure circumstances. He had no identification papers, denied being a Viet Cong, but admitted to being a draft dodger from the Vietnamese Armed Forces. There was no indication that he had committed a hostile act. The problem at hand was to determine whether he was to be declared an innocent civilian and released, a civil defendant and turned over to the Vietnamese police or a prisoner of war. Such cases require the decision of the staff judge advocate of the command which has custody of the individual. In the light of the evidence, Colonel Kent determined that he was a civil defendant to be turned over to the Vietnamese police.

By this time it was almost 5 p.m. and time for the staff judge advocate to attend the daily intelligence and operations briefing.

The Defense Counsel/Legal Assistance Officer: The defense counsel/legal assistance officer, Captain Green, as usual, saw the greatest variety of clients. The combination of these positions in one officer saves many possible conflicts of interests. In an overseas command where civilian counsel are unavailable, legal advice on the broadest possible variety of matters must be provided if the individual soldier is to receive total legal service.<sup>5</sup>

Captain Green's first client was awaiting trial by summary court martial. He had heard that, since he had not been offered nonjudicial punishment under Article 15 of the code, he could refuse trial by summary court martial.<sup>7</sup> Captain Green corroborated this, explained the alternatives, including the much wider range of punishments imposable by a special court martial,<sup>8</sup> and advised him to accept trial by summary court martial, outlining for him an appropriate line of defense.

A newly promoted major had just been appointed a summary court-martial officer. No advice had been provided about the disposition of any specific sets of charges or about the accused. Captain Green gave the major a copy of the "Guide for Summary Court-Martial Trial Procedure,"<sup>9</sup> which is comparable to the guides for justices of the peace published in several states. Then he gave him a thorough briefing on procedure,

rights of the accused, the doctrine of reasonable doubt and his sentencing powers.

The next clients were two soldiers recently transferred to Vietnam from Thailand. While there both had fallen in love with Thai girls, and they wanted advice on marriage procedures. The Army's requirements and methods of submitting applications to marry aliens residing outside of CONUS were explained.<sup>10</sup> Both soldiers decided to await completion of their overseas tours and then invite their fiancées to come to the United States as "tourists" and proceed from there.

Another pair of soldiers walked in as our loveorn swains left. They were seeking advice on application for early discharge to attend college. The provisions of the regulations<sup>11</sup> were explained, and they were referred to their unit commanders.

Mail call presented a welcome break as well as some news for clients. A few weeks earlier two soldiers involved in divorce proceedings had asked for legal advice. In both cases they had no objection to a divorce but wanted to ensure that they would not have heavy financial burdens imposed upon them for life. Correspondence with the attorneys for their spouses brought replies that fully met the desires of these two men. Documents were included for them to execute. Telephone calls were made to their units asking that they be sent to the legal assistance office.

Another letter was a response to an earlier motion for a stay of proceedings in a civil suit under the Soldiers' and Sailors' Civil Relief Act.<sup>12</sup> The attorney for the plaintiff wrote that his client had agreed to drop the soldier as a party to the action.

About this time Major Kullish handed Captain Green a copy of the staff judge advocate's review of a general court-martial case which had been tried two weeks before. This written review is required by Article 61 of the Code<sup>13</sup> in each general court-martial case for consideration by the convening authority prior to his action on the case. It provides a complete written summary of all of the evidence adduced at the trial and of the applicable law as well as a personal history of the accused based on the official records concerning him and a personal post-trial interview with him. The convening authority has plenary power to set aside or reduce the findings of guilty and the sentence.<sup>14</sup> The accused and his counsel are given the opportunity to see the review prior to its submission to the convening authority and to submit matter in rebuttal.<sup>15</sup> Captain Green felt that certain additional facts about the accused's military record should be brought out.

After lunch, Captain Green accompanied Major Kullish to the stockade, where the latter served a copy of the review on the accused. While the Major interviewed another man, Captain Green conferred with the accused, explaining his rights and reached agreement with him that a particular rebuttal should be submitted. Captain Green prepared the rebuttal, obtained the signature of the accused and delivered it for attachment to the review.

The Captain then conferred with an upset young officer who was afraid that he might owe several hundred dollars on his 1967 income tax. He had used the standard deduction. After recomputing his return with proper deductions for interest, state and local taxes and charitable contributions, it appeared that he had a refund of nearly \$100 coming to him.

Captain Green had been told earlier by the staff judge advocate that he was assigned to defend a suspected homosexual who was being brought before a board of officers that would consider discharging him from the military service.<sup>16</sup> The initial interview with this respondent took the better part of an hour, as the man denied any such tendencies and wanted to fight the allegation. Captain

Green made an outline of the interview, prepared requests for witnesses on the accused's behalf and made appointments to interview them.

#### ADVICE FOR COUNSEL FOR A SPECIAL COURT

The next visitor was a young officer who had been appointed defense counsel for a special court martial. The Army did not then have enough judge advocates to provide them as trial and defense counsel in most special courts martial, but did provide technical assistance to the officers so appointed. It has a military justice handbook called "The Trial Counsel and The Defense Counsel".<sup>17</sup> Captain Green gave a copy of this book to this officer, showed him how to use it as a procedural guide and then analyzed with him the evidence and probable questions of law in three cases then pending. Military law requires that an accused and his counsel be given copies of all statements made by the witnesses and of reports of investigation that are available to the prosecution.<sup>18</sup> This occupied most of the remainder of the afternoon.

Before Captain Green could leave, he found two more clients waiting. One had been offered nonjudicial punishment but was uncertain whether to accept it or demand trial by court martial. Captain Green outlined the law pertaining to the alleged offense and his rights under the code. After this discussion the client felt that he would be far better off to accept nonjudicial punishment than to demand trial. The other client had been tried by a summary court martial and wanted to know how to file an appeal. Captain Green explained that the officer who appointed the court martial had to review the case before the sentence could be ordered into execution<sup>19</sup> and that after this review the case would automatically be reviewed again by our office.<sup>20</sup> He also advised the client that anything he wished to have considered by the reviewing authorities should be attached to the record of trial,<sup>21</sup> outlined for him an approach and provided citations of law which tended to support his position and technical assistance in the preparation of his appeal.

**The Trial Counsel/Claims Officer:** Captain (now Major) Felder's day started earliest of all. He was our "on call" lawyer and was awakened by the military police at 2:10 a.m. They had a suspect in an aggravated assault case who, after being warned under Article 31 of the code,<sup>22</sup> had requested counsel prior to interrogation.<sup>23</sup> At the military police station, Captain Felder consulted privately with the suspect and advised him to make no statement and to refuse any further interrogation in the absence of counsel. The client wanted advice as to the legality of the seizure by the military police of his wristwatch. Captain Felder advised him that a search and seizure made in connection with a lawful arrest was proper<sup>24</sup> but that he would inquire as to the seizure of the watch. After a short discussion the military police agreed to return the watch if the client would sign a receipt for it. At 4 a.m. Captain Felder returned to bed.

Captain Felder arrived at the office at 9 a.m. He informed Captain Green of his attorney-client relationship with this suspect—then to work on a revision of the II Field Force, Vietnam, Military Justice Circular. Command circulars direct compliance with the rulings of the United States Court of Military Appeals by means of clear, simple and directory language which unit commanders and military policemen can understand and follow. On March 11, Captain Felder worked on the following:

(1) The problem of having a suspect utter words for voice identification. While this has the approval of the United States Supreme Court,<sup>25</sup> the United States Court of Military Appeals has held that the protections afforded to military personnel by Ar-

title 31 of the code are broader than those accorded to the remainder of the population by the Fifth Amendment,<sup>26</sup> and military suspects may not be legally ordered to utter words for this purpose.

(2) The problem of "speedy trial", a difficult one in a theater of operations. Recent decisions of the Court of Military Appeals<sup>27</sup> indicate that restriction to the limits of a military installation imposes upon the Government a duty to proceed with due dispatch.

(3) Additional guidance required for the omnipresent problem of nonjudicial punishment under Article 15 of the code. We want to ensure that everyone understands that the acceptance of Article 15 by an accused is not the equivalent of a plea of guilty but merely an acceptance of the forum and that commanders must still have proof of an offense cognizable by the code before they may administer punishment.

At 10:30 a.m. two criminal investigation agents came in for guidance. Since he had no attorney-client relationship with the suspect they had under surveillance, Captain Felder proceeded to examine the file and consider a proposed search. In this case, an order from an appropriate commander takes the place of a civilian search warrant<sup>28</sup> and must be obtained prior to a search. Captain Felder drafted a document for the signature of the company commander. He advised the agents that they must provide the commander with sufficient information for probable cause to order such a search. Otherwise his order, and hence the search, would be unlawful.<sup>29</sup>

After lunch, a helicopter pilot wanted information about a claim. The same enemy shell that had sent him to a hospital had also ruined his camera. Captain Felder explained the operations of the Military Personnel and Civilian Employees Claims Act of 1964<sup>30</sup> and Army Regulation 27-29 which implements it. Captain Felder provided the forms and indicated the evidence necessary to support the claim.

A sergeant arrived for help with his income tax.

A soldier interested in acquiring United States citizenship came in. He had read about a new "law" which would make it easier for those on active duty to acquire citizenship. The new "law" was H.R. 15147 which passed the House of Representatives on March 4, 1968, and which would amend the present Immigration and Nationality Act.<sup>31</sup> After explaining the current status of the bill, Captain Felder gave him the necessary forms and told him to return when he had gathered the information required.

The mail contained three records of trial by special courts martial in our units. These had already been approved by the respective convening authorities and had arrived for the required review.<sup>32</sup> One of the cases involved the offense of sleeping on post while on duty as a sentinel.<sup>33</sup> As the offense had occurred in an area subject to "hostile fire", the maximum punishment was a dishonorable discharge and confinement at hard labor for ten years.<sup>34</sup> Most such cases, however, are disposed of by special courts martial, in which the maximum punishment is limited to confinement at hard labor and a forfeiture of two thirds' pay for six months. The other two cases both involved vehicles—one charge was "joy riding" in a government vehicle<sup>35</sup> and the other reckless driving.<sup>36</sup> In each case Captain Felder determined that the evidence of record supported the finding of guilty, that the sentence was within legal limits and that there were no grounds for further clemency action. He recommended to Major Kulish that the cases be stamped "legally sufficient". While the law merely requires review by "a judge advocate", in this office all such records of trial are reviewed by at least two judge advocates, and if they disagree the matter is

determined by the staff judge advocate. It was now 4 p.m. and Captain Felder was able to return to work on his circular.

