"The old test of voluntariness has become so cluttered with a myriad of technicalities that more often than not the trial of a criminal case has become a farce.

"Such trials no longer are a search for the truth but rather have become a game of 'cat and mouse' to see how much of the truth can be kept from the trial jury."

SOME JURORS WEPT

The district attorney said Judge Mattina told him that Asst. DA Franklin Stachowiak did an excellent job in presenting the case.

After the jury reported its verdict, Mr. Stachowiak spoke with several jurors and when he told them of the defendant's statement—the one which had been suppressed and could not be offered as evidence—some of the jurors actually wept, Mr. Dillon said.

In calling for a return to reason, he noted that he has in the past agreed with the principles enunciated in Supreme Court cases.

However, he said now he feels there is a need to give greater opportunity to jurors to use their good sense in evaluating whether a confession or admission was made voluntarily and whether it is truthful.

SEEKS "HAPPY BALANCE"

"To provide for technical roadblocks which deprive jurors of the opportunity to even know of the existence of such confessions or admissions is, in my judgment, violative of basic rules of reason," Mr. Dillon commented.

Mr. Dillon said he was hopeful that a newly constituted Supreme Court might correct some of the injustices which have resulted from the unnecessary, excessive and technical over-protection of the alleged rights of criminal defendants.

"This is not to say that I seek a return to the law and practices of 20 years ago but it is to affirm that I seek the establishment of rules which will afford a happy balance between individual rights and society's rights."

[From the Buffalo (N.Y.) Courier-Express, June 8, 1969]

TECHNICALITIES AID CRIMINAL, DA SAYS

(By Greg Faherty)

More and more frequently, prosecutors, judges and even grand juries are speaking out against legal technicalities that are permitting the guilty to go free.

In the words of Dist. Atty. Michael F. Dillon:

"Too many murderers, muggers, robbers and rapists are walking the streets and infesting our communities with too little fear of punishment."

CONFESSION SUPPRESSED

Item. A child molester signs a written statement confessing the crime. He is brought to trial, but the confession is suppressed from use in evidence. A jury acquits him.

Item. A rapist wanders through the suburbs preying on women. A grand jury is powerless to indict him because of a penal law provision requiring corroboration of the women's testimony.

So unrealistic was this to the grand jury that its members felt compelled to hand up a presentment recommending that the state legislature abolish that section of the law.

EXTENSIVE TESTIMONY

The grand jury stated that it heard "extensive testimony" from female complainants in cases involving sexual attack.

Testimony given by the women was entirely credible, said the panel, but it was thwarted from taking appropriate action because of the requirement of corroboration in serious sex cases.

The grand jury said that the requirement makes "neither sense nor logic."

LEGAL SAFEGUARD

"If anything this rule of law works to increase the frequency of this type of crime and provides the sex violator with a legally imposed safeguard against successful prosecution," said the grand jury.

"In our opinion it allows the habitual sex offender to continue his activity with little fear he will be brought to justice," said the panel in its report.

The rule of evidence requiring corroboration in sex crimes can be changed by legislative action. Rules governing admissibility of confessions are subject to rulings by the high courts.

PLEDGES EFFORTS

Dillon has pledged his efforts to alter both "in an attempt to restore sanity to the judicial process."

There is also growing concern among court administrators over the time required to try individual cases in light of Appellate Court rulings that increasingly broaden the rights of defendants.

The Erie County judges, in their latest annual report, commented: "A few years ago, criminal motion practice took comparatively little of the court's time.

MUCH TIME

"Today, however, motions in the areas of identification of defendants, searches and seizures, confessions and admissions, sanity and insanity, and many others, occupy a great percentage of each judge's time and effort."

Pretrial and post conviction remedies now afforded defendants not only greatly increase the work of the courts but also appear to have decreased significantly the number of guilty pleas.

During 1966, there were 403 defendants who pleaded guilty in County Court; 343 in 1967 and 255 in 1968.

Fewer guilty pleas naturally mean more trials. The judges see a need for an increased number of trials even to maintain the present backlog of untried indictments, let alone reduce it.

One hearing in County Court concerning the admissibility of statements began in January and continued, with lengthy recesses, over a period of several months. Total court time required: 35 days.

The defendants, indicted more than a year ago, are still awaiting trial.

"I'm not in favor of a return to the days of the bright lights and the rubber hose," said one veteran court observer, "but when confessions voluntarily given are thrown out by the courts, I say it's time for a change.

"And when grand juries are powerless to indict sex offenders then it's about time more attention is paid to the rights of society," he said.

ESSAY ON PATRIOTISM

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 1969

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include the following essay written by Miss Diane Shavchuk, a student at Kensington High School in Buffalo, N.Y. During this period of great unrest and confusion among our young people, it is encouraging to have this evidence that patriotism and love of country are still alive in the hearts and minds of our youth. Miss Shavchuk's remarks are a fitting tribute for Flag Day, June 14. They follow:

I WAS THERE

(By Miss Diane Shavchuk)

I am young, in comparison to my friends and enemies, but to you, although I seem old I am held with the highest of respect. Though I cannot speak in words, I give my inspiration to another that you may know of my feelings.

I am young, but nevertheless, I was there with General Washington at Valley Forge where three thousand men died from cold and starvation. I was at each battle during the Revolutionary War, and when England was forced to give us our freedom, I cheered with the best of them, though silently.

Things went as smoothly as could be expected for a new government, until England began pressing our sailors which triggered the War of 1812. We won that and how proud I was. Francis Scott Key wrote our National Anthem and became my friend for life.

Everything began to go well with the North and South but before I could even cry out, the Civil War was upon us. Never again do I want to live through such a war. Brother against brother, father against son. The North was to win, but not before the most tragic of events. In a small theater I saw President Lincoln gunned down and could not even help. Tears were many for the death of this man; yet, mine were the most bitter since I could shed none.

Then came World I and World War II, the Korean War, the Cuban Crisis, the Death of President Kennedy, the Vietnam War. I have lived through them all and my Country has lived through them too, a Country built on pure guts and work. Is it to lose this? I wonder. Eventually, I shall find out, for you see I am your flag, Old Glory.

HOUSE OF REPRESENTATIVES—*Monday, June 16, 1969*

The House met at 12 o'clock noon.

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

The ways of the Lord are right and the just shall walk in them.—Hosea 14: 9.

O Thou whose spirit supports us in every noble endeavor and whose strength sustains us as we labor for the good of our fellow man, bless us with a realization of Thy presence as we begin another week and enable us to walk in the way of Thy commandments and to live in the spirit of Thy Son.

Thou hast brought forth on this land a Nation conceived in liberty and dedicated to the good of all men. Help us to maintain our freedoms in the spirit of justice and good will. Save our Nation from further discord and violence. Guide our people that they may see the futility of fostering fear and may seek the path that produces more unity and promotes mutual understanding.

Strengthen our leaders that they may walk with Thee as they make decisions and carry responsibilities. Together may leaders and people endeavor by honorable service and humble spirits to bring peace to our land and to our world. In the spirit of Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 12, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on June 11, 1969, the President approved and signed a bill of the House of the following title:

H.R. 684. An act to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes.

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 of the House of the following title:

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 11, 1969.

The Honorable, the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a letter of thanks to the Members of the House of Representatives from the Honorable Harry S. Truman, for the resolution of the Congress of the United States of America extending best wishes on the occasion of Mr. Truman's 85th birthday.

With kindest regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

INDEPENDENCE, MO.,
June 4, 1969.

Hon. W. PAT JENNINGS,
Clerk, House of Representatives,
Washington, D.C.

DEAR MR. JENNINGS: I have before me the resolution of the Congress of the United States of America extending best wishes on the occasion of my 85th birthday. This is an honor that I deeply appreciate and greatly cherish.

I have read the text of the resolution with special interest and deep satisfaction.

Please express for me, to the Members of the House, my profound thanks.

Sincerely yours,

HARRY S. TRUMAN.

APPOINTMENT AS MEMBER OF THE JOINT ECONOMIC COMMITTEE

The SPEAKER. Pursuant to the provisions of title 15, United States Code, section 1024(a), the Chair appoints as a member of the Joint Economic Committee the gentleman from Ohio, Mr. BROWN, to fill the existing vacancy thereon.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 81]

Addabbo	Edwards, La.	Murphy, N.Y.
Alexander	Erlenborn	Nix
Anderson, Tenn.	Esch	O'Hara
	Fallon	Olsen
Andrews, N. Dak.	Findley	O'Neal, Ga.
	Fisher	Pepper
Ashbrook	Flood	Pollock
Ashley	Flynt	Powell
Barrett	Foley	Purcell
Bates	Frelinghuysen	Quie
Beall, Md.	Gallagher	Quillen
Belcher	Giaimo	Rees
Bell, Calif.	Gibbons	Reuss
Bevill	Gray	Rhodes
Biaggi	Green, Oreg.	Roberts
Blackburn	Hanna	Rodino
Blanton	Hastings	Rogers, Fla.
Blatnik	Hébert	Ronan
Boland	Helstoski	Rooney, N.Y.
Bolling	Hogan	Roudebush
Brock	Jacobs	Roybal
Broyhill, N.C.	Jarman	Ruppe
Burton, Utah	Jones, Ala.	St. Onge
Cahill	Jones, N.C.	Sandman
Carey	Karth	Satterfield
Celler	Kirwan	Scheuer
Chappell	Kluczynski	Shipley
Chisholm	Koch	Smith, Iowa
Clausen, Don H.	Landgrebe	Smith, N.Y.
	Long, La.	Snyder
Conyers	Lowenstein	Staggers
Cowger	Lukens	Steiger, Wis.
Cramer	McCloskey	Stephens
Culver	McClure	Stratton
Cunningham	McEwen	Stubblefield
Daddario	McFall	Stuckey
Delaney	Madden	Teague, Tex.
Dellenback	Mailliard	Thompson, Ga.
Denney	Mathias	Thompson, N.J.
Diggs	May	Tunney
Dingell	Mikva	Watkins
Dorn	Miller, Calif.	Weicker
Downing	Minish	Whalley
Dulski	Moorhead	Wold
Eckhardt	Morton	Wolff
Edmondson	Mosher	Wydler

The SPEAKER. On this rollcall 297 Members have answered to their names, a quorum.

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

REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON CENSUS AND STATISTICS TO SIT TODAY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Census and Statistics be authorized to meet this afternoon, while the House is in session.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would ask the gentleman from California whether the request concerning the subcommittee has been cleared with the minority members on said subcommittee?

Mr. CHARLES H. WILSON. If the gentleman will yield. I would state to the gentleman that the gentleman from Connecticut (Mr. MESKILL) was in the committee meeting at the time I stated I was going to ask unanimous consent, and the gentleman said he would make every effort to be there. The other members were not in attendance at the time.

Mr. HALL. Mr. Speaker, I strongly suggest that the gentleman withhold his request at this time, otherwise I will be constrained to object, in view of the explanation made by the gentleman on the lack of contact between the gentleman and the ranking minority member.

Mr. CHARLES H. WILSON. Mr. Speaker, I will contact Mr. MESKILL.

Mr. HALL. I thank the gentleman.

Mr. CHARLES H. WILSON. Mr. Speaker, I withdraw my request.

The SPEAKER. The gentleman withdraws his request.

U.S. SUPREME COURT RULES THAT ADAM CLAYTON POWELL WAS WRONGFULLY EXCLUDED FROM THE HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, as I walked upon the floor of the House a moment ago, I was advised that the Supreme Court had again invaded the province and jurisdiction of this legislative body. The news service reports that the Court has ruled in the Powell case that this House had wrongfully denied a seat to the Member from New York in the 90th Congress.

I have some reluctance in commenting on this matter, Mr. Speaker, but I feel so keenly about maintaining the division of powers and the independence of the legislative, judicial, and executive departments of our Government, as prescribed in the Constitution of the United States, that I cannot abstain. There is something more involved here than POWELL. The question of whether the constitutional provision for the separation of powers between the three branches of Government is far more important than any individual. I have always understood that the Founding Fathers provided that the judiciary, the legislative, and the executive departments are equal, coordinate, and independent in their powers and judgment. And, if I can comprehend plain language, that document also provides that the House shall be the judge of the qualifications of its own Members.

Mr. Speaker, after the suit was brought, from which this decision stemmed, and the question of employing counsel to represent the House was discussed, I took the position then as now that it was a mistake for the House to dignify the suit by employing counsel. I thought then as I think now, that the suit should have been ignored. More than $200,000 of the taxpayers' money would thus have been saved. I hope that in its wisdom the House will follow this procedure in the further proceedings which I understand is provided for in the Court decision.

The question of whether he should have been seated really is now moot, since the 90th Congress has expired. The only further confrontation which I can now see is with the question of whether POWELL should be paid the emoluments of the office during the 90th Congress.

In view of the overwhelming vote against his being seated at that time, and the provisions of the Constitution, it is difficult for me to conceive that this House will humble itself to the Court by payment of any funds to the claimant for the 90th Congress.

Finally, Mr. Speaker, so far as I am concerned, I believe that the House should take the attitude of a former great President of the United States, Andrew

Jackson. After the Supreme Court had reached a decision in Worchester against Georgia—March 3, 1832—which he thought infringed upon constitutional rights of the Executive, President Jackson said:

John Marshall has made his decision. Now let him enforce it.

SUPREME COURT DECISION ON ADAM CLAYTON POWELL

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

Mr. VAN DEERLIN. Mr. Speaker, I am sure I feel very differently about the Supreme Court—different from our colleague from Mississippi, who addressed us a moment ago.

I respect the Supreme Court. However, I too feel it has trespassed on the independence of Congress.

The House of Representatives, many times in history, has declared it does have the right to refuse membership to a person constitutionally qualified who has betrayed the public trust.

Regretfully, this decision on ADAM POWELL will encourage legislative defiance of the Court's authority. A House majority almost certainly will refuse to appropriate the funds for back pay to which the Court says the gentleman from New York (Mr. POWELL) is entitled.

Permissiveness is thus sanctioned for the highest places in American life. Two years ago the gentleman from New York (Mr. POWELL) was a fugitive from justice. As such, he would have been barred from induction into military service. Yet the Court finds he was entitled to sit in a legislative body which orders other men into service.

I must disagree.

DOES $25 FEE TO BECOME MEMBER OF SUPREME COURT BAR GO INTO TREASURY?

(Mrs. GRIFFITHS asked and was given permission to address the House for 1 minute.)

Mrs. GRIFFITHS. Mr. Speaker, when Louis Rabaut of the 14th Congressional District of Michigan first came to this Congress, he was put on the Committee on Appropriations.

Louis Rabaut with two other young men—and they were all lawyers who had joined the Supreme Court bar—looked at this question in the Committee on Appropriations and could not find that the $25 which they had contributed for being made members of the Supreme Court bar had ever gone into the general funds of the Treasury.

So they decided they would go over and question the Chief Justice. They made an appointment and went over. The Court Building was new at that time and the Justice showed them all around and showed them the beautiful staircases. Finally, they sat down in his office and he said, "Gentlemen, what can I do for you?"

Mr. Rabaut spoke up and said, "Sir, we have been wondering what you do with the $25 that you collect from people who become members of the Supreme Court bar."

The Chief Justice rose and said, "Gentlemen, I would like to remind you there is a division of power in this country—there is the door."

Mr. Speaker, I have not looked to see whether we are getting that $25 or not. But I presume that that precedent is gone—and if it is, under the new rules, I propose that the Committee on Appropriations go over and get each $25 paid by new members. The Supreme Court has no authority, to my knowledge, to levy a tax.

REPRESENTATIVE McCULLOCH RECEIVES DEGREE

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

Mr. BOW. Mr. Speaker, I am pleased to announce that the achievements of our distinguished colleague, the dean of the Ohio Republican delegation in the House, WILLIAM MOORE MCCULLOCH, were recognized by his alma mater last week when the College of Wooster conferred upon him the degree of doctor of laws.

The gentleman from Ohio (Mr. MCCULLOCH) is one of Wooster's most distinguished alumni, and in saying that I place him in a group of men and women who have gone out from Wooster to win the highest distinction, nationally and internationally, in law, the fine arts and the sciences.

The College of Wooster is close to my heart, as to BILL's. For 16 years it was a part of my constituency and it was a great pleasure and honor to me to work with and for the institution. I am pleased that the college and its faculty have thus honored our colleague.

EXTENSION OF SURTAX

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

Mr. VANIK. Mr. Speaker, the administration's effort to force through a full year extension of the surtax for the purpose of generating a $6.8 billion surplus on a take-it-or-leave-it basis threatens the administration with a loss of revenue which would produce a balanced budget.

It is fully apparent that there is widespread support for providing the administration with sufficient revenue to balance the budget. Congress will meet this responsibility if it has this choice.

However, the administration cannot expect Congress to provide a surplus to widen credit markets for the benefit of the financial sector which has provided no responsible leadership in either fighting inflation or high interest.

It is lazy economics to place the full burden of inflation control on the backs of the average taxpayer who pays taxes.

From the mail I get, the administration's surtax proposal is vigorously urged by those forces of our economy which enjoy the ultimate advantage of tax loopholes and tax shelters. They urge the surtax to protect their advantage—and expect the average taxpayer to pay for this indulgence and privilege.

PERMISSION FOR SUBCOMMITTEE ON CENSUS AND STATISTICS, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, TO SIT TODAY

Mr. CHARLES H. WILSON. Mr. Speaker, I renew my unanimous-consent request for the Subcommittee on Census and Statistics of the Committee on Post Office and Civil Service to sit today while the House is in session. This has been cleared with the ranking minority member.

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

There was no objection.

DECISION IN THE CASE OF ADAM CLAYTON POWELL

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

Mr. HUNGATE. Mr. Speaker, I appreciate the remarks of our colleague from Mississippi. As my colleagues will remember, I was one who disagreed at the time about the wisdom of employing counsel in the Powell case.

I believe that many attorneys are familiar with the situation whereby a court may not have jurisdiction but one can give it to them if one enters an appearance or takes certain action.

I am more discouraged at this point because, if my information is correct, the amount we have paid counsel in the Powell case would have paid Mr. POWELL's salary several times over the 2-year period; although I want to make it clear I disapprove the payment of that. I shall, have, and will continue to disapprove it.

I should like to join my colleague from California in expressing respect for the Court. I am an attorney. Anything which degrades the Court I believe lets down the whole profession. I respect the Court, and I want to respect the Court.

I am pleased Justice Fortas resigned from the Court when his foundation connections were brought forward. I was pleased Justice Douglas resigned from a foundation when its connections with him were shown. He is still on the Court. I was pleased to learn that Justice Burger intends, apparently, to sever his foundation connections as he becomes Chief Justice of the Court.

I am concerned and disturbed by the decision in the Powell case. I wonder if there is any foundation for it?

FLAG DAY COMMITTEE COMMENDED

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

Mr. MONTGOMERY. Mr. Speaker, I would like to take this opportunity to commend the Flag Dag Committee who

planned and executed most impressive Flag Day ceremonies in this Chamber June 12. I would especially like to point out to my colleagues the prayer of invocation that was offered by our Chaplain, Reverend Latch, that day. I feel so strongly about this prayer that I would like to repeat it at this time.

" 'Thou hast given a banner to them that fear Thee, that it may be displayed because of truth.'—Psalms 60: 4.

"Almighty God, we thank Thee for our beloved Republic, for the heritage which is ours, for the traditions and the institutions of a free people which have come down to us through the sacrifices of our fathers, and for which we now must live and labor to keep alive in our day.

"Our hearts are thrilled as we look upon the starry banner, the flag of our United States of America. It speaks of freedom and democracy. It stands for law and order, justice and liberty, for peace and good will to all. It serves to proclaim the good news of a government of the people, by the people, and for the people. May this flag continue to be the symbol of hope to the oppressed, the rainbow of promise to the downtrodden, and the banner of freedom to all men.

"May we celebrate its birth not only with our lips but with the lives devoted to Thee and dedicated to our country. Amen and Amen."

CONSTITUTIONAL CRISIS—THE POWELL DECISION

(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, as a former judge I hold the highest respect for our judicial system. However, my respect does not extend to all individuals serving on the Supreme Court at this time—especially to those Judges who I am convinced abuse their high trust to unconstitutionally alter our system of government. Chief Justice Warren in his swan song has given the American people his final insult, a license to any Member of this body to misappropriate public tax funds under judicial protection from the wrath of honest men. This is exactly how Warren's lameduck decision will be interpreted by the hard-working taxpayers at home.

But the constitutional confrontation is who is running the business of this House? We Members, or a temporary majority of the Supreme Court?

If this House is to bow to court orders controlling the conduct of its internal business—the separation of powers—the Constitution itself is dead.

Regardless of whether the action of the prior House in tolerating judicial interference in its internal affairs was right or wrong—this House is faced with the constitutional crisis.

If we bow to the orders of the Supreme Court it necessarily follows that we become subservient to the orders of any lesser Federal judge.

Mr. Speaker, you may find yourself enjoined from presiding or may even be removed from your position at the suit of a Member or a voter.

The Rules Committee may find itself subjected to writs of mandamus or injunctions in its normal operation.

The entire seniority system of this body could be destroyed by judicial fiat.

Our very freedom of speech on this floor is endangered.

The majority of this House must resolve to take an unrelenting stand in defense of the Constitution which we have sworn to preserve and defend. We must be the master in our house.

The Supreme Court has spoken. How does it propose to enforce its unconstitutional decision?

Mr. Speaker, I strenuously object to the Supreme Court's threatened usurpation.

THE WORLD FAMOUS REPUBLICAN BASEBALL TEAM

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

Mr. CONTE. Mr. Speaker, last week I reported that the world famous Republican baseball team had held its first practice. I want all of you to know that this agile, high-spirited group of "dawn marauders" has continued to train, fearlessly facing the unpredictable forces of nature, the wet, soggy fields, and the early morning hours.

However, despite the presence of field artillery at the Ellipse practice field, Thursday morning, efforts to maintain strict security in concealing the first strike capabilities of the fire-powered Republican team have failed. My team's universal acclaim precedes us, and we must acknowledge that our strategies are well known.

The GOP team has implemented a retaliatory defense to combat the Democrat's "thick" ABM system, referring to their antibaseball monopoly effort. In a sense, our defense strategy is an anti-ABM system called the MIRV, meaning "Measures Insuring a Republican Victory."

I might also add that in this developing "arms race" our record of six wins, including last year's 16-to-1 rout, and one loss will be an instrumental deterrent which will enable us to operate from a position of strength.

My confidence in the GOP sluggers is such that I have tentatively positioned Representative WILMER "VINEGAR BEND" MIZELL in left field rather than on the pitcher's mound lest we be accused of playing foul ball.

I am also pleased to announce that the high standards of this game will be further guaranteed by the presence of, and officiation by, Mr. Bowie Kuhn, Commissioner of Baseball.

So, tomorrow night at R. F. K. Stadium it will be, "Take me out to the ball game."

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

Mr. UDALL. Mr. Speaker, despite the bombastic, self-serving remarks of Mr. CONTE, I ask all of my colleagues to come to R. F. K. Stadium tomorrow night to witness a beating which will be administered to this miserable Republican baseball aggregation that has just been described—a victory which will long be remembered in the annals of sport.

Mr. Speaker, tomorrow night we shall deploy a defense system. It will be quite old and a thin defense system; in fact, in some places, namely the infield and outfield, it will be very thin indeed. I can assure you of this.

We had planned as a surprise to possibly deploy on the pitching mound the gentleman from New York (Mr. POWELL). But in view of today's Supreme Court decision, the passions it has aroused, and the uncertainty of our colleague's status with this body, I can advise the House that we may change plans and deploy on the mound that great athlete, the gentleman from the State of Texas, HENRY "SPEEDY" GONZALEZ. Further decisions at this point will be announced as they occur.

I can say finally to my colleagues that in the tradition of the Democratic team, an aggregation which has suffered so many undeserved beatings in these games, we shall flatly refuse to deploy a single former professional baseball player. We shall rely entirely upon the tired bones of the fading muscles of the humble, ordinary Democratic Members of this House.

MINORITY OF COMMITTEE ON EDUCATION AND LABOR PREVENTS ACTION ON LEGISLATION TO CURB VIOLENCE ON THE NATION'S COLLEGE CAMPUSES

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

Mr. McDONALD of Michigan. Mr. Speaker, for 3 days now a minority of the Committee on Education and Labor has prevented action on a piece of legislation designed to curb violence on the Nation's college campuses.

I am not speaking for this bill today. I note that committee members on both sides of the aisle regard it as moderate legislation.

What disturbs me, and what should disturb every Member of this body, is that important legislation is being held up because a boycott of the committee has prevented the assembling of a quorum.

A minority is denying the entire House the opportunity to pass upon this legislation.

It is perhaps ironic to note that the boycott has been hailed as a "boon" by one of our local papers which in the past has been quick to condemn congressional committees when it felt they were not acting swiftly enough on bills it favored. This is both a double standard and hypocrisy.

This legislation will come to the floor, of course. But in the meantime, the Representatives of 200 million Americans are being denied the right to exercise their constitutional duty by a handful of dissidents. As the gentleman from Illinois (Mr. ERLENBORN) has commented, this action amounts to a "tyranny of the minority."

SUPREME COURT DECISION IN THE POWELL CASE

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, the Powell decision fell on us like a bombshell today. Perhaps we should have expected it, but a decision like this, much like death, is never easy to accept. And, Mr. Speaker, I do not accept it.

Once again the Supreme Court has exceeded it bounds, but this time the Court has completely trampled on the Constitution of these United States in a most fundamental sense. Apparently in the eyes of the Court the three coequal branches of Government no longer exist as the Constitution intended. This is a sad day for this country.

Well, Mr. Speaker, I do not subscribe to such unconstitutional, irresponsible, and improper actions of the Court. The House action in excluding Mr. POWELL in 1967 was correct in my opinion, and I will not be a party to carrying out the orders of the Court in reversing that action.

Let the Court try to enforce its own decree.

PRESIDENT NIXON FACES AVIATION NEEDS

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DEVINE. Mr. Speaker, we must provide for an orderly expansion of civil aviation during the coming decade. In 1968, scheduled airlines logged over 150 million passenger trips, triple that of a decade ago; at the same time, the general aviation fleet almost doubled and the use of air freight quadrupled. That rate of increase is sure to continue for the next 10 years—especially if we prepare for it now.

I am in support of the President's proposal of expending reasonable sums annually for construction of airways facilities and equipment. The average of $93 million per year we have been spending simply is not geared to meet our current requirements.

Although our immediate problem is to meet the needs of the 1970's we must not neglect the requirements of the 1980's in our planning. Consequently, the Nixon program includes a provision for a doubling of development funds, as well as a 50-percent expansion for the operation and maintenance of the air traffic system in the next decade.