#### THE DEPUTY STAFF JUDGE ADVOCATE

Major Kulish, the deputy staff judge advocate, came in early to finish his draft review of a general court-martial case. He wanted to discuss the recommendation on approval of the sentence with the staff judge advocate prior to his projected departure. This case involved two counts of aggravated assault under Article 128 of the code.<sup>37</sup>

By the time Colonel Kent left, the draft was completed, approved and in the hands of the typist. As the staff judge advocate departed, an artillery battery commander walked in. His unit, an automatic weapons battery, would soon be fragmented into sections to provide protection for several fire support bases of heavy artillery in widely separated areas. The previous night there had been an assault with a deadly weapon involving two of his men. Major Kulish advised him to secure detailed written statements at once from each witness and pointed out that despite the use of a deadly weapon there had apparently been no real intent to inflict serious injury. The battery commander decided to recommend trial by a special court martial.

Major Kulish received a telephone call from the legal clerk of one of the battalions asking for help in phrasing an order vacating a suspension of a sentence to confinement. The battalion commander had ordered into execution only a forfeiture of pay and had suspended execution of the confinement since the accused was a first offender. The current misbehavior was a repetition of disrespect to a noncommissioned officer.<sup>38</sup> The clerk was guided to Appendix 15e of the *Manual for Courts-Martial*.

#### AN AFFIDAVIT NEEDED AT HOME

The next client was a soldier who while on his pre-embarkation leave had witnessed a conversation between his father and a forest ranger regarding the appropriate time for trash burning. Now his mother had been cited for improper burning during those hours. An affidavit concerning the conversation which he had heard was executed for mailing to this soldier's parents.

While this affidavit was being typed another client came in who needed a special power of attorney for his wife so that she could settle with his automobile insurance company.

The remainder of the morning was occupied by proofreading the final draft of the general court martial review, and a copy was given to Captain Green so that he could read it before it was served on the accused. The telephone rang. A battalion legal clerk needed reassurance. He had drafted some court martial charges and wanted Major Kulish's approval. This particular clerk happened to be the most competent but least self-assured on the base. Major Kulish gave him a verbal pat on the back, a mental kick in the pants and went off to lunch.

Upon his return to the office, Major Kulish skimmed the daily reading file to look at changes in regulations and to see from the serious incident reports what sort of military justice "business" might be in the wind. Then off to the stockade with Captain Green. While the defense counsel was interviewing his client, Major Kulish conducted a post-trial interview with another accused whose general court martial had been completed recently. Prior to this case, the man had had no serious trouble but it was obvious that he had a quick temper that he had not learned to control. Major Kulish checked with the confinement facility personnel to determine the man's behavior in the stockade. Major Kulish concluded that rehabilitation was possible and decided to recommend that the punitive discharge imposed by the court martial be suspended.

Footnotes at end of article.

The Major returned to the office at 2:30 p.m. to find a unit commander waiting for assistance in the drafting of charges. One soldier in this commander's unit decided to supplement his income by engaging in private enterprise—i.e., the cigarette business. Unfortunately, regulations already promulgated made his efforts illegal. Cigarettes are rationed items in the post exchanges and may not be resold or bartered lawfully. The soldier had cajoled his nonsmoking friends into buying their rations for him. He also had discovered a means of erasing the check mark on his own ration card so that he was able to reuse each ration block several times. As the man had no history of prior offenses, the unit commander was interested only in a special court martial. Therefore, it was decided to ignore the more sophisticated offense involving falsification of a government document, which would have been tried under Article 134 of the code,<sup>30</sup> and charges dealing with the violation of a lawful general regulation under Article 92 of the code,<sup>30</sup> were drafted.

Major Kulish started to arrange his post-trial interview notes but was interrupted by a sergeant who had signed an option to purchase a home in a new development in his native Louisiana. His wife was to complete the deal armed with a special power of attorney which had been prepared by the attorney for the financing institution. The sergeant had this instrument and wanted it notarized. Asked if he had read it, he said no because he wouldn't understand it anyway, but he knew he had to sign it to get the house. After a careful reading of the document and inquiry of the sergeant as to the state of title and financial responsibility of the developer, Major Kulish suggested that he retain an attorney in Louisiana to represent him. The sergeant replied that he did not need a lawyer—and that he wanted to execute this document now. Since the power was a very restrictive one and only allowed the wife to sign for the amount and rate of interest to which the sergeant had already agreed, Major Kulish notarized his signature.

It was about 3:40 p.m. when a corps intelligence agent arrived with a file for examination. Major Kulish was preparing a memorandum analyzing the evidence in the file when Colonel Kent walked in. Major Kulish gave him the memorandum and the file and sat in on the discussion.

After that, the trial counsel of one of the special courts martial came in for consultation on the method of submission of an official document into evidence as an exception to the hearsay rule. Major Kulish explained the law on the subject and the manner in which the trial counsel should submit the document and prove its official nature and authenticity. Finally, back to the interview notes until time to close the office for another day.

This, then, was our day. Other days would have shown other problems, some similar and some different. There might well have been a contract to draft or review and probably a great deal more claims business. But we chose this day in advance, not knowing what it would bring, and determined to report it without embellishment. We consider ourselves to be part of what Mr. Justice Brennan has called the "public Bar"<sup>31</sup> but we shall leave to our civilian colleagues the answers to our original questions. In turn, however, we would ask two: (1) If we are not practicing law, what are we doing? (2) If they don't need lawyers in Vietnam, what do you suggest they replace us with?

## FOOTNOTES

<sup>1</sup> *United States v. Brown*, 10 U.S.C.M.A. 498, 28 C.M.R. 64 (1959).

<sup>2</sup> Art. 15, Uniform Code of Military Justice (hereinafter referred to as U.C.M.J.), 10 U.S.C. § 815.

<sup>31</sup> 31 U.S.C. §§ 240-243; Army Regulations (hereinafter referred to as A.R.) 27-29.

<sup>4</sup> Art. 136, U.C.M.J., 10 U.S.C. § 936.  
<sup>5</sup> July 14, 1955, 6 U.S.T. 3316, T.I.A.S. No. 3364.

<sup>6</sup> *Cf.* A.R. 608-50.

<sup>7</sup> Art. 20, U.C.M.J., 10 U.S.C. § 820.

<sup>8</sup> Art. 19, U.C.M.J., 10 U.S.C. § 819.

<sup>9</sup> Dep't. of the Army Pamphlet No. 27-7.

<sup>10</sup> A.R. 608-61.

<sup>11</sup> A.R. 635-200.

<sup>12</sup> 50 U.S.C. App. § 521.

<sup>13</sup> 10 U.S.C. § 861.

<sup>14</sup> Art. 64, U.C.M.J., 10 U.S.C. § 864.

<sup>15</sup> *United States v. Griffin*, 8 U.S.M.A. 206,

24 C.M.R. 16 (1956).

<sup>16</sup> A.R. 635-89.

<sup>17</sup> Dep't. of the Army Pamphlet No. 27-10.

<sup>18</sup> *MANUAL FOR COURTS-MARTIAL*, 1951, ¶44th;

see also Kent, *The Jencks Case: The Viewpoint of a Military Lawyer*, 45 A.B.A.J. 819

(1959).

<sup>19</sup> Art. 64, U.C.M.J., 10 U.S.C. § 864.

<sup>20</sup> Art. 65, U.C.M.J., 10 U.S.C. § 865(c).

<sup>21</sup> *MANUAL FOR COURTS-MARTIAL*, 1951, ¶ 48j

(2).

<sup>22</sup> 10 U.S.C. § 631.

<sup>23</sup> *Miranda v. Arizona*, 384 U.S. 436 (1966),

was declared applicable to military law in

*United States v. Tempia*, 16 U.S.C.M.A. 629m,

37 C.M.R. 249 (1967).

<sup>24</sup> *MANUAL FOR COURTS-MARTIAL*, 1951 ¶ 152.

<sup>25</sup> *United States v. Wade*, 388 U.S. 218

(1967).

<sup>26</sup> *United States v. Mewborn*, 17 U.S.C.M.A.

431 (1968), of which we were informed by

cable from the Office of The Judge Advocate

General.

<sup>27</sup> *United States v. Smith*, 1 U.S.C.M.A.

427 (1968) and *United States v. Parish*, 17

U.S.C.M.A. 411 (1968).

<sup>28</sup> *MANUAL FOR COURTS-MARTIAL*, 1951, ¶ 152.

<sup>29</sup> *United States v. Brown*, 10 U.S.C.M.A. 482,

28 C.M.R. 48 (1959).

<sup>30</sup> 31 U.S.C. §§ 240-243 (1965 Supp.).

<sup>31</sup> 3 U.S.C. § 1440.

<sup>32</sup> Art. 65, U.C.M.J., 10 U.S.C. § 865(c).

<sup>33</sup> Art. 113, U.C.M.J., 10 U.S.C. § 913.

<sup>34</sup> Exec. Order No. 11,317, 3 C.F.R. § 913.

<sup>35</sup> Art. 121, U.C.M.J., 10 U.S.C. § 921a(2).

<sup>36</sup> Art. 111, U.C.M.J., 10 U.S.C. § 911.

<sup>37</sup> 10 U.S.C. § 928.

<sup>38</sup> Art. 91, U.C.M.J., 10 U.S.C. § 891.

<sup>39</sup> 10 U.S.C. § 934.

<sup>40</sup> 10 U.S.C. § 892.

<sup>41</sup> Brennan, *The Responsibilities of the*

*Legal Profession*, 54 A.B.A.J. 121, at 123

(1968).

## MORE MILITARY WASTE

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, on Thursday, May 15, I called attention of this body to the continuing fact that military procurement procedures within the Department of Defense restrict free competition and waste taxpayers' money.