SUPREME COURT ERRS IN POWELL DECISION

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

Mr. WYMAN. Mr. Speaker, there is error in the lengthy 62-page opinion in the case of ADAM CLAYTON POWELL against the U.S. House of Representatives. Contrary to the Court's statements in its opinion. POWELL was excluded by the 90th Congress for his activity during the 90th Congress and not for activity in an earlier Congress. The motion to exclude, which required only a majority vote, was proper. The exclusion was proper. A motion for rehearing ought now to be filed with the High Court without delay.

POWELL was excluded by the 90th Congress because in and during that Congress he continued to refuse to account for his expenditure of funds entrusted to his care while chairman of a standing committee of an earlier Congress. He also continued to refuse to explain his conduct as well as compounding his contemptuousness toward the 90th Congress by blatant defiance manifested by repeated public statements and press conferences many of which emanated from Bimini while the 90th Congress was in session in Washington. His duty to respond to the questioning of appropriate officials of the 90th Congress derived from his obligation to that Congress whether or not he had been administered the oath of membership. Failure to respond is certainly action justifying exclusion. I so stated in general debate prior to the vote on March 1, 1967.

The power of the House of Representatives to exclude for such conduct is recognized in the citations and context of the Court's opinion. POWELL was not excluded for something occurring in a prior Congress. The matter should now be reheard and reargued before the High Court at the earliest possible moment. Hopefully, after this has been done, it may be possible to have an opinion in one page that recognizes the inherent constitutionally protected right of the legislative branch of our Government to deal with situations of this type that involve a continuing affront to the dignity and efficacy of the U.S. House of Representatives.

FREE LOW-INCOME FAMILIES FROM INCOME TAX

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

Mr. BENNETT. Mr. Speaker, I was pleased to see that the House Ways and Means Committee has agreed tentatively to support legislation which I introduced 4 years ago, freeing low-income families in the poverty class from the payment of heavy Federal income taxes.

I introduced legislation "to provide assistance to individuals with low incomes by reducing the amount of income tax" on March 29, 1965. My bill, H.R. 962, was introduced in the 91st Congress, on January 3, 1969, and it is identical to the earlier legislation.

It was my feeling 4 years ago and is today that the Federal Government was going directly at the source of a man's livelihood in taxing a person making $3,000 or less, and that this taxing provision led to welfare payments, putting a person on a dole or subsidy.

Rather than subsidize the poverty bracket taxpayer, and subject him to the welfare class, why not reduce or eliminate his Federal income tax? My bill would do this, and I am pleased the Ways and Means Committee supports the legislation in principle.

In his last speech as Secretary of the Treasury in 1965, Douglas Dillon, endorsed the idea of lower taxes for poor people, and I have pushed for enactment of my proposal through three Congresses, including testimony before the Ways and Means Committee in April of this year.

Mr. Speaker, I congratulate the House Ways and Means Committee on its work and support of this proposal and I am hopeful for favorable action by the Congress. Poor people should get a tax break from the Federal Government; it would not only reduce welfare and subsidies, but also provide a degree of dignity to our lower income families who would be free from the dole.

PREPARING FOR THE FUTURE OF AIR TRANSPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–130)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

PREPARING FOR THE FUTURE OF AIR TRANSPORTATION

Years of neglect have permitted the problems of air transportation in America to stack up like aircraft circling a congested airport.

The purpose of air transportation is to save time. This purpose is not served when passengers must wait interminably in terminals; when modern jet aircraft creep at five miles per hour in a long line waiting for takeoff; when it takes longer to land than it takes to travel between cities; or when it takes longer for the air traveler to get to an airport than it does to fly to his destination.

In the tenth year of the jet age, more intercity passenger miles were accounted for by air than by any other mode of common carriage. In 1968, scheduled airlines logged over 150 million passenger trips, triple that of a decade ago; at the same time, the non-airline aircraft fleet almost doubled and the use of air freight quintupled. That rate of increase is likely to continue for the next decade—but it can be accommodated only if we prepare for it now.

The growth in the next decade must be more orderly. It must be financed more fairly. It must be kept safe. And it must not permit congestion and inadequate facilities to defeat the basic purpose of air transportation: to save time.

Air travel is a convenience hundreds of thousands of people take for granted—a means of commerce that millions depend upon for their goods and services. In a nation as large as ours and in a world grown suddenly small, flight has become a powerful unifying force. The ability to transport people and products by air—safely, surely and efficiently—is a national asset of great value and an international imperative for trade and travel.

That ability is being challenged today by insufficiencies in our nation's airports and airways. The demand for aviation services is threatening to exceed the capacity of our civil aviation system. Unless relieved, this situation will further compromise the convenience of air transportation, erode its efficiency and—ultimately—require more regulation if the enviable safety record of the airplane as a means of public and private transportation is to be preserved.

The challenge confronting us is not one of quality, or even of technology. Our air traffic control system is the best in the world; our airports among the finest anywhere. But we simply do not have the capacity in our airways and airports ample to our present needs or reflective of the future.

Accordingly, the Secretary of Transportation is submitting to the Congress today legislative proposals to provide the resources necessary to the air transportation challenges facing us. These proposals are responsive to the short-term as well as the long-range opportunities for civil aviation progress.

IMPROVING OUR AIRWAYS

To provide for the expansion and improvement of the airway system, and for a high standard of safety, this Administration proposes that *the program for construction of airways facilities and equipment be increased to about $250 million annually* for the next ten years. This is in sharp contrast to the average of $93 million appropriated in each of the past ten years, and is responsive to the *substantial expansion in the operation and maintenance of the air traffic system in the next decade.*

While this will provide for the needs of the 70s, development for the 1980s and beyond cannot be neglected. Technology is moving rapidly and its adaptation to provide future solutions must keep pace. Consequently, this program includes a provision for a doubling of development funds.

BUILDING AND IMPROVING AIRPORTS

The proposed airport program consists of both an expanded planning effort and the provision of additional Federal aid for the construction and improvement of airports. The airport systems planning we contemplate at both the Federal and local level will begin a new era of Federal, State and local cooperation in shaping airport development to meet national and local needs.

I propose Federal aid for airport development in fiscal 1970 of $180 million and in fiscal 1971 of $220 million, with continued expansion leading to a total of two and one-half billion dollars in the next ten years. Together with matching grants on a 50–50 basis with State and local governments, this strongly increased program will permit financing of *five billion dollars in new and expanded airfield facilities.*

The proposed fiscal year 1970 program of $180 million would help finance the development of airfield facilities, the conduct of airport systems planning, and airport planning and development activities carried on by States.

Of the $180 million,

—$140 million would be available for grants to air carrier and general aviation airports, with a primary objective of alleviating congestion in the most heavily used air terminals.

—$25 million in grants would be available to aid in the development of airfields used solely by general aviation.

—$10 million would be available in grants to planning agencies to assist them in conducting airport systems planning.

—$5 million would be available for grants to States to carry on airport planning and development activities.

Airport terminal buildings are a responsibility of local airport authorities. The Administration's legislative proposal suggests ways in which those authorities can meet that responsibility.

IMPROVING THE ENVIRONMENT OF TRANSPORTATION

In all planning for airways and airports, it will be the policy of this Administration to consider the relation of air transportation to our total economic and social structure.

For example, existing jetports are adding to the noise and air pollution in our urban areas. New airports become a nucleus for metropolitan development. These important social and conservation considerations must be taken into greater account in future air systems development.

In addition, airport planners must carefully consider the opportunity for business growth and the availability of labor supply. The presence of airport facilities is both a follower of and a harbinger of business and job development.

Most important, government at all levels, working with industry and labor, must see to it that all aviation equipment and facilities are responsive to the needs of the traveler and the shipper and not the other way around. Transportation to airports, whether by public conveyance or private vehicle, is as much a part of a traveler's journey as the time he spends in the air, and must never be viewed as a separate subject. A plane travels from airport to airport, but a person travels from door to door. I have directed the Secretary of Transportation to give special attention to all the components of a journey in new plans for airways and airports improvements.

FINANCING AIR TRANSPORTATION FACILITIES

The Federal Government must exert new leadership in the development of transportation, in the integration of the various modes, and in supporting programs of national urgency.

However, the added burden of financing future air transportation facilities should not be thrust upon the general taxpayer. The various users of the system, who will benefit from the developments, should assume the responsibility for the costs of the program. By apportioning the costs of airways and airports improvements among all the users, the progress of civil aviation should be supported on an equitable, pay-as-we-grow basis.

At present, the Treasury obtains revenues, generally regarded as airways user charges, from airline passengers who pay a five per cent tax on the tickets they buy, and from the operators of aircraft who pay a tax at the effective rate of two cents a gallon on aviation gasoline. The revenues obtained from these taxes are not applied directly to airways expenditures. They are either earmarked for other purposes or go into the general fund of the Treasury.

I propose that there be established a revised and expanded schedule of taxes as follows, the revenues from which would be placed in a Designated Account in the Treasury to be used only to defray costs incurred in the airport and airway programs:

—A tax of eight percent on airline tickets for domestic flights

—A tax of $3 on passenger tickets for most international flights, beginning in the United States

—A tax of five per cent on air freight waybills

—A tax of nine cents a gallon on all fuels used by general aviation.

This new tax schedule would generate about $569 million in revenues in fiscal year 1970, compared with the revenues of $295 million under existing taxes.

To sum up:

—For the airline passenger, the proposed legislation would save his time and add to his safety.

—For the air shipper, it would expedite the movement of his goods, thereby permitting him to improve his services.

—For the private aircraft owner, it would provide improved facilities and additional airports.

—For the airline, it would permit greater efficiencies and enable the carrier to expand its markets by providing greater passenger convenience.

In short, the airways and airports system which long ago came of age will come to maturity. Those who benefit most will be those who most bear its cost, and the nation as a whole will gain from aviation's proven impetus to economic growth.

The revenue and expenditure programs being proposed are mutually dependent and must be viewed together. We must act to increase revenues concurrently with any action to authorize expenditures; prudent fiscal management will not permit otherwise.

These proposals are necessary to the safety and convenience of a large portion of our mobile population, and I recommend their early enactment by the Congress.

RICHARD NIXON.

THE WHITE HOUSE, *June 16, 1969.*

PRESIDENT'S MESSAGE ON FUTURE OF AIR TRANSPORTATION

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, the President's message on the future of air transportation dramatically points up

the need for a new and expanded program if the United States is to move ahead in the 1970's to provide proper safety, adequate operational facilities, and sufficient financing. All segments of the aviation industry should wholeheartedly support the new program for expanded operational and navigational facilities and should endorse the proposals for greater revenue by the users to pay the costs. I certainly do.

The recommended method of financing is one constructive proposal, and the Congress, after examining other alternatives, may well find it the best. By recommending a package proposal for expanded procurement and construction plus additional Federal revenue for financing, the President has presented a constructive program that Congress should consider and approve promptly. The single legislative package approach is the only answer to the serious problem that must be solved if we are to maintain air safety and aviation progress.

Mr. KUYKENDALL. Mr. Speaker, I would like to endorse the forward-looking program enunciated in President Nixon's message on the future of air transportation.

We must provide for an orderly expansion of civil aviation during the next 10 years. In 1968, scheduled airlines logged over 150 million passenger trips. That is three times as many as 10 years ago. At the same time, the nonairline fleet almost doubled and the use of air freight quadrupled. That rate of increase is sure to continue for the next 10 years—especially if we prepare for it now.

For this reason I am in complete support of the President's proposal of expending around $250 million annually for construction of airways facilities and equipment. The average of $93 million per year we have been spending simply is not geared to meet our current requirements.

Although our immediate problem is to meet the needs of the 1970's, we dare not neglect the requirements of the 1980's in our planning. Consequently, this program includes a provision for a doubling of development funds, as well as a 50-percent expansion for the operation and maintenance of the air traffic system in the next decade.

Intelligent and timely planning for growth makes good sense because it saves us money in the long run and enables us to meet our needs in an orderly manner rather than on moving from crisis to crisis as we have been doing for so long.

Mr. BURTON of Utah. Mr. Speaker, my Webster's Seventh New Collegiate Dictionary offers three definitions of transportation. It is the second definition which struck my eye as I glanced there today. It defines transportation this way: "Banishment to a penal colony."

As one who has many, many times suffered the torments of the damned trying to get from my office to the airport, then trying to get a flight that suited my needs, then discovering that the flight would be late in taking off, then discovering that we would be flying long enough in a holding pattern over some crowded airport that I would have time to read—for the 50th time—the instructions for use of oxygen apparatus, then landing to discover that I now had to make my way many miles to the meeting I had so optimistically hoped to make on time—I know that traveling can be a modern version of penal servitude.

And so I greet the President's message with a hosanna and the hope that this great, bold, needed message will meet with the approval of all Members of the Congress, or at least those who are not circling National Airport when it comes time to vote.

Mr. BUSH. Mr. Speaker, air travel has enjoyed a fantastic rate of growth these past few years. The reason is simple—it offers the utmost in convenience, efficiency, safety, and enjoyment. However, this is an industry that is rapidly approaching a "bottleneck."

The demand for aviation services has become so great that the airspace system necessary to accommodate the demand is showing signs of severe strain. The big problem is an airport and airway system that is becoming outstripped by events. Our large cities are particularly hard pressed for enough landing facilities to provide for an efficient flow of air traffic.

The time has come for the Federal Government to exercise a role of leadership and provide financial assistance. This should be done in the form of grants. The grants can be financed through an expanded type of the user tax, as proposed by the President.

We must react now in assisting the aviation industry to meet the requirements our country is demanding.