I noted that the Army Electronics Command, one of the most consistent offenders, if not the worst, grants about 85 percent of its contracts behind closed doors and, in the bizarre process, protects favored companies two ways: First, where possible, it permits no competitive bidding under cover of a noncompetitive, sole-source contract, and second, where necessary, it permits competitive bidding, but frequently ignores the low bidder, even the next lowest, and sometimes even the third lowest, under such flimsy claims as "urgency of need"—any lack of such urgency notwithstanding.

I cited a simple, yet completely typical example of this process; a case which, in purposeful conservatism, I computed

to have cost \$853,125 in sheer waste although, as experts have pointed out, by carrying my computation back to point of origin of the reported problem, it would not have been unfair to have placed the waste at \$6,000,000.

This was the case in which, from 1960 to 1962, the Army Electronics Command paid Packard Bell Electronics Corp., a Teledyne subsidiary, \$119,515 to develop a transponder test set—AN/APM-123—designed to field test airborne radio sets already in use. After providing these funds for research and development of this item the Army, in 1965, negotiated the first of a series of noncompetitive contracts with Packard Bell which, by last January, cost something in the order of \$8,000,000 including about \$2,000,000 for a so-called competitive data package.

During that 3½-year period, the Army Electronics Command prohibited competition to Packard Bell thus eliminating an opportunity for cost savings to the taxpayer. The Army never paid that company less than \$5,000 per unit and, in a final award January 22, 1969, paid the company \$6,450 per unit for an additional 195 units.

This was done despite the fact that the Army Electronics Command held an unsolicited—and obviously unwanted—lower bid, dated November 11, 1968, of \$4,784 per unit from another qualified manufacturer—some \$1,660 less than Packard Bell's bid. Acceptance of this lower bid would have saved the taxpayers almost \$330,000 on that one order.

As it developed however, the Army Electronics Command could have saved \$853,125 on this same relatively small order; for, on April 28, 1969, finally withering under considerable heat imposed from within the electronics industry, the Army Electronics Command issued an invitation—DAABO5-69-B-0348—for competitive bidding for an additional 241 units. The bids, from 26 manufacturers, averaged \$3,700 per unit, with a low bid of \$2,074 for the identical article the Army paid \$6,450 for 3 months earlier.

I now call attention to an infinitely more complex and costly example of competition restricting and money wasting by the Army Electronics Command. It involves nearly \$75,000,000, of which, again conservatively, at least \$30,000,000 was waste, in all reality, and by all sane standards of good business procedure.

Here are the circumstances as I have found them:

On April 11, 1962, at Fort Monmouth, N.J., procurement officers of the Army Electronics Command secretly opened bids on a contract to develop a communication system described as "a secure forward area pulse code modulation terminal." This equipment, which was to be developed in accordance with confidential Signal Corps technical requirement SCL-4357, included multiplexers, power supplies, and telephone signal converters.

The bids came from seven companies: General Dynamics, Philco, Bendix Radio, Raytheon, RCA, Stelma, and ITT.

The lowest bid was \$370,024; it came

from General Dynamics. The fourth lowest bid was \$652,673; it came from Raytheon. Raytheon, the fourth lowest bidder or, if you will, the third highest bidder in a field of seven, got the contract with its bid of almost twice the amount of the lowest bidder, General Dynamics.

After giving this award to Raytheon for \$282,649 more than the Electronics Command had to pay, the command immediately instituted a series of negotiations for changes, increases and modifications in the design. This resulted in the doubling of the Raytheon price which was nearly twice as much as the Electronics Command had to pay in the first place.

But this was only the beginning of a fascinating escalation of a series of contracts for the communications system and related components; an escalation which has hit a point of nearly \$75,000,000—including such follow-on equipment as AN/TCC-45, AN/TCC-46, TD-353, TD-202, TD-204, CV-1548, TD-660, TD-754, and many others bid secretly, opened secretly, and awarded secretly as non-competitive, sole-source contracts under the routine justification of lack of drawings or urgency for delivery.

Specifically, the original contract with Raytheon—DA-36-039-SC-90768, purchase order 001100-PM-62-91-91—included a fixed fee of \$45,600. This "fixed fee" of \$45,600 meant that, at the outset, Raytheon assured the Army Electronics Command, and the command accepted, that, of the \$652,673 that Raytheon was to receive for this basic contract, Raytheon's profit would be \$45,600. But, as it developed, that was nothing more than a launching pad for a cost skyrocket which swiftly hit \$1,366,858 as but one minor milestone in an ever-escalating cost flight.

In May 1964, Raytheon was given a contract for the AN/TCC-45 and the AN/TCC-46, components of the same family of radio sets. This contract began at \$22,774,088.

One of this system's specific components was the TD-660 multiplexer. It contained 11 plug-in panels and six sub-assemblies housed in a frame and case which measured just 10½ inches high by 12 inches deep by 17¼ inches wide and weighed only 49 pounds—Federal stock No. 5820-930-8079.

This little item is carried in the Army inventory at a price of \$13,800 per unit. This means, simply, that, under one of these many contracts, this unit was purchased at a price of \$13,800. However, under the follow-on, noncompetitive, sole-source negotiations, Raytheon, in what presumably was a magnanimous gesture, sold it to the Army Electronics Command for about \$8,000 under such arrangements provided in a contract negotiated in November 1966—DAABO7-67-C-0167. This one started as a "letter contract" for \$2,000,000; but, at this time, we have no idea of how much this will really cost, since this "letter contract" is yet to be "definitized." The latter is a neat term in the Army Electronics Command glossary. But, as demonstrated by a long pattern of performance, a "letter contract," when "definitized," will

usually cost twice as much as its original face value.

On June 28, 1968, the Army Electronics Command gave Raytheon a new contract—DAABO7-68-C-00332. This one started at \$4,615,000; it covered the multiplexer known as TD-660. Because the Electronics Command's terse official release of this action suppressed such vital information as the number of units this \$4,615,000 was supposed to buy, we have no idea exactly how much per unit the command will ultimately pay for this yet-to-be-definitized contract.

On May 1, 1969, after overwhelming pressure from within the electronics industry for competitive bidding, the Army Electronics Command did so for 993 units under invitation DAABO5-69-B-0674.

Faced for the first time with competition on this equipment, Raytheon came in with a bid of \$4,130 per unit for this same item for which noncompetitively, it charged as high as \$13,800 per unit and as low as \$8,000 per unit. Yet, in a field of four bidders, Raytheon's competitive bid of only \$4,130 was not sufficiently competitive to win the contract. In a field of four bidders, Raytheon's bid was next to the highest. The highest, and only slightly at that, was \$4,298; it came from General Atronics Corp. The second lowest bid came from Cosmos Industries, Inc., at \$3,399. The lowest bid came from Honeywell Tampa at \$3,092—\$1,038 less per unit than the best Raytheon could offer against its first brush with competition on this package. That best from Raytheon, at \$4,130, was roughly \$4,908 less than the roughly \$8,000 low figure Raytheon charged on the former non-competitive, sole-source basis—and it was \$10,708 less than the \$13,800 high figure Raytheon charged during the same luxury ride through the Army Electronics Command's taxpayer-provided wonderful wonderland.

Even as all of this is typical, true to form, almost standard procedure for the close-to-the-best, loose-with-the-money manner in which the Army Electronics Command restricts free competition and wastes taxpayers' billions, it is also typical that this tragically belated matter of low-bidding competition has not really knocked Raytheon out of the picture—and the profits—for this same piece of equipment. Not at all. Under invitation DAABO5-69-R-0676, the Army Electronics Command, whose commanding general is Maj. Gen. W. B. Latta, is, at this moment, negotiating with Raytheon for another sole-source, noncompetitive contract for another 425 units of this TD-660 multiplexer.

The tired, old official alibi for this outrage is, of course, "urgency for delivery"; it is used despite the fact that, under this very same procurement, delivery will not be required from Raytheon until some 300 days—nearly 1 full year—after the contract has been officially given to Raytheon at a rate of only 100 units per month.

To those who, considering this, ask the proper question, "Why?" I shall offer only this answer at this time:

The kindest thing that can be said for those responsible for this condition would be, "incredible indifference," or "inordinate stupidity." To brand it more

severely would tend to suggest the possible propriety of the indictment and prosecution of someone, somewhere, inside the Army Electronics Command.

Though that proposition has its temptations, and perhaps, should be seriously considered, my purpose at this time is not exposition for exposition's sake, but exposition for the sake of pointing up the need for remedial legislation.

In the interest, and in response to that need, I am drafting such legislation at this time, and will soon introduce it before this body.

#### A STIRRING COMMENCEMENT ADDRESS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, St. Francis College of Loretto, Pa., from which I received an honorary degree, is a small liberal arts institution located in my congressional district. The 1969 graduates were honored recently to be addressed by Fred C. Foy, chairman of the board of Koppers Co.

The temper and tone of Mr. Foy's remarks were well timed for this period of history when campus radicals and militants get more headlines in the Nation's news media than the serious, quiet, and hardworking students who are there to gain an education.

I, too, am concerned with the laxity of college administrations to bring tranquility to the campuses, and many of our citizens cannot understand why responsible administrators continue to tolerate disruptions when the goals of the "new left students" are so plain.

There are, of course, constructive solutions to the problems of today, but they will not be solved by persons who would tear down our society. I particularly echo Mr. Foy's sentiments when he challenged those present to help make changes and improvements within the framework of our democratic processes.

Mr. Speaker, I believe my colleagues will find Mr. Foy's remarks of timely interest, and I insert his speech following these brief remarks:

ADDRESS AT THE COMMENCEMENT EXERCISES OF ST. FRANCIS COLLEGE, LORETTO, PA., MAY 11, 1969

(By Fred C. Foy)

I am here today because I wanted to talk to you about colleges. As I see it there are three types of colleges and in them perhaps three kinds of students.

One type is the large, mostly state-supported institution, offering a variety of college education at low cost. An added advantage, or disadvantage, is that a student can get educated or get lost, without the faculty getting close enough to him to know which he is doing.

Another type is the prestige institution. Here, too, one can become educated. But such institutions seem to me frequently to have the disadvantage of an over-emphasis on faculty research and publication, with the result that students often have limited exposure to the most brilliant professors.

And the third type consists of the smaller colleges and universities, staffed with dedicated teachers who want to teach, peopled with eager students who want to learn, in an environment which makes both a reality.