Mr. BROCK. Mr. Speaker, most of us in Congress are affected to a great extent by the transportation industry, and most particularly the aviation portion. Therefore, we know firsthand that the facilities at many of our major air terminals are deplorable. There seems to be more and more time consumed in needless waiting for tickets, baggage service, and space for taking off and landing. Improvement is needed now, today. We have the necessary technology to accomplish these improvements. The major task facing us today, is one of coordinating Federal and local planning and financing, thereby, providing an atmosphere of friendly cooperation while working in unison.

The Federal Government must lead the way with leadership, technology, and grants. If we fail to take these necessary steps, future growth will be stymied, the element of safety could become a significant factor, and the services we have today will further deteriorate.

I hope all responsible Members of Congress will support the President in his efforts to expand the Nation's airport and airway system.

Mr. WYMAN. Mr. Speaker, the proposals of the President of the United States will go far toward breaking the logjam afflicting present day air travel in this country. At long last President Nixon has grappled directly with the question of providing adequate funding for both commercial and private airport development and operation. No area of greater concern to growing America presses with more urgency on an expanding people than that of air safety, ready mobility, and incentives to both commercial and general aviation operations.

In fiscal 1970 there would be provided nearly $200 million to help finance the development of airfield facilities, planning for airport systems, and supplementing local and State airport planning and development. Not less than $25 million in grants would be available to aid in the development of airfields used solely by general aviation.

In order to finance such operations on an assured and continuing basis it is highly advisable to provide that revenues from airport user charges, aviation gasoline and fuel, and airline tickets, should be earmarked for aviation expenditures only. This has not been done to date, and it is needed now. The increases in taxes are carefully weighted so as, in the opinion of experts in the field, not to discourage consumption or travel to the point of diminishing returns. As the President states the revenue and expenditure programs are mutually dependent. Failure to provied for revenues to meet the charges for needed safety measures would be fiscal irresponsibility. As a member of the House Republican task force on transportation I endorse and support President Nixon's recommendations and urge their speedy implementation by this Congress.

Mr. STEIGER of Wisconsin. Mr. Speaker, I want to add my voice to those commending President Nixon today for the comprehensive approach of his message on the future of air transportation.

It is well past the time that the Nation needs to look at air transportation as a whole, not as just the sum of its parts. We need to consider the fact that the commercial air traveler does not travel only from airport to airport. He travels from his office to his customer's office. Or he travels from his home to the home of another. He does not travel from city to city, he travels from door to door. It is necessary to consider ground transportation to and from the airport, parking facilities and air terminal services as well as the time spent in the air to get a picture of all components of a journey. President Nixon has correctly expressed a concern for the total needs of transportation.

We further need to consider the fact that not all business travel is commercial travel. In my part of the country, in central Wisconsin, commercial travel and shipping service is not available in some cities where important industries are located. It is very important that we give proper consideration to the valuable role of general aviation.

Finally it is important to remember that the problems of air transportation are not entirely problems of the Federal Government. Airport terminal facilities,

for instance, are a responsibility of local airport authorities.

The Federal Government must exert new leadership in the development of air transportation. The President's thoughtful analysis of the problem is a welcome first step toward a reevaluation of air transportation policy.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the subject of the President's message.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

DISCONTINUANCE OF ANNUAL REPORT TO CONGRESS AS TO ADMINISTRATIVE SETTLEMENT OF PERSONAL PROPERTY CLAIMS

The Clerk called the bill (H.R. 4246), to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees.

Mr. HALL. Mr. Speaker, I ask unanimount consent that the bill be passed over without prejudice.

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

There was no objection.

AMENDING UNITED STATES CODE TO AUTHORIZE SECRETARY CONCERNED TO MAKE PARTIAL PAYMENTS ON CERTAIN CLAIMS

The Clerk called the bill (H.R. 4247), to amend section 2734 of title 10, United States Code to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

AMENDING SECTION 336(c) OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (H.R. 3666) to amend section 336(c) of the Immigration and Nationality Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know if it is the intent of those who have presented this bill that it leave with the various States of the Union the right of determination, following naturalization, with respect to complete voting privilege?

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

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

Mr. FEIGHAN. Mr. Speaker, this will in no way interfere with the operation of any State election.

Mr. HALL. This would not affect them at any time, except to change the presidential election—the general elections—for 60 days prior thereto?

Mr. FEIGHAN. That is the only change: permitting naturalization within the period of 60 days preceding a general election.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, is the gentleman saying that with the passage of this bill we would no longer need fear block voting and colonization of votes as was practiced in days gone by, the use of which at one time brought a Member to Congress who was subsequently thrown out by the House? Is the gentleman saying that the laws of the various States have been so amended that there is no longer block voting or colonization of votes?

Mr. FEIGHAN. Mr. Speaker, I see no fear of block voting today. This merely provides that within that period of 60 days preceding a general election, if all the requirements of the law are complied with, a person may be nationalized.

Mr. GROSS. Mr. Speaker, the gentleman's report takes note of the fact that, in days gone by, immigrants were the victims of block voting and colonization, as it was called—colonization of voting. I just want to be sure when we change a law with respect to immigrants that the situation of days gone by—and an unholy situation it was—will not again recur.

Mr. FEIGHAN. It will not, because in the previous instances the laws governing application for an immigrant to be a citizen were not as stringently enforced as they are at the present time. The residence requirements of the Immigration and Nationality Act for Naturalization and the stricter election laws enacted by the States now effectively prevent such abuses.

Mr. GROSS. Then the gentleman is giving the House that assurance?

Mr. FEIGHAN. Yes, indeed.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Ohio, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

There being no objection, the Clerk read the bill, as follows:

H.R. 3666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 336(c) of the Immigration and Nationality Act is hereby amended to read as follows:

"(c) Except as otherwise specifically provided in this title, no final hearing shall be held on any petition for naturalization nor shall any person be naturalized nor shall any certificate of naturalization be issued by any court within a period of thirty days after the filing of the petition for naturalization. The Attorney General may waive such period in an individual case if he finds that the waiver will be in the public interest."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

AMENDING SECTION 336(c) OF THE IMMIGRATION AND NATIONALITY ACT

(Mr. FEIGHAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, I introduced H.R. 3666 to repeal that part of section 336(c) of the Immigration and Nationality Act which serves no useful purpose today and which merely results in an inconvenience to petitioners for naturalization, administrative personnel, and the courts.

Section 336(c) of the Immigration and Nationality Act bars the taking of the final oath and acquisition of U.S citizenship within the 60-day period preceding a general election. This provision was incorporated in the Immigration and Nationality Act from prior laws which were enacted to prevent the old political bosses from rushing aliens through naturalization merely to vote in a particular election. Today, there are strict election laws enacted by every State and by local jurisdictions which effectively prevent such abuses. This bill is a result of consultations with bar associations which endorse its enactment and officials of the Department of Justice who recommend enactment. Naturalization for an alien is a most important step and the law should be amended, where needed, to assure the orderly course of naturalization proceedings.

OLDER AMERICANS ACT AMENDMENTS OF 1969

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 11235

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 "Older Americans Act Amendments of 1969".

EXTENSION OF PROGRAMS

SEC. 2. (a) The second sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking "and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums as the Congress may hereafter authorize by law" and inserting in lieu thereof "$20,-

000,000 for the fiscal year ending June 30, 1970, $25,000,000 for the fiscal year ending June 30, 1971, and $30,000,000 for the fiscal year ending June 30, 1972".

(b) Section 603 of such Act (42 U.S.C. 3053) is amended by striking out "and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$12,000,000 for the fiscal year ending June 30, 1970, $15,000,000 for the fiscal year ending June 30, 1971, and $20,000,000 for the fiscal year ending June 30, 1972".

EXTENSION OF DURATION OF PROJECT SUPPORT

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, the last sentence of section 302(c) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended:

(1) by inserting "such percentage of the cost of any project as the State agency (designated or established pursuant to section 303(a)(1)) may provide but not in excess of" before "75 per centum";

(2) by striking out "the third year of such project" and all that follows down to but excluding the period and inserting in lieu thereof "the third and any subsequent year of such project".

(b) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a)(2) (42 U.S.C. 3023) of such Act is amended by striking out "after termination of Federal financial support under this title".

STATE PLAN REQUIREMENTS FOR PLANNING, COORDINATION, AND EVALUATION

SEC. 4. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out ", and for coordinating the activities of such agencies and organizations to the extent feasible" in clause (3); by redesignating clauses (4) through (8) as clauses (5) through (9), respectively; and by adding the following new clause after clause (3):

"(4) provides for statewide planning, coordination, and evaluation of programs and activities related to the purposes of this Act in accordance with criteria established by the Secretary after consultation with representatives of the State agencies established or designated as provided in clause (1);".

(b) Effective for fiscal years beginning after June 30, 1969, section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended to read as follows:

"PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

"SEC. 304. (a) There are authorized to be appropriated $5,000,000 each for the fiscal year ending June 30, 1970, and the next two fiscal years for making grants to each State, which has a State plan approved under this title, to pay such percentage, not in excess of 75 per centum, as the State agency (established or designated as provided in section 303(a)(1)) may provide, of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of this Act and of administering the State plan approved under this title.

"(b)(1) From the sum appropriated for a fiscal year under subsection (a), the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa shall be allotted an amount equal to one-half of 1 per centum of such sum or $25,000, whichever is greater, and each other State shall be allotted an amount equal to 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

"(3) A State's allotment for a fiscal year under this section shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2); except that if such sum is for any State, other than the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa, less than $75,000 it shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing such sum for each of the remaining States (except the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa), but with such adjustments as may be necessary to prevent such sum for any of such remaining States from being reduced to less than $75,000.

"(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the Secretary determines will not be required for meeting the costs in such State referred to in subsection (a) shall be reallotted from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in meeting the costs referred to in subsection (a) for sums in excess of those previously allotted to them under subsection (b) and (2) will be able to use such excess amounts for meeting such costs during the period for which the original allotment was available. Such reallotments shall be made on the basis of such need and ability, after taking into consideration the population aged sixty-five or over. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (b).

"(d) The allotment of any State under subsection (b) for any fiscal year shall be available for payments pursuant to this section to State agencies which have provided reasonable assurance that there will be expended for the purposes for which such payments are made, for the year for which such payments are made and from funds from State sources, not less than the amount expended for such purposes from such funds for the fiscal year ending June 30, 1969."

(c)(1) The heading of title III of the Older Americans Act is amended to read "TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING".

(d) Section 302 of such act is amended by—

(1) deleting the word "title" in subsection (a)(3) and inserting in lieu thereof "section"; and

(2) deleting the phrase "for carrying out the State plan (if any) approved under this title" in subsection (b) and inserting in lieu thereof "for grants with respect to projects in the State under this title".

AUTHORIZATION OF AREAWIDE MODEL PROJECTS UNDER TITLE III

SEC. 5. Title III of the Older Americans Act of 1965 is amended by redesignating section 305 as section 306, and inserting after section 304 the following new section:

"AREAWIDE MODEL PROJECTS

"SEC. 305 (a). The Secretary is authorized, upon such terms as he may deem appropriate, to make grants to or contracts with State agencies established or designated as provided in section 303(a)(1) to pay not to exceed 75 per centum of the cost of the development and operation of statewide, regional, metropolitan area, county, city, or other areawide model projects for carrying out the purposes of this title, to be conducted by such State agencies (directly or through contract real arrangements). Such projects shall provide services for, or create opportunities for, older persons, and shall be in fields of service and for categories of older persons determined in accordance with regulations prescribed by the Secretary after consultation with representatives of such State agencies.

"(b) There are authorized to be appropriated to carry out this section $5,000,000 for the fiscal year ending June 30, 1970, and $10,000,000 each for the fiscal year ending June 30, 1971, and the fiscal year ending June 30, 1972."

REALLOTMENT

SEC. 6. The first sentence of subsection (b) of section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by striking out "the State notifies the Secretary will" and inserting in lieu thereof "the Secretary determines will".

EXTENSION OF CONTRACT AUTHORITY FOR RESEARCH AND DEVELOPMENT PROJECTS

SEC. 7. (a) Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3031) is amended by striking out "any such agency" and inserting in lieu thereof "any agency".

(b) Such section is further amended by (1) striking out "or" at the end of paragraph (c); (2) striking out the period at the end of paragraph (d) and inserting in lieu thereof ";"; and (3) inserting at the end thereof the following new paragraphs:

"(e) to collect and disseminate, through publications and other appropriate means, information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this title; or

"(f) to conduct conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title."

TRAINING PROJECTS

SEC. 8. Section 501 of the Older Americans Act of 1965 (42 U.S.C. 3041) is amended to read as follows:

"SEC. 501. The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution and contracts with any agency, organization, or institution, for—

"(a) the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act and the development of curriculums for such training;

"(b) the conduct of studies of the need for trained personnel to carry out such programs;

"(c) the preparation and dissemination of materials, including audiovisual materials and printed materials, for use in recruitment and training of such personnel;

"(d) the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title; and

"(e) the publication and distribution of information concerning studies, findings, and other materials developed in connection with activities under this title."