From what I have seen here and heard about Saint Francis, it is in this latter category. We owe this group of schools much for they may become the only true teaching centers left in the world where imparting knowledge is becoming centralized and mass-produced.

I suppose I could also have given as a reason for wanting to come here the fact that Saint Francis has not had a sit-in, nor has the President's office been occupied or the school records "liberated"!

However, it is this phenomenon—this crisis on our campuses which moved me to want to talk with you today.

As I studied Saint Francis of Loretto I learned that Father Vincent has introduced new concepts in administration within the last year or two; that he has brought into the college administration new people of advanced viewpoints to help him discharge his duties and that the result has been a responsiveness to what is happening not only on the campus here but elsewhere in the academic world.

Responsiveness to change is important on a college campus and equally so in the business world. Unless we in business and industry adjust to changing market conditions and demands as well as to changing manufacturing processes, we run the risk of being left at the starting post in the race to serve our customers.

The concept of change is one we have been hearing a great deal of in recent years; it seems you must be either for change or against it. But I contend there is a middle ground—ground which is occupied and guarded jealously by thoughtful people.

These are the people with whom that great English parliamentarian, author and philosopher, Edmund Burke, joined himself when he used these words to describe his particular philosophy in life. He regarded himself, he said, as one "having an ability to reform with a disposition to preserve."

This must be the philosophy of the thoughtful man; a philosophy eminently suited to the times we live in.

Saint Paul puts it another way when he enjoins us to "Test all things, hold fast to that which is good."

I like to think that these tenets are the moving force behind the great majority of America's students—that these same tenets in fact also reflect the guiding principles of the thoughtful middle-ground American public, that body which, swinging from one to the other, keeps both of our political parties on the track of reasonability.

You are now entering a world of frequent dramatic change. When you leave here I hope you will join this select group of those who think and vote with reason. This is important because you will become part of the problem or part of the solution of many of the problems which as students you have studied in the abstract or experienced superficially at best.

And it is a world beset by apocalyptic problems.

You will find racial conflict, you will hear claims of poverty and malnutrition in an age of unparalleled prosperity and seemingly unlimited promise, and disagreement as to how widespread they really are or what causes them. You will hear of environmental pollution and be concerned by the threat of war. And in many of our people you will sense a vague, but widespread discontent with the general quality of life.

Rational men and women are aware of the existence of these problems but are not always sure of their scope. Fortunately more and more of these thoughtful citizens are trying to involve themselves in mature and workable solutions.

There is in America a great body of people, in business, industry, government and the universities who are earnestly trying to solve

our problems within the limitations imposed by time and the availability of resources. These are the people of reason who seek to understand the problems created by an on-rushing technological and population explosion and are urgently trying to cope with them.

Then there are the impatient men and women, irrational and unreasoned, whose first impulse and final objective is to smash, to destroy. This was the approach of the Jacobins of 18th Century France. That age too had its problems, its deep social unrest and its urban convulsions. As you know, the would-be reformers of that age solved them violently, in a manner from which that great nation has not yet entirely recovered.

Should we learn therefore, from history? Burke tells us that we cannot possibly know how to travel the road ahead unless we travel in retrospect the highway of history. And somewhat more ominously, Santayana tells us that those who ignore the lessons of history are condemned to repeat them.

Violence is not new. Throughout history hot-headed and irresponsible advocates of change have used it as the ready route to their objectives. And on many of our campuses their descendants are at it again today.

I, for one, am appalled at what is happening at many of our leading colleges and universities. I see a frightful desecration of the true values and purposes of higher education taking place on many campuses throughout America.

Scholars and educators have always envisaged the ideal university as a place aloof from the transient pressures of the day, a place where professors and students are partners in the search for truth, a place where debates and discussions are carried on with reason and courtesy, where studies are pursued in an atmosphere of true inquiry, where all sides of all questions—past, present and future—are explored without preconception.

Perhaps this perfect university has never existed; but on both sides of the Atlantic movement is away from, not toward, its ideals. Students whose qualifications in scholarship must often be extremely dubious because of the amount of time they devote to extracurricular activities such as harassing college administrators with peremptory demands often backed up by the crudest forms of physical coercion are turning campuses into arenas.

The quarrelsome brawling that goes on under the most trivial pretexts, the endless demonstrations on university property, often over subjects which are quite outside the university's jurisdiction, the general atmosphere of bedlam, such as took place at Harvard last month, would be calculated to drive Socrates, St. Thomas Aquinas, Erasmus, or any other great teacher to take off for the nearest available retreat, leaving behind an invitation to his most promising and rational students to follow him.

The students of the American "New Left" pride themselves on being builders of a new order in America and throughout the world. And students should be, for education should widen, not constrict, the student's view of the world around him. Education should lead to sound judgments for bettering the conditions of people or nations.

But the students of the New Left seem gravely deficient in many of the qualities essential to building a new order, in qualities which only intensive and reflective study and guidance can develop.

For example, they seem strikingly devoid of humility or humor. They are never deterred from staging demonstrations, confrontations and whatnot, up to and including occupation of college property, manhandling of college officials and provoking clashes with the police. Nor are they deterred by the reflection that their aims might be wrong or that they are going about attaining

them in the wrong way. Insistent on free speech for themselves, they are unwilling to grant it to others.

And like their prophets Herbert Marcuse and Karl Marx, they are intent on tearing down whatever displeases them, from college regulations to the American government or society itself, without offering more than the vaguest suggestions of what they would put in its place.

Nor is there anything fresh or original or constructive in the suggestions they do offer. It never seems to occur to them that in a modern industrial society of 200 million people work must be done, political and economic decisions must be made, priorities must be set, all sorts of problems of organization must be faced.

As I read what they write and listen to what they say, I hear spokesmen for the Students for Democratic Society noisily denouncing poverty, discriminatory treatment of blacks and other racial minorities, ROTC on the campus, the draft, the Vietnam War, and condemning what they portentously call the Establishment for all of these ills and for a world which they reject but for which they offer no constructive substitute.

What they completely overlook or choose to ignore is that there must be correlation (and this is true under any conceivable system) between individual diligence and ability and individual reward. Instead somehow there lurks in the background the implication that if they were in charge, presto, a society of equals would emerge.

Speaking at a dedication of a new library at Swarthmore, an excellent small liberal arts college much like Saint Francis, George F. Kennan, himself a liberal dissenter from many conventional positions, drew this caustic contrast between Woodrow Wilson's concept of an ideal university, removed, but not shut off, from the cares and clamor of the outside world, and the state of mind and behavior of the radical left enrolled in student bodies today. To quote from Kennan's speech:

"We have people utterly absorbed in the affairs of this passing world. And instead of these affairs being discussed with knowledge and without passion, we find them treated with transports of passion and with a minimum, I fear, of knowledge. In place of slowness to take excitement, we have a readiness to react emotionally, and at once, to a great variety of issues. In place of self-possession, we have screaming, tantrums and brawling in the streets. In place of the 'thorough way of talk' that Wilson envisaged, we have banners and epithets and obscenities and virtually meaningless slogans.

"And in place of bright eyes 'looking to heaven for the confirmation of their hope', we have eyes glazed with anger and passion, too often dimmed as well by artificial abuse of the psychic structure that lies behind them, and looking almost everywhere else but to heaven for the satisfaction of their aspirations.

"The world seems to be full today, of embattled students. The public prints are seldom devoid of the record of their activities. Photographs of them may be seen daily; screaming, throwing stones, breaking windows, overturning cars, being beaten or dragged about by police, and, in the case of those on other continents, burning libraries. That these people are embattled is unquestionable. That they are really students, I must be permitted to doubt."

Here, at the end of the quotation, I must take issue with one point made by Mr. Kennan. I am convinced that the world is not full of such people nor are the colleges or the universities. They are there, but I believe they are a minority, yet they seem to be having their way. Why?

What is the end result of all this? What the logical consequences of the rule of mobs,

the despoliation of our colleges and universities, the disruption of the learning process?

I am not sure I can answer my own questions. But, with others, I am seeking the answers. As you go forth in the world today, I invite you to join us. You have the opportunity to become involved or to be swept along by tides beyond your control.

I believe a renaissance of personal, individual responsibility and moral accountability, points of view espoused by Saint Francis himself, is the thing most needed today.

Some day we shall have to stop blaming "society" for our failures, stop blaming the other fellow when our personal affairs go haywire. Government can only solve one person's problem by adding to the problem of another. It cannot get at the root of your difficulty, or my trouble, never has, never will.

The proponents of social control by the state collide as directly with the teachings of Christ as would two trains running toward each other on the same track.

Jesus was so uncompromising in his insistence that responsibility be placed upon the individual both for his personal life and for his attitude toward others that Jesus never suggested that an institution of any kind could take the place of such individual responsibility.

Nevertheless this fatal temptation—the temptation to believe that functions which are spiritual can be transferred to the secular state because it possesses the necessary force and power to "get things done"—continues to confront both religious and social effort.

The strength and virility of our society depend fundamentally on the character of our people and productivity of our private economic system. Instead of whittling away private decision-making and strangulating private effort, our public policies should encourage more effort, more innovation and more enterprise relying on competition to pass gains of productivity on to the people in many forms.

It is this system which already has conquered poverty as no other system can and will. We may, by government definition, have 30 million people "living at poverty level" but in many countries I have visited over the world most of them would be considered affluent. It is this system which is under challenge today.

Just as any journey begins with a single step, so the fight to preserve our liberties must begin with each of us as individuals, for once we become well informed, articulate and persuasive spokesmen, we become a center of influence.

The most competent golfer, the most eloquent clergyman or the most gifted actor, naturally draws to himself observers who are interested in their own self-improvement. Uncommon men always have possessed influence by virtue of their excellence. For this reason, excellence in whatever we do must be your and my most important goal. As our people once again accept this principle, our values, which have been built on it through the years, need not go down the drain.

Let history testify. This country was not built by men and women who relied on somebody else to take care of them. It was built by men and women who relied upon themselves, who dared shape their own lives, who had enough courage to blaze new trails—enough confidence in themselves to take the necessary risks.

Self-reliance is our American legacy. It is the secret of "that something" which stamped Americans as Americans. Some call it individual initiative; others backbone. But whatever it is called, it is a precious ingredient of our national character—one which we must not lose.