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

SEC. 9. The Older Americans Act of 1965 is amended by redesignating title VI as title VII and sections 601, 602, and 603 as sections 701, 702, and 703, respectively, and by inserting after title V the following new title:

"TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

"PART A—RETIRED SENIOR VOLUNTEER PROGRAM

"GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

"SEC. 601. (a) In order to help retired persons to avail themselves of opportunities for voluntary service in their community, the Secretary is authorized to make grants to State agencies (established or designated pursuant to section 303(a)(1)) or grants to

or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service programs under this section, if he determines in accordance with such regulations as he may prescribe that—

"(1) volunteers shall not be compensated for other than transportation, meals, and other out-of-pocket expenses incident to their services;

"(2) only individuals aged sixty or over will provide services in the program (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (a) on publicly owned and operated facilities or projects, or (b) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

"(3) the program will not result in the displacement of employed workers or impair existing contracts for services;

"(4) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and provides for the payment of the reasonable expenses of trainees;

"(5) the program is being established and will be carried out with the advice of persons competent in the field of service being staffed, and of persons with interest in and knowledge of the needs of older persons; and

"(6) the program is coordinated with other related Federal and State programs.

"(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

"(c) The Secretary shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 303(a)(1), such agency is the recipient of the award or such agency has had not less than sixty days in which to review the project application and make recommendations thereon.

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 603. There are authorized to be appropriated, for grants or contracts under this part, $5,000,000 for the fiscal year ending June 30, 1970, $10,000,000 for the fiscal year ending June 30, 1971, and $15,000,000 for the fiscal year ending June 30, 1972.

"PART B—FOSTER GRANDPARENT PROGRAM

"SEC. 611. (a) The Secretary is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay not to exceed 90 per centum of the cost of the development and operation of projects designed to provide opportunities for low-income persons aged sixty or over to render supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services as "Foster Grandparents" to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs.

"(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

"CONDITIONS OF GRANTS AND CONTRACTS

"SEC. 612. (a)(1) In administering this part the Secretary shall—

"(A) assure that the participants in any project are older persons of low income who are no longer in the regular work force;

"(B) award a grant or contract only if he determines that the project will not result in the displacement of employed workers or impair existing contracts for services.

"(2) The Secretary shall not award a grant or contract under this part which involves a project proposed to be carried out throughout the State or over an area more comprehensive than one community unless—

"(A) the State agency (established or designated under section 303(a)(1)) is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

"(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency.

"(3) The Secretary shall not award a grant or contract under this title which involves a project proposed to be undertaken entirely in a community served by a community action agency unless—

"(A) such agency is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

"(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency; and

"(C) if such State has a State agency established or designated pursuant to section 303(a)(1), such agency has had not less than 45 days in which to review the project application and make recommendations thereon.

"(b) The term 'community action agency', as used in this section, means a community action agency established under title II of the Economic Opportunity Act of 1964.

"INTERAGENCY COOPERATION

"SEC. 613. In administering this part, the Secretary shall consult with the Office of Economic Opportunity, the Department of Labor, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this part with other public or private programs or projects carried out at State and local levels. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this part and in promoting the identification and interest of low-income older persons whose services may be utilized in projects under this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 614. There are authorized to be appropriated for grants or contracts under this part, $15,000,000 for the fiscal year ending June 30, 1970, $20,000,000 for the fiscal year ending June 30, 1971, and $25,000,000 for the fiscal year ending June 30, 1972.

TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 10. (a) Section 102(3) of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by striking "and American Samoa" and inserting in lieu thereof, "American Samoa, and the Trust Trritory of the Pacific Islands".

(b) Section 302(a)(1) of such Act (42 U.S.C. 3022) is amended by striking "and American Samoa" and inserting in lieu thereof "American Samoa and the Trust Territory of the Pacific Islands".

PUBLIC ASSISTANCE

SEC. 11. For the purposes of section 701 of the Economic Opportunity Act of 1964, payments made to or on behalf of any person under a project (of the kind formerly carried on under the Economic Opportunity Act of 1964) assisted under the title VI of the Older Americans Act of 1965, added thereto by this Act, shall be deemed to be payments made to or on behalf of such person under title I of the Economic Opportunity Act of 1964.

EVALUATION

SEC. 12. The title of the Older Americans Act of 1965 herein redesignated as title VII is amended by adding at the end thereof the following new section:

"EVALUATION OF PROGRAMS

"SEC. 704. Such portion of any appropriation under title III or VI or section 703 for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this Act and, in the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly."

JOINT FUNDING OF PROJECTS

SEC. 13. The Older Americans Act is further amended by adding at the end thereof) after section 704, added by section 12 of this Act) the following new section:

"JOINT FUNDING OF PROJECTS

"SEC. 705. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency, organization, institution, or person assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose."

The SPEAKER. Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, I am pleased to bring before the House for its consideration H.R. 11235, a bill to amend the Older Americans Act of 1965. Much of the credit for this important piece of legislation goes to two of our distinguished colleagues, Congressman BRADEMAS of Indiana and Congressman REID of New York, who have worked closely together on the development of this bill. Mr. BRADEMAS and the members of his Select Subcommittee on Education held hearings on a number of bills to amend the Older Americans Act, and as a result

of their deliberations recommended the bill we are considering today. I heartily endorse their recommendations as do the other members of the Committee on Education and Labor.

I do not need to point out how great a debt we owe to our older citizens. They have given of themselves to make this country, and now we must act to insure for them a life of dignity and honor in retirement.

In 1965 Congress took historic action in passing the Older Americans Act. As a result of this action, over 1,000 programs benefiting older Americans have been initiated. Priorities in these programs have been primarily determined by the States in cooperation with local community leadership. In addition, this Federal-State-local partnership has stimulated greater commitment by private auspices on behalf of the older citizen. H.R. 11235 is designed to make the program even more responsive to the hopes of older Americans and to strengthen the capabilities of State agencies to fulfill the objectives set by Congress in the 1965 act.

Specifically, the amendments will extend the duration of the grant programs of the act; promote planning and coordinated action on behalf of older people at the State level; permit States to continue beyond the third year community projects providing important services; and offer older persons opportunitites to be of service to their less fortunate neighbors.

These are strong foundation blocks in building a network of services to meet the needs of our Nation's elderly. Action is essential in view of the fact that the United States is experiencing a net gain daily of over 800 persons in the 65-plus age group. This is 1 million new citizens of retirement age every 3 years. At the same time, technological advances are reducing the need for man as a producer in our economy. We have been able to retire manpower at earlier ages. The combination of increased lifespan and lower retirement age has created both a privilege and a dilemma for our Nation. For the first time in history, every citizen appears assured of a retirement period in his life. That period averages nearly 14 years and represents over 30,000 hours of time. How to live in dignity on a fixed income and occupy that time in activities which give a sense of purpose to life is the dilemma. It has national significance because of the numbers facing this dilemma and the rising cost of living in the retirement years. For example, some 68 years ago there were slightly over 3 million persons over age 65 in the United States. In the next 30 years the number doubled to six and a half million. But in the next 30-year period from 1930 to 1960, the number increased to over 16½ million persons 65 plus; and in the last 8 years, there has been an additional increase of three and a half million persons in this age group.

The startling fact is that the projections of approximately 30 million over age 65 within 30 years is very likely to be too conservative, due to the advances in medical knowledge in such diseases of the elderly as heart disease and cancer.

This Nation must act today to meet the challenges and the opportunities which such advances are bringing about. To fail to act now to strengthen State and local capabilities to cope with these issues at the individual and community level is to invite complex national issues in the future.

I can speak with special enthusiasm for these amendments for they are based on positive plans rather than as a simple reaction to problems already overwhelming us.

The strengthening of the State agencies on aging is essential if the intent of Congress as expressed in section 101 of the Older Americans Act is to be realized. Testimony has supported the need for a strong, viable unit on aging which can plan, coordinate, stimulate and give focus and visibility to the issues in aging. As existing agencies and institutions seek to meet responsibilities, greater need to coordinate resources and energies has become evident. As private and local concerns are expressed, greater capacity for consultation and expert leadership are demanded of the State agencies designated under the Older Americans Act. It has become evident that a substantial strengthening of the State agencies is imperative if local resolution of many of the present and potential issues in aging is to be a key part of our Nation's program.

State agencies on aging are also given increased authority to determine the time period for Federal support of title III projects. Under present law, Federal support is available for 3 years on a declining 75- 60-, 50-percent matching formula. Upon enactment of these amendments the States would be able to continue funding projects with Federal moneys at not more than a 50-percent matching level. The States would be expected to carefully evaluate projects to determine their merits before continuing support beyond the third year.

In addition, the bill authorizes the Secretary of Health, Education, and Welfare to make grants to and contracts with State agencies on aging for areawide model projects. These projects would provide services or create opportunities for older persons, and would be in fields of service and for categories of older persons determined by the Secretary in consultation with the State agencies. The projects would provide State agencies an important new tool for the development of statewide, regional, metropolitan area, county, city, or other areawide model projects.

I am also enthusiastic about the new national older Americans volunteer program which these amendments authorize. Older Americans need more opportunity to give, to have purpose, and to share the experiences they have built up over their lifetimes.

Since passage of the original act in 1965, many opportunities for work, recreation, and education have been developed. Hundreds of senior centers have been established. Part-time jobs have been found for older people. Services such as homemakers, housekeeping, and shopping assistance have made it possible for many older people to live independently, even though they may be temporarily ill, or frail. For the homebound older persons, friendly visiting and telephone reassurance services are helping those people to realize that someone is concerned for their welfare.

This, I think, is a striking combination of one older person's need to be useful, with another's need to combat loneliness. In this, we add the ingredients of heart and hope to the more mundane considerations of money.

The provisions of H.R. 11235 will expand greatly opportunities for older people to serve as aides or tutors in day-care centers or nursery schools and for older people to serve other older persons in need of special personalized assistance.

The new program envisioned by this bill would consist of a retired senior volunteer program and a foster grandparent program. Both of these programs provide opportunities for retired persons over the age of 60 to contribute to their communities.

Under the retired senior volunteer program, volunteers would not be compensated for other than transportation, meals, and other out-of-pocket expenses incident to their services.

On the other hand, in keeping with its emphasis on participation of low-income older persons, the foster grandparent program would permit the payment of the equivalent of a stipend to enable those below the poverty line to contribute their services to children having exceptional needs.

The foster grandparent program will establish on a permanent basis an extremely successful demonstration program initiated by the Administration on Aging and the Office of Economic Opportunity under an OEO contract.

The reports on this program which has been operating for about three and a half years clearly highlight the benefits to older people who participate as volunteers and to the children they serve. Children who have been classified as "unmanageable" are now well behaved. Children who could not communicate or feed themselves can now do both. And, many of the foster grandparents themselves rate better on their physical examinations after having served in this role for several months than they did when entering the program.

Mr. Speaker, H.R. 11235 extends the Older Americans Act for 3 additional years, and provides a total authorization over the 3-year period of $252 million. The total authorization for title III programs of community projects, State activities, and areawide model projects recommended for fiscal year 1970 is $30 million, for fiscal year 1971 $40 million and for fiscal year 1972 $45 million. For titles IV and V, providing for research and development and training projects, $12 million is authorized for fiscal year 1970, $15 million for fiscal year 1971 and $20 million for fiscal year 1972. At this point, Mr. Speaker, I should like to insert a chart which provides a history of the funding of the Older Americans Act and outlines the specific authorizations recommended for fiscal years 1970, 1971, and 1972:

HISTORY OF THE FUNDING OF THE OLDER AMERICANS ACT

Title	Fiscal year 1966		Fiscal year 1967		Fiscal year 1968		Fiscal year 1969		Fiscal year 1970	
	Authorization	Appropriation	Authorization	Appropriation	Authorization	Appropriation	Authorization	Appropriation	Proposed authorization [1]	Budget request
III—State and community programs on aging	$5,000,000	$5,000,000	$8,000,000	$6,000,000	$10,550,000	$6,400,000	$16,000,000	$16,000,000	$30,000,000	$13,000,000
IV—Research and development projects / V—Training projects	1,500,000	1,500,000	3,000,000	3,000,000	6,400,000	6,400,000	10,000,000	7,000,000	12,000,000	6,110,000
Pt. A—Volunteers [1]									15,000,000	9,250,000
Pt. B—Foster grandparents [1]									5,000,000	0
Total	6,500,000	6,500,000	11,000,000	9,000,000	16,950,000	12,800,000	26,000,000	23,000,000	[1] 62,000,000	28,360,000

[1] H.R. 11235 extends the provisions of the Older Americans Act of 1965 for 3 fiscal years, with the following authorizations:

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
Title III—State and community programs on aging:			
Projects	$20,000,000	$25,000,000	$30,000,000
State activities	5,000,000	5,000,000	5,000,000
Areawide model projects	5,000,000	10,000,000	10,000,000
Subtotal	(30,000,000)	(40,000,000)	(45,000,000)
Title IV—Research and development projects / Title V—Training projects	12,000,000	15,000,000	20,000,000

	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
Title VI—Older Americans volunteer program:			
Part A—Volunteer service projects	$5,000,000	$10,000,000	$15,000,000
Part B—Foster grandparents	15,000,000	20,000,000	25,000,000
Total	62,000,000	85,000,000	105,000,000

In summary, I urge that H.R. 11235 be passed without delay. Our States and communities and our private institutions and agencies need all the resources we can give them to meet the needs of our growing older population. These amendments are a firm step in the right direction.

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

Mr. PERKINS. I yield to the gentleman.

Mr. MARTIN. This bill was scheduled last Tuesday morning for a hearing before the Committee on Rules, was it not?

Mr. PERKINS. That is correct.

Mr. MARTIN. But no hearing has been held?

Mr. PERKINS. The committee was busy at that time.

Mr. MARTIN. Which committee was busy?

Mr. PERKINS. It was the committee's intent originally to bring the bill up under suspension. You will recall a similar bill was passed under suspension last year. Since a hearing before the Rules Committee was not held last week it was scheduled for suspension today.