The time has come for us to re-establish the rights for which we stand—to reassert our inalienable rights to human dignity, self

respect, self-reliance—to be again the kind of people who made America great.

Such a crusade for renewed independence will require a succession of inspired leaders—leaders in spirit and in knowledge of the problem not just politicians whose leadership sometimes seems to follow the winds of change, but men who will preserve the distinctive way of life that is America, adding to it only changes which will make America even stronger.

If there be one point that I would ask you to remember today, it is simply that society is only as good as the individuals who live within it. As each individual is strong, so is society. When each individual is willing to give up his freedom, so will society be eager to take it away.

Above all else, we must not take our society for granted. Each of us owes our freedom and prosperity to the courage, the good judgment and the devotion of our predecessors.

Will we continue in the same tradition? Who can answer? However, we can be certain that as today becomes history the praise, or blame, will rest with the individual. And the collective individuals from today on will be you here and the thousands of others on hundreds of campuses who at this moment step forth into a world which is theirs to improve or destroy.

Thank you.

#### DOES THE NEW INCOME TAX FORM HELP TAXPAYERS?

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FASCELL. Mr. Speaker, last Monday the Internal Revenue Service held a press conference to announce a revised Form 1040 income tax form, and the discontinuance of Form 1040A. The new form is scheduled for use next year unless, of course, the Congress should meanwhile make such changes in the income tax laws so that the form will have to be revised.

IRS's announcement of the new form was widely heralded in the press as a simplification of income tax forms. As chairman of a House subcommittee that for years has been striving for simplification of income tax forms and procedures, I have serious doubts that the new form is, in fact, a simplified form.

The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations for several years has sought through the Internal Revenue Service and through numerous associations of accountants, auditors, and tax experts to ease the tax-reporting task of the 77 million taxpayers who file Federal tax returns. In that time there have been some improvements in the makeup of the forms, but because of the numerous complications, qualifications, exemptions, and special provisions that our tax laws contain, it has proven almost impossible to do much toward simplification.

That there is a continuing need to simplify the forms, both to lessen the burden and expense of the taxpayer and to decrease the costs of processing returns, is clear. The need, however, has generally proved greater than the ability to fulfill that need under existing laws. It is gratifying, however, that the Internal Revenue Service has not abandoned its efforts to assist the taxpayers through revisions of its forms just because the task is most difficult.

The new IRS Form 1040 is a one-sided single sheet containing 24 numbered portions, one less than the Form 1040 millions struggled with last month. From my review of the new form I am not convinced that it materially lightens the task of the middle- or high-income taxpayer. Almost without exception all of these will be required to file separate schedules on which they will report itemized deductions, dividend, interest, other incomes, and a separate computation sheet called Schedule T. The chief improvement as far as these taxpayers are concerned is that the schedules provide about twice the former space on which to make entries.

The IRS claims that there is another benefit from the redesigned format. As stated by the IRS:

Because a taxpayer need only add the schedules applying to his particular tax situation he does not have to fill out inapplicable lines and items.

Taxpayers using old Form 1040 only filled out the schedules that applied to their tax situation and did not fill out inapplicable lines and items, so that this claimed benefit seem to be without substance.

The biggest advantage claimed for the new form is that it combines old Form 1040 and the former short Form 1040A, and does away with Form 1040A. A short form has been in effect for a quarter of a century. It was first printed on the back of W-2 withholding statements. Twenty years ago it was issued as a separate full-page sheet, but not as long and complex as the Form 1040. For the past decade it has been in the form of a simple card.

Its use is limited to taxpayers whose incomes are less than \$10,000 from wages and no more than \$200 from other sources, and who do not itemize their deductions. While its use has been declining because average incomes have been rising and more taxpayers are itemizing their deductions, more than one out of every four taxpayers still uses the short form.

The reasons IRS advances for doing away with the punch card 1040A are that the taxpayers are confused by the existence of two forms, the long form and the short form, and also that many taxpayers who use Form 1040A penalize themselves because this form does not permit them to take advantage of such provisions as the sick pay exclusion, retirement income credit, or large deductions.

Combining Forms 1040 and 1040A hardly dispels the confusion that small income taxpayers face. In fact, the ponderous new 1040, with its added lines instead of the simple card form psychologically is bound to present even greater confusion. I would guess that more small income taxpayers would throw up their hands and seek the advice of professional tax advisers, for a fee. Not only that, but once a taxpayer filled out Form 1040A that was that. Now he will in most cases, also have to fill out a new form, the schedule T tax computation form, which is to be attached to Form 1040. That seems to complicate the tax forms for the small income taxpayer.

Our income tax laws are in a transi-

tional stage. The Congress is fast proceeding toward making the Federal income taxes more equitable for all taxpayers. I have made my contribution to that effort by my recommendations to the Ways and Means Committee. It is altogether possible that the new form IRS has announced may never be used because changes may soon be made in the tax laws, and, of course, any changes will dictate the kinds of forms that ultimately will be required.

As I have said, it is commendable that the IRS and the Treasury Department continue to keep before them the fact that income tax forms and procedures must be made as simple as possible, if we are to lessen the burden of taxpayer compliance with our self-assessment tax system, and if we are to decrease governmental costs of administering the income tax laws. However, I wonder whether its new Form 1040 instead of being beneficial does not actually make it harder and even costlier to the small income taxpayer to comply with the tax laws. Perhaps it might prove more beneficial if instead of abandoning the card form IRS would try its hand at revising the short form so as to permit its users to take advantage of the exclusions, credits, and deductions to which taxpayers are entitled.

#### PROJECT CONCERN MONTH

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I am pleased to join my distinguished colleague, the gentleman from California, the Honorable Bob WILSON, in sponsoring a resolution authorizing the President to proclaim the month of February 1970 as Project Concern Month.

"Project Concern" is the name coined by Dr. James Turpin for the international medical relief organization he began 6 years ago when he gave up a lucrative medical practice in California to devote all of his time to treating people around the globe who have no hope of freedom from suffering without such assistance as he and the people he trains offer.

Today Project Concern has an international staff of 156 persons and has established continuing medical programs in Hong Kong, South Vietnam, Mexico, and, most recently, in Appalachia here in our own country.

Mr. Speaker, I strongly urge favorable consideration of this resolution because of the much-deserved attention and support it will provide Project Concern.

I am convinced that efforts such as Project Concern are a most effective means of putting this Nation's technological advances at the service of some of the world's people who have little defense against the sickness and suffering which has been their lot through the ages.

Efforts like Project Concern provide one of the most effective roads to world peace. For there cannot be peace in the world when half its population suffers

from disease which the technology and knowhow of the rest of the world can combat.

By declaring February 1970 Project Concern Month the President, Congress, and the American people can provide heartening support to an organization that brings a message of hope to those parts of the globe that are most in need of it.

#### A U.S. JUDGE SPEAKS OUT ON CAMPUS DISORDER

Mr. BARRETT. Mr. Speaker, I insert at this point in the RECORD an excellent speech by the Honorable Judge Thomas A. Masterson, of the Federal Court in Philadelphia, on the matter of campus disorder.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARRETT. Mr. Speaker, Judge Masterson's speech is as follows:

#### THE PERMISSIVE UNIVERSITIES: A U.S. JUDGE SPEAKS OUT ON CAMPUS DISORDER

I think that one of the principal causes of campus lawlessness is the uncertain notes being sounded on the trumpets of persons in positions of authority and responsibility at many of our large universities.

As a Harvard graduate and a lawyer, I think these events, and most particularly the reactions to them of the college administration and of the faculty, raise most fundamental and confusing questions as to the place of the university and the place of the university students in the larger society.

The first thing that appalled me . . . was the statement attributed to President Pusey that he called police "because the student invaders had already begun to rifle and duplicate the faculty personnel files and financial records."

#### A MINORITY

It is significant to me that he did not say that he called the police because the students forcibly took over the administration building and because they forcibly ejected five deans thereby interrupting the functioning of the university administration, as well as seriously interfering with the personal freedom of the ejected deans.

What is the significance of this apologetic statement made in the wake of a forceable occupation of a building by a minority of dissident students?

What kind of a note is President Pusey sounding for the next lot of student radicals?

It seems to me he is saying "take over our buildings, eject our deans, refuse to leave and, as long as you don't touch our confidential files, we will negotiate with you."

I submit such an uncertain note in the context of this factual situation sounded by a president of a great university is an invitation to anarchy.

The next question that these events raise in my mind is whether or not a university has a right to drop criminal charges against students who violate the law by seizure of university property.

#### SIMPLE FACT

In the narrowest sense, the public has a direct interest in these proceedings because of its support of the local police who eventually have to be called in to clear the building; but, it seems to me, that the public has a much greater interest than that.

By failing to prosecute these students for highly publicized acts which amount to trespassing, assault and battery, illegal arrest and kidnapping, the university community is saying to the world, as well as to its own stu-

dents, that there are entirely different standards to be applied in criminal cases to students than are applied to others. What does this simple fact do to respect for "law and order" in the public at large?

The most astonishing and incredible part of this sad affair to me was the faculty reaction and its resolution.

It is interesting to note that in all of these student outbreaks from Berkeley through Columbia to Harvard, the faculty always attempts to disassociate itself from the administration of the university.

This itself is a somewhat disturbing phenomenon, for it is hard for an outsider to see where there could be a responsible basis for disagreement between an administration and a faculty on a question as simple as whether or not students should be permitted to use force and violence to take over university buildings and impose their will on the university.

#### MORAL EQUATION

In any event, the Harvard faculty, in vogue with all the others, apparently quickly acted to publicly disassociate itself from the university administration by passing a resolution condemning both the students for occupying the building and the administration for calling the police to have them ejected.

It is impossible for me to understand how a faculty which describes itself as "a community committed to rationality and freedom" can with such blissful impartiality say "a curse on both your houses" to students lawlessly taking over a building by force and violence and an administration using lawful force to recover possession of its own building.

The moral equation of the student action and the action of the administration suggests to me a total bankruptcy of social values.

When I read of that resolution, I wondered how many of the 395 faculty members who voted to approve it would be happy to have their students forcibly eject them from class every time they disagreed with something the faculty members said, and, if they didn't think this is the way a university should be run, how do they distinguish between the need to have authority to run their own classes peacefully and the university's need to run itself free of forcible attacks by any of the students?

#### SHOCKING NOTE

The fact of this faculty resolution was deeply upsetting to me but the language of it was even more disturbing: ". . . as members of a community committed to rationality and freedom we also deplore the entrance of police into any university."

That language sounds the most offending note of this whole dissident cacophony of trumpets' blast from those who are presumably the trustees of the minds of America's future leaders.

What it suggests is that the university, its faculty and students should be exempted from the processes of law which bind everyone else.

It suggests that the university somehow clothes its members with a special form of holy orders making them immune from prosecution by public authorities for acts committed on the campus.

This, in turn, suggests that the university is a special and separate political entity responsible only to its own governing body.

This concept has ramifications which go far beyond episodic campus violence.

As you know, many of the campuses of our largest universities are hotbeds of illegal drugs.

#### VITAL PROBLEM

Recently, an official of a large eastern university estimated that at least 50 percent of its students were experimenting with am-

phetamine and barbituates; that a high percentage of students were experimenting with marijuana and a smaller but still significant percentage of students were going on to heroin.

This is a vital problem for the future of this country.

Here we have the fountain of our most talented youth being polluted at the source by trafficking in illegal drugs.

Now, some of the academics think that marijuana isn't really bad and its use should be legalized. I don't happen to agree with that because most heroin addicts I have had before me began on marijuana, but in any event, our form of society has not left it to the university professors or presidents or boards of trustees or to judges to determine what drugs may or may not be legally consumed.

This determination is made by the Congress and by the state legislatures.

Yet, to my knowledge, not a single major university has joined with the local, state and federal officials in cracking down on the sale and use of narcotics on the campus.

Aside from the real pollution of the nation's youth by the use of drugs, what does the fact that illegal narcotics are easily available on the campus say to the student-user and non-user alike?

Doesn't it say there is one law for the "lesser breeds" outside the campus and an entirely different one inside the university cloister.

A similar but not identical question is presented by the changes in parietal rules which have been sweeping almost all of the campuses lately.

#### ACTIVE AGENTS

Here the university administrators claim not to be changing any conventional standards of behavior, but merely permitting the students to act on their own.

It seems to me the fact is that the university does stand "in loco parentis" to the undergraduate student body, and most certainly to the teen-age freshmen and sophomores.

Failure on the part of the administrative officials to identify with and support minimum conventional standards makes those officials active agents in changing those standards whether they admit it or not.

In any event it adds many more uncertain notes to the dissident symphony we are hearing from university officials all over the country.

In my opinion much of today's student unrest stems from the failure of the university administration and faculty to implement the most fundamental tenets of organized society.

Those of you who studied political theory in college will remember Thomas Hobbes who stated that man's life outside of organized society must be "poor, mean, nasty, brutish and short."

Hobbes' observation is as sound today as when he made it.

#### ORGANIZED SOCIETY

Life is literally intolerable outside of the ordered fabric of society. The rational life to which the faculty and administration is professionally committed is impossible without adherence to the basic concepts of an ordered society.

... These basic concepts mean at least this:

(1) That no violence or violent demonstrations will be tolerated;

(2) Any demonstrators who attempt to occupy university buildings will be quickly ejected with any reasonable force necessary to eject them promptly and without any bargaining;

(3) All violators will be criminally punished; there will be no amnesties. In addition, the university will suspend or expel students participating; and

(4) The university will as a matter of policy regularly and actively cooperate with police in enforcing on the campus other criminal laws, most importantly the laws with respect to the sale of narcotics.

It seems to me that the parents, as well as the students, can expect at least that much respect for law and order from the administration and faculties of the universities.

#### TRIBUTE TO THE LATE HONORABLE CHARLES ANDERSON WOLVERTON

(Mr. McCORMACK (at the request of Mr. CAFFERY) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, my dear friend for more than 40 years, the Honorable Charles Anderson Wolverton, passed to his eternal reward on Friday, May 16. Friendships across the aisle are not unusual in this Chamber, but perhaps Charlie Wolverton deservedly had more of them than most of us do. That may have been because he was one of the most likeable and generous-spirited men I have even known. He came to the House with the 70th Congress and retired at the end of the 85th, representing the First Congressional District of New Jersey with great distinction.

He was born at Camden, N.J., on October 24, 1880, the son of Charles S. Wolverton and Martha Wolverton. He was educated in the public schools of Camden and was graduated from the Camden High School. He obtained a law degree from the University of Pennsylvania in 1900 and gained admission to the New Jersey bar in 1901.

In 1903, he codified the ordinances of the city of Camden; from 1904 to 1906 he was assistant city solicitor of Camden; from 1906 to 1913, assistant prosecutor of Camden County; from 1913 to 1914, special assistant attorney general of New Jersey; from 1915 to 1918, a member of the New Jersey House of Assembly from Camden County; in 1918, he was elected speaker of the New Jersey House of Assembly; from 1917 to 1919, he served as Federal food administrator; and, from 1918 to 1923, he was prosecutor of the pleas of Camden County.

He was an eminently successful campaigner as a Member of Congress. He was elected to 16 consecutive terms. In the 1936 election, and in the 1940 and 1944 elections, when FDR was carrying Charlie Wolverton's congressional district by more than 60,000 votes each time, Charlie was retaining his seat as a Republican Member of Congress by more than 10,000 votes in each election.

He even made friends and supporters of those he defeated. One of them said:

Every one of Charlie's former opponents should join in giving a dinner in his honor. He murdered all of us at the polls, but never once did he launch a personal attack on an opponent. As a matter of fact, he always went out of his way to pay tribute to us as men. He is a truly fine gentleman.

He was chairman of the House Committee on Interstate and Foreign Commerce during two Congresses, the 80th, and the 83d. His leadership of his committee was characterized by vast com-

petence, unflinching helpfulness, and courtesy, and legal sagacity. As a member of the House Legislative Oversight Committee, he introduced a code of ethics for Federal agencies regulating television. In 1954, when his Commerce Committee was studying President Eisenhower's proposed health-reinsurance program, he indignantly accused the American Medical Association of offering nothing to help solve the problem of rising medical costs. Long ago, Charlie Wolverton, in his incisive and insightful way, knew what was wrong with TV and the AMA.

At the time of his retirement at the close of the 85th Congress, his colleagues paid tribute to him in words that should be recalled today. That great Congresswoman from Massachusetts, the late Edith Nourse Rogers, said of him:

He has always been keenly interested in all legislation that would help the less privileged. His concern and interest in their welfare has been most pronounced. His interest in promoting the welfare of veterans and their dependents has been so outstanding that it has been recognized, time and again, by the honors veterans and other organizations have conferred upon him and the support they have always given to him when he has been a candidate for reelection.

His Republican colleague in the New York delegation, the Honorable Kenneth Keating, said this:

The gentleman from New Jersey, Mr. Wolverton, embodies what seem to me to be the most essential elements for a good legislator. He has great sincerity of purpose, he has a standard of ethics second to none, he has an ability to deal in a friendly and cooperative manner with his colleagues. He has always been willing to hear the other side of any problem on which he may have had views.

As a lawyer and a legislator, Charles Wolverton knew well how to speak his mind. As a man who had achieved wisdom by the experience of a lifetime, he also knew when not to do so. A cherished bit of advice that he offered to junior Members of Congress was that their political opponents could never use, against them, what they had not said.

As he stood in the well of the House Chamber to say farewell on the 18th of August 1958, Charlie Wolverton spoke as follows:

I wish to say that it has been a great privilege to serve for such a long period of years in this House, not only because of the importance of the matters that have claimed our attention and consideration, but also because of the opportunity it has given me to be associated with such a grand body of men and women of character and ability. I wish all the people of this Nation could know, as I do, the sincerity of purpose and high ideals that actuate those who serve as their Representatives. It would create a feeling of respect and a confidence in the future welfare of this Nation. I have found them to be God-fearing men and women dedicated to the cause of good government and with a sincere desire to be helpful to their fellow man, and to make certain the security of this Nation and principles upon which it has been founded.

His praise for his fellow Representatives may now be taken as his own, well-earned, richly merited epitaph.

He ended his farewell remarks by saying:

In the days that are ahead, whether they be many or few, it will always be a pleasure for me, with the golden key of memory, to unlock the treasure house of the past and live again its scenes and events.

Those "days ahead" were many, to be sure, yet, for those of us who were so fond of this great American, they were all too few.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. WOLD (at the request of Mr. GERALD R. FORD), for the week of May 26 on account of official business.

Mr. BLATNIK (at the request of Mr. BOGGS), for Monday, May 26, Tuesday, May 27, and Wednesday, May 28, on account of official business.

Mr. MACDONALD of Massachusetts (at the request of Mr. HAYS) from May 26 through June 5, on account of official business.

Mr. GETTYS (at the request of Mr. HAYS), for Monday, May 26 and the rest of the week, on account of official business.

Mr. CORBETT (at the request of Mr. GERALD R. FORD), for the week of May 26, on account of official business.

Mr. GOLDWATER (at the request of Mr. GERALD R. FORD), for the week of May 26, on account of official business.

Mr. RANDALL (at the request of Mr. BOGGS), for May 26 and May 27, 1969, on account of official business.

Mr. CORMAN May 26, May 27, and May 28, 1969, on account of official business.

Mrs. CHISHOLM (at the request of Mr. BOGGS), for Monday, May 26, Tuesday, May 27, and Wednesday, May 28, 1969, on account of official business.

Mr. BINGHAM (at the request of Mr. BOGGS), for today, on account of illness.

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. PATMAN, for 45 minutes, on May 27; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. CAFFERY), to revise and extend their remarks and to include extraneous matter:)

Mr. FLOOD, for 30 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. O'HARA, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. EDMONDSON in three instances.

Mr. MADDEN in two instances.

Mr. ZABLOCKI in two instances.

Mr. MICHEL to revise and extend his remarks in connection with agriculture appropriation bill and to include various tables.

Mr. GRAY in two instances.

Mr. STEIGER of Wisconsin, immediately following the remarks of Mr. QUIE during

discussion of the POAGE amendment in the Committee of the Whole today.