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

Mr. PERKINS. Mr. Speaker, I yield myself 4 additional minutes.

Mr. MARTIN. Will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. MARTIN. When you say the committee was busy, you are referring to the Committee on Education and Labor?

Mr. PERKINS. Also your committee was busy on the cigarette bill.

Mr. MARTIN. We have your bill scheduled.

Mr. PERKINS. I know. That is correct.

Mr. MARTIN. Of the $26 million authorized for fiscal 1969 how much was actually appropriated for this program?

Mr. PERKINS. All of the $28,360,000, the money in the HEW appropriation, was spent.

Mr. MARTIN. I am asking for fiscal year 1969, the current fiscal year. Your authorization was $26 million in the present law. How much of that was actually appropriated?

Mr. PERKINS. There was a $23 million appropriation, and I understand most of that was expended.

Mr. MARTIN. The gentleman does not have the exact figures?

Mr. PERKINS. Twenty-three million dollars was appropriated.

Mr. BRADEMAS. Will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Twenty-three million dollars was expended.

Mr. MARTIN. That was appropriated.

Mr. BRADEMAS. Yes.

Mr. MARTIN. For the previous 3 years the total authorization, if I add it up correctly, was $34.4 million and the authorization contained in this bill for the next 3 years is a total of $252 million, which is a considerable increase in authorizations for the next 3 years over the past 3 years.

Mr. Speaker, there is another question I would like to ask the gentleman. This report contains no letter from any department downtown, neither from the Department of Health, Education, and Welfare nor the Bureau of the Budget. Does the gentleman have approval from HEW and the Bureau of the Budget for this legislation as it is written with a $250 million authorization?

Mr. PERKINS. The Department of Health, Education, and Welfare has actively supported this legislation. Insofar as the Bureau of the Budget is concerned, of course, they very seldom, if ever, go along with the authorizations we recommend. I know the gentleman is well acquainted with that.

Mr. MARTIN. In other words, the gentleman does not have the approval by the Bureau of the Budget of this tremendous sum?

Mr. PERKINS. The administration approves this measure.

Mr. MARTIN. But the Bureau of the Budget does not approve of it. Is that correct?

Mr. PERKINS. As I said, I know the administration approves of it.

Mr. MARTIN. Is it not customary to get the viewpoint of the Bureau of the Budget in regard to legislation?

Mr. PERKINS. It is customary to get the viewpoint of the agency or the department of the Government concerned with administering the legislation. That is HEW in this case, and they have approved it.

Mr. MARTIN. I am talking about the reduction in Federal expenditures, the $4 billion cut in total expenditures, for fiscal year 1970. It seems to me we are not following the practice very astutely in increasing that and passing here today a $250 million authorization bill for the next 3 years.

Mr. PERKINS. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Speaker, I am very pleased to rise in support of H.R. 11235, a bill to extend the Older Americans Act of 1965 and for other purposes. I should like at the outset, Mr. Speaker, to make two or three observations before I comment on the substance of the bill.

First, I want to pay tribute to my subcommittee colleagues on both sides of the aisle for their significant contributions to this legislation and in particular to the ranking minority member of the subcommittee, the gentleman from New York (Mr. REID) who introduced a bill which, with the addition of certain features proposed by the Nixon administration, represents the basis of H.R. 11235, the legislation now pending before us.

I should like to also express my appreciation to the gentleman from New Jersey (Mr. DANIELS) who so ably guided this measure in earlier years, as well as to the gentlewoman from Hawaii (Mrs. MINK), the gentleman from Washington (Mr. MEEDS), and the gentleman from Pennsylvania (Mr. GAYDOS) who worked tirelessly on this legislation on the majority side, and the gentleman from New York (Mr. REID), the gentleman from California (Mr. BELL), the gentleman from Wisconsin (Mr. STEIGER), the gentleman from Florida (Mr. COLLINS), and the gentleman from Idaho (Mr. HANSEN) on the minority side.

As you know, Mr. Speaker, the Committee on Education and Labor does not always agree on everything that comes before it. I think, therefore, it is of some

significance that the bill now pending before us was reported out of the full Committee on Education and Labor with only one dissenting vote. This wide bipartisan support of the bill is to me an indication of the farsighted bipartisanship which the Older Americans Act Amendments of 1969 and the programs which it authorizes enjoy.

Again, Mr. Speaker, I think this measure contains a feature which was proposed by the gentleman from New York (Mr. REID) and one which was strongly supported by the members of the subcommittee and which also embodies one of the principal aims of President Nixon's administration.

I think I read in the newspapers just a few days ago where the First Lady was on her way to the west coast to lend her full support to the encouragement of what the President has described as the small, splendid efforts of individuals in their own communities who serve as volunteers in a variety of private, nongovernmental activities.

In this spirit I call attention to the feature in this bill which authorizes a retired senior volunteers program—or RSVP—which is aimed precisely at providing encouragement of volunteer efforts on the part of older persons, 60 years of age and older, in service projects of various kinds in their own home communities.

The retired senior volunteer program will consist of project grants to State agencies on aging or private nonprofit organizations for paying the cost of developing and/or operating programs of volunteer service by the elderly. This program will provide such opportunities as:

First, compensating volunteers for transportation, meals, and out-of-pocket expenses; thereby not penalizing them for being willing to serve;

Second, restricting participation to those over 60;

Third, augmenting, rather than substituting for, the services of employed workers;

Fourth, including necessary short-term training for volunteers to insure that the quality of services rendered meets professional standards.

Fifth, providing that projects will benefit from the advice of experts in the field of service being rendered and in the field of aging; and

Sixth, provided that projects will be coordinated with related Federal and State efforts.

Thus for a very modest investment, significant numbers of older persons will shortly be involved in contributing a variety of useful services to the Nation.

The bill also provides legislative authority for payment of administrative costs of State agencies charged with implementing the Older Americans Act, wherein the cost is separate and apart from project costs.

Now, Mr. Speaker, let me here observe that there are today nearly 20 million Americans who are 65 years of age or over, and it is estimated by experts in the field that by the year 1980 there will be 25 million Americans in this age group. This bill represents an effort to help meet some of the legitimate needs of these older citizens, needs reflected in the original Older Americans Act of 1965.

In my opinion the accomplishments under this act are already notable: more than 1,000 community programs for older persons have come into being since 1965; groundbreaking research and demonstration programs concerning older persons' needs for nutrition and transportation and comprehensively planned and delivered services have been conducted since 1965; 15 long-term graduate training programs providing a new type of graduate in social gerontology have been initiated since 1965; and 4,000 foster grandparents have been trained and set to work in institutions since 1965 to provide the undemanding love that too often only an older person can bring to a child in need. These and other imaginative and necessary activities have sprung up and flourished as a result of enactment of the Older Americans Act. H.R. 11235 will build upon the base which has already been established. It will provide new strength and flexibility to a Federal-State-local partnership which has already demonstrated its potential in creating services and opportunities for older Americans.

By enacting H.R. 11235, we will say not only to the Department of Health, Education, and Welfare but to all Federal departments and agencies, not only to the State agencies on aging but to all State agencies, not only to the public and private community organizations concerned with the elderly but to all community institutions, that the Congress of the United States reaffirms its commitment that the Nation shall achieve the 10 objectives which begin the Older Americans Act, that it is an obligation and an opportunity for all younger persons in this country to assist in redeeming our pledge, and that the task should begin through a new dedication on the part of every administrator at every level of government to examine the programs of his organization to see that the interests of older persons are effectively represented and considered there. For I submit, Mr. Speaker, that troubled as we all are at the discontent which arises daily from our youth, we should not be surprised at their cynicism when our generation talks about dignity and freedom for all citizens while their generation can observe on all sides evidence of how this Nation rewards its elderly who have worked hard, tried to live well, and ask nothing but a chance to live in dignity and to make continued contributions.

I will now briefly review and explain various sections of H.R. 11235. The order in which I will proceed is dictated by the bill's construction not the relative importance I attribute to each section.

Section 2 of the bill provides new authorization for appropriations for State-awarded projects of $20 million for fiscal year 1970, $25 million for fiscal year 1971, and $30 million for fiscal year 1972. I believe these amounts are modest in view of the pressing needs which have barely been touched by the 1,000 title III community projects. New authorization for appropriations for the research and demonstration projects conducted under title IV and the training projects conducted under title V are also provided for. The amounts are $12 million for 1970, $15 million for 1971, and $20 million for 1972. We must remember that the field of aging is young and, as such, thirsts for new technology and for new manpower to apply that technology. If we are serious about our intention to improve the quality of life for older persons, then we fool ourselves when we stint on our research, demonstration, and training efforts.

Section 3 adds an optional continuance of Federal support of community projects which, in the judgment of State agencies on aging, have proven their merit in terms of delivering services or providing opportunities to older Americans and contributing to the development of a network of comprehensive, coordinated services available to all older people. Federal support for any year after the second year will be at a dollar-for-dollar matching rate. This will replace the present 3-year limitation on Federal support for title III projects.

I am particularly impressed with the foresight, good judgment, and responsibility of the New York State Legislature which, from the onset of the Older Americans Act, has appropriated on a formula basis one-half of the required local matching for community projects. I hope that the day is not too distant when all States will assume a similar role in meeting the needs of their older people.

Section 4 changes title III in several important respects:

First. It charges the States to engage in comprehensive planning, coordination, and evaluation of all programs related to the act's 10 objectives in accordance with criteria established by the Secretary of Health, Education, and Welfare after consultation with the State agencies on aging;

Second. It establishes a separate appropriation for paying 75 percent of the cost of planning, coordination, evaluation, and administration of the State plan. Heretofore, State agencies were permitted to pay 50 percent of the cost of administering the State plan by using 10 percent or $25,000, whichever is larger, of their title III allotment for community projects. The separate appropriation and the additional measures which I am about to describe reflect the importance our committee affords to State agency activity; it is equal in status to community project activity. The 75 percent matching ratio will now support State agencies on aging at the same ratio which prevails in most Federal-State programs.

Third. It provides that each State and Puerto Rico and the District of Columbia will receive a minimum of $75,000 to match for administration of the State plan as opposed to the current minimum of $25,000. This will permit a badly needed strengthening of the staff capabilities of the State agencies on aging.

Fourth. It authorizes appropriations of $5 million each year for fiscal years 1970–72 for allotment to the States to pay the Federal share of administering the State plan and provides for reallotment of funds unused by any State to other

States which can use them for planning, coordination, evaluation, and other State plan activities. This achieves a clear separation of these funds from those intended for project grants under title III.

Section 5 establishes a new program within title III of special project grants to State agencies on aging. Funds will be used to pay up to 75 percent of the cost of developing and operating areawide projects. For grants during fiscal year 1970, $5 million is authorized and $10 million each for fiscal years 1971 and 1972.

Mr. Speaker, the bill in section 9 continues the foster grandparents program, which has heretofore been operated by the Administration on Aging, but which had been authorized by the Economic Opportunity Act. The bill transfers legislative authority for the foster grandparents program to the Administration on Aging.

At this point, I should like to direct the attention of the House to a change which I believe will command widespread support: namely, the new provision that requires the Administration on Aging to give State agencies 45 days notice of its intention to launch a foster grandparents program, and then would seek any recommendations that the State agency might have.

I have already suggested that the major new feature of the bill is the RSVP program, and I am going to leave it to the distinguished gentleman from New York (Mr. REID) to describe this section in greater depth. Witnesses before our subcommittee made clear to us that they thought as many as 1 million Americans would be willing to participate in such volunteer programs.

I believe, Mr. Speaker, that this is a measure which deserves the very strong support of both members of the minority and of the majority. To reiterate, I am pleased to be able to say that this is a bill that was approved by all but one vote in the House Committee on Education and Labor, and I hope, Mr. Speaker, that we will be able to record here this afternoon unanimous support for this legislation.

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

Mr. REID of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 11235. As my distinguished colleague from Indiana (Mr. BRADEMAS) has indicated, this legislation has enjoyed very broad bipartisan support in past Congresses.

In fact, I believe there is only one instance in the history of older American's legislation in which there was a dissenting vote cast.

In the current Congress the bill has had bipartisan drafting and close consultation with the administration throughout.

Further, the bill, of course, was reported out of the full Committee on Education and Labor with only one dissenting vote.

Mr. Speaker, I would particularly commend the chairman of the subcommittee, the gentleman from Indiana (Mr. BRADEMAS) for his handling of this, and also thank him for his thoughtfulness at all times and the chairman of the committee Mr. PERKINS, and indeed the colleagues on our side—the gentleman from California (Mr. BELL), the gentleman from Wisconsin (Mr. STEIGER), the gentleman from Texas (Mr. COLLINS), the gentleman from Indiana (Mr. LANDGREBE), the gentleman from Idaho (Mr. HANSEN) and on the Democratic side, the gentleman from New Jersey (Mr. DANIELS), the gentleman from Pennsylvania (Mr. DENT), the gentlewoman from Hawaii (Mrs. MINK), the gentleman from Washington (Mr. MEEDS), the gentleman from New York (Mr. SCHEUER), and the gentleman from Pennsylvania (Mr. GAYDOS).

Specifically, the great and admirable goals of the Older Americans Act of 1965 remain at least in part to be executed into tangible programs. Although in the only 4 years since the Older Americans Act was passed, 51 States and jurisdictions have statewide programs for senior citizens, nonetheless, it is shocking to realize that the average State agency has only three professional staff members acting on, coordinating and assisting community and local agencies.

There are now over 19 million persons over 65 years of age; by 1971 the total will rise to over 21 million. This is a larger proportion of the Nation's population than the total of the 20 smallest States. By 1985, the older population will reach 25 million.

The number of older Americans increases by 820 per day, 300,000 per year. It is a constantly changing population; there is a 35-percent change over each 5-year period, as deaths are more than balanced by additional people turning 65. As a result of this continuing shift in composition, the educational level and expectations of the older population are also shifting upward.

The rapid urbanization of America and the great mobility of its population have had a great impact on older Americans. Most of us live in small homes or apartments, and this has largely ended the multigenerational home. Thus, 90 percent of the 8 million older men and 80 percent of the 11 million older women live in their own households. The mobility of Americans has resulted in the distance between the residences of older persons and their grown children being all too often measured in hundreds of miles.

Ninety-six percent of persons 65 and above live in the communities of our Nation. Only 4 percent are institutionalized.

At birth, the average life expectancy is 70. For men it is 67. For women it is 74.

There are 5 million older people whose income is below the OEO-established poverty level. The poor and "near-poor" total 40 percent of older Americans.

The average age at retirement is dropping steadily. This, together with increasing longevity, is adding to the length of the retirement period. In fact, the number of man-hours spent in retirement is now approaching in length the period of lifespan spent prior to entering the work force.

Thus, we have more older persons living longer in retirement; usually living with spouse or alone; often without nearby relatives; often with low income; and with no clearly defined role in society once regular employment is no longer a major life focus. Programs which serve older persons as well as other age groups exist throughout the Federal and State structures. However, few of these programs focus on older people as whole persons. Instead, most programs deal with one or more special aspects of the life of the older person. The Older Americans Act, therefore, was intended to provide a specific point of concern within the Federal and State structures for older persons as older persons.

The Administration on Aging and the State agencies on aging have made significant progress in the 3½ years of operation of the title III program. Only three States and two territories do not have programs in operation. We estimate that by the end of June there will be over 1,000 community projects funded through the title III program, serving over 660,000 older persons in a wide variety of ways. In fiscal year 1968 alone:

Six thousand older Americans were served in their homes by homemaker or home health aide services;

Eighty-three thousand older Americans were served through home maintenance, friendly visiting, or telephone reassurance services;

Seventeen thousand older Americans received the benefit of nutritional meals, home delivered to the homebound, and in friendly community settings for the healthy;

Eleven thousand older Americans were placed in paid, part-time jobs;

Forty-one thousand older Americans benefited from special transportation services for the frail, and for those without available public transportation;

Forty-seven older Americans received personal counseling services;

Twenty-nine thousand older Americans volunteered their time and talents to the community;

Two hundred and ninety thousand older Americans participated in recreation and leisure time programs;

Four million older Americans reside in the areas covered by the local planning programs of title III.

The persons served by these programs represents the full spectrum of the social, economic, ethnic, and racial composition of the Nation.

The projects are for the most part new service activities, though there is a substantial number of expansions of preexisting services. The program itself is a bloc grant approach; highly responsive to locally generated ideas.

Many of the over 1,000 community projects are now beginning to find themselves starved for funds and without Federal support and will in some instances be unable to continue their services.

In my own State of New York, there are 150 private nonprofit agencies working with the State Office for the Aging. The New York State Office for the Aging funds 24 different programs presently, and expect to be funding another 10 by June 30, 1969. There are 3,196 private groups in New York State working with

the elderly—includes senior citizen clubs and centers, community chests, and so forth. There are 484 governmental groups working at least in part with the elderly—includes: 134 counties, cities, and towns receiving recreation funds, 250 school districts providing property tax exemptions, 20 State agencies, 80 CAP programs, 10 model cities, and so forth.

Mr. Speaker, the bill, H.R. 11235, would deal with these problems by expanding the State agency's ability to respond to the demands and would assure programs providing sound, effective and efficient services can indeed be continued.

Some reference has been made to the increase in authorization and, indeed, there is. But let me be specific. In title III the increase for the fiscal year 1970 represents an expenditure of only $1 per person—over 65—per year. The volunteer program to which I will allude briefly in a moment involves the authorization of 25 cents per person per year.

I believe that our 20 million senior citizens are some of the most responsive and creative and able citizens that we have in the United States. I think it is essential that we do much more to recognize the contribution that they can make to our society and to their communities. To further this, we have created in this bill a volunteer program for our senior citizens, called RSVP; that is, the retired senior volunteer program.

I am especially pleased that the Education and Labor Committee adopted the new RSVP program under which older citizens will be encouraged to perform volunteer services in areas of public service needs, with reimbursement for out-of-pocket expenses. The retired service volunteer program is clearly in keeping with President Nixon's expressed concern to stimulate more volunteer activities by Americans in their own communities.

This is a major innovation in the establishment of volunteer service projects involving our senior citizens. William Hutton, the executive director of the National Council of Senior Citizens, and a recognized authority on this subject, said in his statement before our subcommittee:

> There are perhaps anywhere from 1½ to 2½ million older Americans living below the poverty level who are fit, willing and able to engage in part-time community service jobs.

He went on to estimate that over a million would participate in the program.

And he went on to estimate, as did others, that over 1 million might participate in this program.

I think that, if we are to recognize meaningful opportunities for service for our senior citizens and particularly voluntary initiative that would be forthcoming, this RSVP program which has a financing of only $5 million to begin with could make a very exciting and substantial difference to many communities.

There is no question, from the testimony before our subcommittee, and in comments from across the Nation that senior citizens are active and they want to participate, but they feel that they lack the opportunity.

Mary Switzer, speaking on behalf of the administration, said:

> I know that on your bill, Mr. Chairman, and Mr. Reid's, Mr. Reid particularly has talked with me about a broader volunteer program which might be an extensive recognition of the role of the older person in community work.
>
> The administration bill does have as broad a base for this national volunteer program as your bill does. It is not that the administration is not in favor of it and wouldn't be happy to see it come into being. After all, this volunteer concept is the philosophy of the present administration without any question; but the budgetary restrictions are such that we have to make some hard choices.
>
> The question then becomes one of whether or not to build on what we have or start with something totally new in the use of volunteers. The administration bill, I believe, is more of an effort to expand the foster grandparents' senior companion program into what would be the beginnings of the kind of volunteer program that the committee has in mind.

David Jeffreys, director of national affairs for the National Retired Teachers Association and the American Association of Retired Persons, told one subcommittee:

> Title VI creating a "National Older Americans Volunteer Program" is one which the Associations can enthusiastically endorse. Both the NRTA and AARP have consistently urged service roles for older persons believing that older Americans have a great deal to contribute in experience, ability and concern for their fellow men.

Dr. Blue Carstensen, national director of Green Thumb, Inc, and the National Farmers Union, stated:

> We also urge that the Administration be given new authority and the funds to develop a national volunteer senior service program, which is in keeping with President Nixon's recent announcement to stimulate volunteer service.
>
> Many of the 20 million older people do have time; they have more time than any other group for volunteer service. They have the need to be useful. However, since approximately half of the people who have retired and over 65 are either in poverty or on the brink of poverty, it is impractical and perhaps unethical to ask them to spend money out of their pocket in order to be volunteers in service. For this reason we urge specific authorization be given to pay for out-of-the-pocket expenses and perhaps a hot meal for the volunteers. This should include provision for transportation or transportation costs so that more older people can participate.

In a letter of May 13, 1969, to Congressman JOHN BRADEMAS, Andrew J. Biemiller of the AFL–CIO, said:

> On behalf of the AFL–CIO I am writing to express our support for H.R. 10767, introduced by you and Congressman Ogden R. Reid of New York. As a strong supporter of the original Older Americans Act we applaud your efforts to extend and improve the program for older Americans.
>
> H.R. 10767 in Title VI absorbs the Foster Grandparent Program which is presently administered by the Administration on Aging under a contract with the Office of Economic Opportunity and establishes a National Older Americans Volunteer Program and we support these provisions.
>
> The Older Americans Act of 1965 was a forthright declaration of our nation's concern for its older citizens. We believe it established a framework for coming to grips with their myriad problems. We support H.R. 10767 as a major step forward toward completion of this framework. We urge you and your Subcommittee to give favorable consideration to H.R. 10767.

It is my hope that this volunteer program, the first such program at the Federal level, will mean a great deal to them, and I am sure it will have an impact on community endeavors throughout the United States.

Finally I would emphasize that, in my judgment, all senior citizens' programs are underfunded, and also that they should, wherever utilized, encourage private institutions and voluntary effort. I believe that the authorizations this year reflect the kind of commitment that we ought to be making but have not previously made to senior citizens in America.

Mr. Speaker, I am happy to yield, if I have the floor, 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from New York for yielding me this time. Do I understand correctly that for the first fiscal year of the operation of this program there was appropriated $5 million?

Mr. PERKINS. Last year $23 million was appropriated for all the titles in the bill.

Mr. GROSS. But for the first fiscal year of the operation of this bill, which was 1966, $5 million was appropriated; is that correct?

Mr. PERKINS. $6,500,000.

Mr. GROSS. In the first year?

Mr. PERKINS. That is correct.

Mr. GROSS. And $23 million plus in the last fiscal year?

Mr. PERKINS. $23 million last year.

Mr. GROSS. Now it is proposed to increase the expenditure for this purpose to $252 million; is that correct?

Mr. PERKINS. That is correct; over 3 years, but for the first year, fiscal year 1970, $62 million would be authorized. The amount contained in the budget request is $28,360,000.

Mr. GROSS. But it is an increase from approximately $23 million in the current fiscal year to approximately $84 million per year in the next 3 years; is that not correct?

Mr. PERKINS. That is correct if we average out the $252 million. Specifically; however, $62 million is authorized for fiscal year 1970, $85 million for 1971, and $105 million for 1972.

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

Mr. GROSS. I am glad to yield to the gentleman from Indiana.

Mr. BRADEMAS. I think the gentleman might be interested to know the response of Mary Switzer, the very able Director of the Bureau of Rehabilitation, when our colleague from Washington (Mr. MEEDS) asked her in the hearings:

> May I just ask what you think, Miss Switzer, would be necessary to really begin to feel this aspiration gap that I feel has been created in terms of funding. Do you think we are anywhere near it with our authorization, referring to the bill under consideration?

Miss Switzer's response, representing the administration, was:

I think your bill is nearer to it than the Administration bill. I will say that. I think that probably your bill contains about as much as the program could absorb in the time span that the bill calls for.

Mr. GROSS. Did Miss Switzer have anything to say about the ability of taxpayers to produce this money, or where it would or could be borrowed, or what rate of interest would be paid on it? Would you comment on that subject?

Mr. BRADEMAS. Yes, I would be glad to comment on that for the gentleman from Iowa. Unhappily, we are not able, at least on the Democratic side, to sit on both the Ways and Means Committee and the Education and Labor Committee. But I am sure Miss Switzer would have directed any observation along the line of the gentleman's inquiry to the members of the Ways and Means Committee. I wish I were a member of the Ways and Means Committee.

Mr. GROSS. I am sure there are programs that have not yet come to the hatching stage on the part of some people around here, but I wonder where it is proposed to get the money for this kind of an increase at this time. This is almost quadrupling the appropriation for each fiscal year. I am wondering where it is proposed to get the money to pay for these programs, no matter how meritorious they may be.

Mr. Speaker, I want to do everything I can within reason for the aged and aging in this country, but this bill, with its unbelievable increase in costs, is unacceptable. Under suspension of the rules it cannot be amended and the costs reduced. Moreover, this bill ought not to have been brought up in the House without a report from the Bureau of the Budget as to its acceptability. It is for these reasons that I cannot support it.

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

Mr. REID of New York. Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. STEIGER) such time as he may consume.

Mr. STEIGER of Wisconsin. Mr. Speaker, as a member of the Committee on Education and Labor, I have watched with much interest the progress of the programs initiated under the Older Americans Act of 1965. It has been my privilege and pleasure to work to improve this act. I gave my strong support to the 1967 Amendments to the Older Americans Act. This year, in an attempt to further strengthen the act, I had the honor of introducing H.R. 11048, a bill which incorporated the administration's recommendations for improving the Older Americans Act.

The bill which we are considering today, H.R. 11235, combines most of the provisions of my bill with those contained in the bill, H.R. 10767, introduced by my colleagues, the gentleman from Indiana (Mr. BRADEMAS), and the gentleman from New York (Mr. REID).

I would like to comment on the provisions of H.R. 11235 and on the overall need for legislation to strengthen our Nation's efforts in behalf of its older citizens.

I think we all recognize quite clearly the needs our older citizens have and our own responsibility to help meet those needs. Today there are over 19 million persons aged 65 or over; by 1971 the total will rise to over 21 million.

The rapid urbanization of America and the great mobility of its population have had a great impact on these older Americans. Most of us live in small homes or apartments, and this has largely ended the multigenerational home.

Thus, 90 percent of the 8 million older men and 80 percent of the 11 million older women live in their own households. The mobility of Americans has resulted in the distance between the residences of older persons and their grown children being all too often measured in hundreds of miles.

We have more older persons living longer in retirement; usually living with spouse or alone; often without nearby relatives; often with low income; and with no clearly defined role in society once regular employment is no longer a major life focus. Programs which serve older persons as well as other age groups exist throughout the Federal and State structures. However, few of these programs focus on older people as whole persons. The Older Americans Act established the Administration on Aging as a part of the Department of Health, Education, and Welfare and charged it with this responsibility to provide a specific point of concern for older persons as older persons.