Mr. VANIK to extend his remarks on the agriculture appropriation bill.

(The following Members (at the request of Mr. FREY) and to include extraneous matter:)

Mr. BUSH.

Mr. BROWN of Michigan in three instances.

Mr. PETTIS.

Mr. MORSE in two instances.

Mr. QUILLEN in four instances.

Mr. BROCK in five instances.

Mr. SMITH of California.

Mr. BOB WILSON in two instances.

Mr. ASHBROOK.

Mr. GUDE.

Mr. McDONALD of Michigan.

Mr. NELSEN in two instances.

Mr. TAFT.

Mr. MIZE.

Mr. HANSEN of Idaho.

Mr. DERWINSKI in three instances.

Mr. RUPPE.

Mr. CRAMER.

Mr. MILLER of Ohio.

Mr. BROYHILL of Virginia.

(The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. GARMATZ.

Mr. DANIEL of Virginia.

Mr. CASEY in two instances.

Mr. O'HARA.

Mr. PUCINSKI in 10 instances.

Mr. POWELL.

Mr. MATSUNAGA.

Mrs. CHISHOLM in two instances.

Mr. RARICK in four instances.

Mr. NICHOLS in two instances.

Mr. DIGGS in two instances.

Mr. PEPPER.

Mr. SATTERFIELD.

Mr. MOORHEAD in five instances.

Mr. YATRON in two instances.

Mr. OTTINGER in two instances.

Mr. FLOWERS in three instances.

Mr. GALLAGHER.

Mr. HAWKINS.

Mr. GONZALEZ in two instances.

Mr. BROWN of California in two instances.

Mr. BEVILL.

Mr. EVINS of Tennessee in two instances.

Mrs. MINK.

Mr. RODINO.

Mr. STUCKEY in two instances.

Mr. BOLLING.

Mr. DINGELL.

Mr. ROGERS of Colorado.

Mr. BURKE of Massachusetts.

Mr. VANIK in two instances.

Mr. BRADEMAs in six instances.

Mr. DOWNING.

Mr. WILLIAM D. FORD in two instances.

Mr. FOUNTAIN in two instances.

Mr. BURLISON of Missouri.

Mr. ROSENTHAL.

Mr. ECKHARDT.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 126. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness; to the Committee on Interior and Insular Affairs.

S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

S. 1611. An act to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes; to the Committee on Education and Labor.

S. 1652. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

S. Con. Res. 21. Concurrent resolution to print additional copies of parts 1 and 2, thermal pollution, 1968 hearings; to the Committee on House Administration.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 99. Joint resolution to authorize the President to issue a proclamation designating the first week in June 1969 as "Helen Keller Memorial Week."

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 27, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

796. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the Virgin Islands Corporation (in liquidation), Department of the Interior, for the fiscal years 1967 and 1968 (H. Doc. No. 91-119); to the Committee on Government Operations and ordered to be printed.

797. A letter from the Assistant Secretary of the Interior, transmitting notification of the receipt of a project proposal and loan application from the Water Supply & Storage Co., Fort Collins, Colo., pursuant to the provisions of section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

798. A letter from the Assistant Secretary of the Interior, transmitting a determination on deferment of the 1969 construction payment due the United States from the San Angelo Water Supply Corp. in connection with the San Angelo reclamation project, Texas, pursuant to the provisions of the act of September 21, 1959 (73 Stat. 584); to the Committee on Interior and Insular Affairs.

799. A letter from the Postmaster General, transmitting a draft of proposed legislation to readjust the compensation of the Advisory Board for the Post Office Department; to the Committee on Post Office and Civil Service.

800. A letter from the Secretary of the Interior, transmitting the first annual report on the National Visitor Center, pursuant to the provisions of Public Law 90-264; to the Committee on Public Works.

801. A letter from the Administrator of General Services, transmitting prospectuses proposing alteration of public buildings at various locations, pursuant to the provisions of section 7a of the Public Buildings Act of 1959 (73 Stat. 480); to the Committee on Public Works.

802. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 22, 1969, the following bill was reported on May 23, 1969:

Mr. WHITTEN: Committee on Appropriations. H.R. 11612. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-265). Referred to the Committee of the Whole House on the State of the Union.

[Submitted May 26, 1969]

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. PEPPER: House Resolution 424. Resolution waiving points of order against H.R. 11582, a bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-266). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 10931. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama (Rept. No. 91-267). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of May 22, 1969, the following bill was introduced on May 23, 1969:

By Mr. WHITTEN:

H.R. 11612. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

[Submitted May 26, 1969]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 11613. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS (for himself and Mr. QUITE):

H.R. 11614. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached, and to provide funds for the special milk program; to the Committee on Education and Labor.

By Mr. BIAGGI (for himself, Mr. CAREY, Mr. DULSKI, and Mr. WALDIE):

H.R. 11615. A bill to provide for the protection of children against physical injury caused or threatened by those who are responsible for their care; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 11616. A bill to rename the Houston Veterans' Administration Cemetery as the "Albert Thomas Veterans' Memorial Cemetery"; to the Committee on Veterans' Affairs.

By Mr. CHAMBERLAIN:

H.R. 11617. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

H.R. 11618. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 11619. A bill to amend section 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motorbuses; to the Committee on Public Works.

By Mr. O'HARA (for himself, Mr. THOMPSON of New Jersey, Mr. BRADEMAS, Mr. HAWKINS, Mr. ADAMS, Mr. ADDABO, Mr. ANDERSON of California, Mr. ANNUNZIO, Mr. BARRETT, Mr. BIAGGI, Mr. BINGHAM, Mr. BLATNIK, Mr. BOLAND, Mr. BROWN of California, Mr. BURKE of Massachusetts, Mr. BUTTON, Mr. BYRNE of Pennsylvania, Mr. CLARK, Mr. COHELAN, Mr. CONYERS, and Mr. CORMAN):

H.R. 11620. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. DANIELS of New Jersey (for himself, Mr. PERKINS, Mr. DENT, Mr. PUCINSKI, Mr. DIGGS, Mr. DINGELL, Mr. DULSKI, Mr. EDWARDS of California, Mr. ECKHARDT, Mr. ELBERG, Mr. FARBERSTEIN, Mr. FASCELL, Mr. FOLEY, Mr. FRASER, Mr. GALLAGHER, Mr. GIBBONS, Mr. GILBERT, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, and Mr. HALPERN):

H.R. 11621. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD (for himself, Mr. CAREY, Mr. SCHEUER, Mr. POWELL, Mr. MOLLOHAN, Mr. MURPHY of Illinois, Mr. MOORHEAD, Mr. MORGAN, Mr. NEDZI, Mr. NIX, Mr. OBEY, Mr. OLSEN, Mr. O'NEILL of Massachusetts, Mr. OTTINGER, Mr. PEPPER, Mr. POBELL, Mr. PRICE of Illinois, Mr. REES, Mr. REUSS, Mr. RODINO, and Mr. ROONEY of Pennsylvania):

H.R. 11622. A bill to assure an opportunity for employment to every American seeking

work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. STOKES, Mr. CLAY, Mr. ROSENTHAL, Mr. RONAN, Mr. ROYBAL, Mr. RYAN, Mr. SHIPLEY, Mr. SLACK, Mr. SISK, Mr. ST. ONGE, Mr. TIERNAN, Mr. TUNNEY, Mr. UDALL, Mr. VANIK, Mr. VAN DEERLIN, Mr. WALDIE, Mr. CHARLES H. WILSON, Mr. WOLFF, Mr. YATRON, and Mr. ZABLOCKI):

H.R. 11623. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes to the Committee on Education and Labor.

By Mr. HATHAWAY (for himself, Mrs. MINK, Mr. BURTON of California, Mr. GAYDOS, Mrs. HANSEN of Washington, Mr. HAYS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Mr. HOWARD, Mr. HOLIFIELD, Mr. JOELSON, Mr. KARTH, Mr. KOCH, Mr. KYROS, Mr. LEGGETT, Mr. MADDEN, Mr. MATSUNAGA, Mr. MIKVA, Mr. MILLER of California, and Mr. MINISH):

H.R. 11624. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. DERWINSKI:

H.R. 11625. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in Cook County, Ill.; to the Committee on Public Works.

By Mrs. DWYER:

H.R. 11626. A bill to carry out recommendations of the Joint Commission on the Coinage, and for other purposes; to the Committee on Banking and Currency.

By Mr. FOLEY:

H.R. 11627. 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, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FRIEDEL:

H.R. 11628. A bill to transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress; to the Committee on House Administration.

By Mr. FULTON of Pennsylvania:

H.R. 11629. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11630. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11631. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 11632. A bill to amend title II of the Social Security Act to provide a substantial liberalization in the retirement test; to the Committee on Ways and Means.

By Mr. HARSHA:  
H.R. 11633. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:  
H.R. 11634. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 11635. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. LIPSCOMB:  
H.R. 11636. A bill to continue for 2 years the authority for the regulation of exports; to the Committee on Banking and Currency.

By Mr. MACDONALD of Massachusetts:  
H.R. 11637. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 11638. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of \$80; to the Committee on Ways and Means.

H.R. 11639. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MEEDS (for himself, Mr. PELLY, Mr. HICKS, Mr. ADAMS, Mr. FOLEY, and Mrs. MAY):

H.R. 11640. A bill to amend titles I, X, XIV, and XVI of the Social Security Act, and part A of title IV of such act, to permit a State to provide a part of the assistance payable thereunder in the form of food stamps instead of cash when requested by the recipient of such assistance; to the Committee on Ways and Means.

By Mr. NICHOLS:  
H.R. 11641. A bill to exempt from the anti-trust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. PODELL:  
H.R. 11642. A bill to reclassify certain positions in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL (for himself, Mr. BURTON of California, Mr. LUKENS, Mr. MACDONALD of Massachusetts, Mr. PEPPER, Mr. GAYDOS, Mr. CLAY, Mr. SCHEUER, Mr. OBEY, Mr. UDALL, Mr. VIGORITO, Mr. POWELL, Mr. MIKVA, Mr. OTTINGER, Mr. KASTENMEIER, Mr. VAN DERLIN, Mr. ANDERSON of California, Mr. TIERNAN, Mr. REUSS, Mr. FRIEDEL, Mrs. MINK, Mr. ASHLEY, Mr. HAMILTON, Mr. BROWN of California, and Mr. YATRON):

H.R. 11643. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. PRICE of Illinois:  
H.R. 11644. A bill to modernize the U.S. Postal Establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE:  
H.R. 11645. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications

Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:  
H.R. 11646. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity at age 60 for men (as well as women) who have completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. SKUBITZ:  
H.R. 11647. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK (for himself and Mr. ECKHARDT):

H.R. 11648. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of \$80; to the Committee on Ways and Means.

By Mr. WALDIE:  
H.R. 11649. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. WOLD (for himself, Mr. POLLOCK, Mr. CAMP, Mr. ADAMS, Mr. EDMONDSON, Mr. DIGGS, Mr. ESHLEMAN, Mr. DULSKI, Mr. DERWINSKI, Mr. ANDERSON of Illinois, Mr. ANDERSON of California, Mr. COUGHLIN, Mr. TUNNEY, Mr. GUDE, Mr. KLUCZYNSKI, and Mr. SCHEUER):

H.R. 11650. A bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS (for himself and Mr. QUITE):

H.R. 11651. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached; to the Committee on Education and Labor.

By Mr. BROWN of California:  
H.R. 11652. A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assistance programs (including administrative expenses) to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the aid to families with dependent children program; to the Committee on Ways and Means.

By Mr. CHAPPELL (for himself, Mr. SIKES, Mr. HARSHA, Mr. GRIFFIN, and Mr. HALEY):

H.R. 11653. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fall to take appropriate corrective measures; to the Committee on Education and Labor.

By Mr. CLAY:  
H.R. 11654. A bill to amend the U.S. Housing Act of 1937 to require that average rentals in any low-rent housing project be kept at a level below 25 percent of the average income of persons eligible to occupy units in such project, and to increase the annual contributions which may be paid with respect to such project to the extent necessary to permit rentals to be kept at such level; to the Committee on Banking and Currency.

By Mr. DUNCAN:  
H.R. 11655. A bill to amend the Railroad

Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself, Mr. CAHILL, Mr. CONYERS, Mr. EDWARDS of California, Mr. HALPERN, Mr. HUNGATE, Mr. MIKVA, Mr. ROSENTHAL, Mr. RYAN, and Mr. SCHEUER):  
H.R. 11656. A bill to improve judicial machinery by providing Federal jurisdiction for certain types of class actions, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of California:  
H.R. 11657. A bill to require quarterly disclosure to the Comptroller General of the United States of the source and amount of all outside income received by any person serving as a Federal judge, a Member of Congress, or a policymaking official in the executive branch of the Government, and for other purposes; to the Committee on the Judiciary.

By Mr. ESHLEMAN:  
H.R. 11658. A bill to amend title 18 of the United States Code to require common carriers for hire to keep records of the names of persons transported by such carrier in interstate or foreign commerce, and to make it a criminal offense for any person so transported to travel under a false or fictitious name; to the Committee on the Judiciary.

By Mr. FINDLEY:  
H.R. 11659. A bill to promote the foreign policy and security of the United States by providing authority to negotiate a commercial agreement with Czechoslovakia, and for other purposes; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:  
H.R. 11660. A bill to provide for public disclosure including income tax returns by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet Members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mr. KYROS:  
H.R. 11661. A bill to amend title II of the Social Security Act to reduce from 20 to 15 the number of quarters of coverage which an individual must generally have had within a specified 10-year period in order to qualify for disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. LOWENSTEIN (for himself, Mrs. CHISHOLM, Mr. ADDABO, Mr. BINGHAM, Mr. BUTTON, Mr. CAREY, Mr. CONYERS, Mr. DIGGS, Mr. FARBSTEIN, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. HALPERN, Mr. HAWKINS, Mr. KOCH, Mr. MIKVA, Mr. OTTINGER, Mr. PODELL, Mr. ROSENTHAL, Mr. RYAN, and Mr. STOKES):

H.R. 11662. A bill to amend titles I, X, XIV, XVI, and XIX of the Social Security Act, and part A of title IV of such act, to increase the Federal share of a State's public assistance expenditures to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the AFDC program; to the Committee on Ways and Means.

By Mr. McFALL:  
H.R. 11663. A bill to amend section 603(3)

and section 608c(6)(1) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 11664. A bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps; to the Committee on Education and Labor.

H.R. 11665. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 30 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 11666. A bill to amend chapter 55 of title 10 of the United States Code to provide that entitlement to health insurance under title XVIII of the Social Security Act shall not bar the availability of certain contract health services under such chapter in the case of certain members and former members of the uniformed services and their dependents; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 11667. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay prevailing wages; to the Committee on Education and Labor.

H.R. 11668. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 11669. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. STUCKEY:

H.R. 11670. A bill to amend the Glass-Steagall Act, as amended, to authorize commercial banks to maintain collective investment funds of managing agency accounts, and for other purposes; to the Committee on Banking and Currency.

By Mr. TALCOTT (for himself, Mr. ANDERSON of Illinois, Mr. BEVILL,

Mr. BUCHANAN, Mr. COLLINS, Mr. CORBETT, Mr. DERWINSKI, Mr. HOSMER, Mr. MCCLURE, Mr. MYERS, Mr. POWELL, Mr. SANDMAN, Mr. WALDIE, Mr. WHELEN, and Mr. WIGGINS):

H.R. 11671. A bill to amend the Legislative Reorganization Act of 1946 to provide for the inclusion of certain cost estimates of certain measures reported by the standing committees of the House of Representatives; to the Committee on Rules.

By Mr. CAHILL:

H.J. Res. 742. 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. GUDE (for himself and Mr. SCHWENDEL):

H.J. Res. 743. Resolution to establish a commission to conduct a study of the adequacy of the financial resources available for the operation of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PRICE of Illinois:

H.J. Res. 744. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights of men and women; to the Committee on the Judiciary.

By Mr. BOB WILSON (for himself and Mr. BRADEMAS):

H.J. Res. 745. Joint resolution authorizing the President to proclaim the month of February 1970 as "Project Concern Month"; to the Committee on the Judiciary.

By Mr. ROSENTHAL (for himself and Mr. KOCH):

H. Con. Res. 275. Concurrent resolution expressing the sense of the Congress with respect to the effectiveness of State and local rent control laws notwithstanding any inconsistencies which may exist between such laws and FHA requirements; to the Committee on Banking and Currency.

By Mr. SCHEUER:

H. Con. Res. 276. Concurrent resolution expressing the sense of the Congress with respect to the application of the equal-time provisions of the Communications Act of 1934 in cases where one or more of the candidates for a public office refuses to participate in a broadcast debate; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H. Res. 425. Resolution, transfer of funds within the offices of the Clerk and the Sergeant at Arms of the House of Representatives, and for other purposes; to the Committee on House Administration.

### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

186. By the SPEAKER: Memorial of the Legislature of the State of Tennessee, relative to appropriations for the low-income home purchase and rent programs for fiscal year 1969; to the Committee on Appropriations.

187. Also, memorial of the Legislature of the State of Hawaii, relative to the anti-ballistic-missile system; to the Committee on Armed Services.

188. Also, memorial of the Legislature of the State of Tennessee, relative to perpetuation of the Reserve Officers Training Corps programs in the colleges and universities of America; to the Committee on Armed Services.

189. Also, memorial of the Legislature of the State of California, relative to a water reclamation facility in the Sepulveda Dam Basin; to the Committee on Interior and Insular Affairs.

190. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to Dr. John H. Knowles; to the Committee on Interstate and Foreign Commerce.

191. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to Dr. John H. Knowles; to the Committee on Interstate and Foreign Commerce.

192. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver; to the Committee on Interstate and Foreign Commerce.

193. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to recognition of the 100-mile seaward boundary of the Commonwealth of Massachusetts; to the Committee on the Judiciary.

194. Also, memorial of the Legislature of the State of Minnesota, relative to including censuses of school districts in the Federal census; to the Committee on Post Office and Civil Service.

195. Also, memorial of the Legislature of the State of Tennessee, relative to creation of the "Circle-the-Smokies Scenic Drive"; to the Committee on Public Works.

196. Also, memorial of the Legislature of

the State of Colorado, relative to restoration to the States of adequate tax sources for the support of State and local government; to the Committee on Ways and Means.

197. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the sharing of Federal income taxes; to the Committee on Ways and Means.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred to as follows:

By Mr. FALLON:

H.R. 11672. A bill for the relief of Dr. M. Zia Borhan; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 11673. A bill for the relief of Dr. Gerardo P. Gonzalez; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 11674. A bill to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Maccoboy III* to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD:

H.R. 11675. A bill for the relief of Aparicia Santiago; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 11676. A bill for the relief of Philip C. Riley and Donald F. Lane; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 11677. A bill for the relief of Dr. Mohammad Zahir; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11678. A bill for the relief of Oswaldo Oliveros Lagman; to the Committee on the Judiciary.

H.R. 11679. A bill for the relief of Oswaldo Selsmondo Lagman; to the Committee on the Judiciary.

H.R. 11680. A bill for the relief of Rogelio Lagman; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 11681. A bill for the relief of Hossein Anoushirvani-Tafreshi; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

120. By the SPEAKER: Petition of the Village Assembly, Kamimotobu, Okinawa, relative to the return of Okinawa to Japan; to the Committee on Foreign Affairs.

121. Also, petition of Robert H. Roloff, Carson City, Nev., relative to the return of a portion of the lands to Nevada to the State of Arizona; to the Committee on the Judiciary.

122. Also, petition of Vincente Gatica Startti, Huntsville, Tex., relative to impeachment of a Federal district judge; to the Committee on the Judiciary.

123. Also, petition of Henry Stoner, Billings, Mont., relative to proposed amendment to the Constitution of the United States; to the Committee on the Judiciary.

124. Also, petition of the City Council, El Segundo, Calif., relative to the creation of a commission to control the flow of narcotics and dangerous drugs between the United States and Mexico; to the Committee on Ways and Means.

125. Also, petition of the City Council, City and County of Honolulu, Hawaii, relative to the tax exemption on municipal bonds; to the Committee on Ways and Means.