The Administration on Aging and the State agencies on aging have made significant progress in the 3½ years of operation of the title III community grant program. The projects supported under title III are for the most part new service activities, though there is a substantial number of expansions of preexisting services. The program itself is a bloc grant approach; highly responsive to locally generated ideas.

In my own State of Wisconsin, 23 projects have been undertaken to date with funding under the title III community grant program. The Wisconsin Division of Aging has made grants in such diverse areas as senior centers, information and referral centers, library services, visiting homemaker services, consumer education, and a TV series to aid the aging.

In Fond du Lac, Wis., the senior citizen's multipurpose center has provided services to hundreds of older persons and has 35 older volunteers. The center offers information and referral services, transportation, adult education, counseling, home maintenance, and visiting services as well as providing recreational opportunities.

Another project in Milwaukee provides library services to the aging. It aims to sustain, renew, and develop new interests and activities among older people by planning imaginative library programs. A bookmobile provides direct service to institutions and agencies serving the aged, to public and private housing centers, and to neighborhoods where there are concentrations of older people. Large-print books and record books are being utilized.

The title IV research and development grant program is now beginning to show results as the first of its multiyear projects are being completed. Important projects have been undertaken in such areas as nutrition; accident involvement of older drivers; and outreach, information, and referral services. The older driver study is an excellent example. It has produced data showing that older drivers are not high-risk drivers, and is causing insurance companies to reconsider long established penalty rates.

A major reason for the difficulty in building up needed services in the field of aging has been the extreme shortage of persons specially trained to work in these programs. The title V training grants program has established 15 long term university training programs at the masters degree level in areas where no previous training existed. Now for the first time, professionally trained people are beginning to become available. To meet immediate needs, 24 short-term projects under title V and training components of a number of title III projects have combined to train 4,750 persons already employed in the field of aging, or about to enter such employment, in order to upgrade skills and better fit them for working with older people.

The legislation before us today is to authorize appropriations for the fiscal year beginning on July 1, 1969, and subsequent years, for the existing programs of the Older Americans Act. In the bill which I introduced, titles III, IV, and V programs of the Older Americans Act would be extended by authorizing such sums as may be necessary for fiscal years 1970 through 1972. I feel that it is preferable to give the administration the flexibility during this and the next 2 fiscal years to determine how fast the programs under the Older Americans Act should expand. In order for effective programs to be launched, one step must build upon the next, and those who work with the development of programs for older people are in the best position to determine the financial resources required for any one fiscal year.

Although I am very much in favor of strong efforts in behalf of our older Americans, I feel that the specific money authorizations in H.R. 11235 are unrealistic in view of the current budget situation.

I would like to express my support for the title III grant provisions in the bill, as I believe they will strengthen the State agencies on aging. Providing separate authorizations of appropriations for statewide planning, coordination, evaluation, and grant program administration will emphasize the great importance of these activities. Through these provisions, the State agency on aging will be provided with the resources necessary for it to provide leadership in the analysis of existing programs serving older persons; the identification of gaps and weaknesses in services; the development of plans to link existing services and fill gaps in service so as to achieve coordinated, comprehensive services throughout the State; and the persuasion of public and private agencies to cooperate in implementation of the plans. Strong action in each of these areas is necessary if we are to achieve our goal: a network of comprehensive, coordinated services

and opportunities available to all older Americans.

I am also pleased that H.R. 11235 incorporates another provision which was contained in the administration bill for the optional extension of Federal support for title III projects. Under this provision the Federal share of title III project cost could be up to 75 percent for the first year, 60 percent for the second year, and 50 percent for the third and any subsequent year of a project. The States would thus be given the flexibility to determine the length of time for which funding is appropriate after careful periodic evaluation. This will guarantee continuation of projects which serve older people well, and contribute to the development of a network of comprehensive coordinated services.

Title VI of H.R. 11235 establishes a national older Americans volunteer program consisting of two parts—a retired senior volunteer program and a foster grandparent program. The retired senior volunteer program is a new program which would utilize the volunteer services of persons aged 60 or over.

Mr. Speaker, President Nixon has stated his intention of developing programs to bring forth into the public service the ingenuity and dedication of volunteer Americans who are only waiting to be shown how and where they can help. Secretary Romney has been designated to head this effort and a Cabinet-level committee established to assure interdepartmental coordination. I wholeheartedly support the President and Secretary Romney in this effort.

The proposed retired senior volunteer program—RSVP—is designed to be a part of this bringing-in of volunteers to extend the reach of programs which help people. I commend its intent and believe that it offers an opportunity for the Nation to gain from the talented services which older people can perform. Clearly, older people are one of the greatest reservoirs of available talent for volunteer programs. They have hard-won experience and wisdom, earned over the years, to contribute.

However, a program of this importance to older people and the Nation deserves careful design and development. The best available nationwide models for the use of older people as volunteers are the Foster Grandparent and Senior Companion models. Other models such as Project Serve, a demonstration project funded by the Administration on Aging, are still in various stages of development or evaluation.

Therefore, I question the wisdom of proceeding to recommend and enact this new program without including provision for a planning year. In this context, the proposed authorization for $5 million for the first year of RSVP is particularly questionable.

Realistically, the money is not available in this very tight budget situation. Even if it were available, however, there should be time for the careful and judicious development of how the program will be carried out. Thus, what is needed for the first year is planning money, not operational money.

In summary, I strongly endorse the idea of older volunteers but believe that any program focusing on them should begin with a planning year so that future growth can build upon a solid foundation.

I strongly support the foster grandparent program authorized by H.R. 11235. The foster grandparent program is now being carried out by the Administration on Aging under contract with the Office of Economic Opportunity. The legislation before us today will carry out President Nixon's recommendation that the program be transferred on a permanent basis to the Department of Health, Education, and Welfare.

Through this program, the need of retired older persons for meaningful activities is being satisfied while, at the same time, badly needed social services are being provided and the incomes of older persons who are below the poverty line are being supplemented. It is a truly fine program. I regret, however, that the Administration's recommendation that this program be expanded to include senior companions is not included.

In addition to the areas in which foster grandparent-type services are now being provided to children, I feel they should be extended to assist elderly people in nursing homes, homes for the aged, and similar settings; to serve the homebound elderly on a preventive basis; and to assist other persons in need of this type of special, personalized attention. Elderly persons, who are in institutions or homebound, are often among America's most isolated, forgotten, and lonely citizens. This program element, which is contained in H.R. 11048, the bill which I submitted, is called senior companions. Only the name is different from foster grandparents, however. The special human qualities and the basic feature of a warm, supportive personal relationship are exactly the same. This type of senior companion program was passed by the House last year in the 1968 amendments to the Older Americans Act which died when Congress adjourned before the Senate had taken action on them. The program has been recommended by two administrations—the previous administration and this one. It is my hope that the other body will consider incorporating senior companions in their bill.

Mr. Speaker, I am hopeful that the Congress, in considering H.R. 11235, will give careful attention to the recommendations I have made for further strengthening this important piece of legislation for our older citizens. The bill contains many excellent provisions and I urge that it be passed.

Mr. REID of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BELL).

Mr. BELL of California. Mr. Speaker, I rise today to support H.R. 11235, the Older Americans Act Amendments of 1969.

We need only look at the statistics which present us with facts concerning the growing numbers of older Americans to realize our responsibilities in this area. Today, every 10th American has reached or passed his 65th birthday. This represents a significant change from the turn of the century when only every 25th American was 65 or over.

Yet, when we look further, we find that many problems are associated with this increasing longevity. About 30 percent of our older people live below the poverty line and another 10 percent are on the border. In addition to this, the attitude of society toward aging and the aged gives rise to conditions which create problems. All too often older people lose status when they leave employment; they become alienated and segregated from community life; they have too few opportunities for social and recreational pursuits; and they suffer from loneliness and social isolation.

The Older Americans Act created the Administration on Aging to give a national focus to the position of older people in our society. The Administration on Aging operates three grant programs designed to involve individuals and organizations in the communities, in the universities, and at all levels of government in developing and implementing programs to held older people to continue to participate in the active lives of their communities.

At the Federal level, the responsibilities of the Administration on Aging have expanded in two important ways. First, the foster grandparent program has eloquently demonstrated the ability of older people to provide useful services to others. Concern and compassion are the trademarks of the foster grandparents, commodities that are most precious in today's society.

Second, with the establishment of the Social and Rehabilitation Service, the Administration on Aging was given responsibility for the social services provisions of the Social Security Act for those persons receving old-age assistance and medicaid. This is a serious responibility since one of the most vulnerable groups of older people are those receiving public assistance.

The amendments we are considering today will extend and strengthen the activities that have begun in the past 4 years.

One of the most important features of H.R. 11235 gives additional resources to the State agencies on aging which are the counterparts to the Administration on Aging at the State level. These State agencies should have the capacity to continually analyze the needs of older persons in the States; devise creative and orderly service systems to meet these needs; stimulate other agencies to carry out these systems; carry out specific services which other agencies are not ready to perform; and continually evaluate whether services are reaching people who need them and whether they are effective in meeting the needs for which such services were designed.

Hopefully these amendments will give the State agencies this capability.

In summary, I strongly support H.R. 11235.

Mr. REID of New York. Mr. Speaker, I would comment finally that we have had the benefit of the guidance and constant assistance not only of Mary Switzer, but also of John Martin, who has just come in as Administrator for Aging.

I have had a number of discussions with the White House and with Secretary Finch, and I believe that while the

authorization does represent an increase, it is an increase consistent with our needs. I believe funds will and must be found, particularly to provide for the volunteer program and some other areas. The administration is very much in support of the objectives, and the Bureau of the Budget is taking a look at exactly where funds can be provided from.

The President has made a very strong plea for voluntary efforts, and the commitment of this administration in support of the senior citizens is clear and unequivocal and I think a higher level of support for the senior citizens will be one of the basic goals for this administration.

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

Mr. REID of New York. I yield to the gentleman from Nebraska.

Mr. MARTIN. Mr. Speaker, is it not true, however, that the gentleman does not have approval of the Bureau of the Budget for this tremendous increase in the amount of authorization in the bill we have before us this morning?

Mr. REID of New York. I have raised the specific amounts with the Bureau of the Budget and the Secretary of Health, Education, and Welfare. That is being looked at, but there is not explicit approval at this time. I believe there will be for some elements of this.

Also, I would say to the gentleman from Nebraska, I am very hopeful that the President's determination to end the war in Vietnam will be realized. I hope in our planning for the senior citizens we will look a little further ahead than the immediate budgetary problem which, as the gentleman points out, is serious.

Mr. MARTIN. Mr. Speaker, in view of the time that has elapsed since this bill was called up for hearings before the subcommittee, and now when it is brought to the floor, it seems to me the Bureau of the Budget has had ample time, if the Bureau of the Budget wished to approve this total authorization, and they could have made their position known. Because of the fact that they have not made their position known, nor given their approval on this program, I take that as a negative position.

There is one further point I would like to clear up, and that is, this bill was cleared for consideration before the House Rules Committee last Monday morning. The fact is the chairman of the Committee on Education and Labor and other members did not appear to testify, and they sent word, at 10:30, at which time the Rules Committee went into session, that they would not be there to testify, and asked for a postponement. This was postponed because of the wishes of the chairman of the Education and Labor Committee, and not because of the Rules Committee.

We had the bill scheduled and were ready to hear it, but the gentleman from Kentucky, the Chairman of the Committee on Education and Labor, postponed that.

Mr. REID of New York. The gentleman is correct with respect to the statement about the Rules Committee. The Education and Labor Committee did have urgent matters before it, which was the reason we did not appear, but I am correct in saying that the administration, I believe, will find the funds.

I will point out one further fact: that for a long time we have shortchanged our senior citizens in America. We are spending $1.10 per senior citizen under existing fiscal year 1969 appropriation, $1.41 per senior citizen under fiscal year 1970 budget request, $3.10 per senior citizen under fiscal year 1970 authorization of your bill, $4.25 per senior citizen under fiscal year 1971 authorization of your bill, and $5 per senior citizen under fiscal year 1972 authorization of your bill.

I do not believe this is an unduly large increase, given the potential service the senior citizen could make to our country.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Speaker, I thank the gentleman from Kentucky for yielding.

Mr. Speaker, I rise in strong support of this legislation. As one of the original cosponsors of the Older Americans Act, it is my feeling that it has been a great and substantial help to the senior citizens of this country. My only regret is that we are not doing more.

I would like to point out to those who feel this legislation goes too far in authorizing over a 3-year period $352 million, of that approximately one-third is for people over 65 in this country who are receiving less than $3,000 per year, and living at what we consider to be a minimal, or poverty level.

I think most Members who have visited the senior citizens centers which have been made possible under this act cannot help but recognize the great good that has been created with the innovations of this act.

I point out that only $1 per senior citizen in the United States is appropriated for those very worthwhile projects. I have visited the projects in my district, and I have been quite impressed.

I should like to point out further that the $5 million authorized in one title of this bill for the volunteer program will return to us, will return to the senior citizens, and will return to this society many fold over that amount, because it is going into the volunteer program which the gentleman from Indiana talked about earlier as being one of the great hopes of the present administration for solving some of the social ills of this country.

I, too, have great hope for it. I hope we can proceed with these types of programs to bring meaningful help to some of the people in this country. They will also help those people who are helping other people, the people who for less than 25 cents per person over the age of 65 today are going to be joining in the social action of this Nation.

I urge my colleagues of the House to strongly support this legislation as a step in meeting our obligations and involving the senior citizens of this Nation.

Mr. PERKINS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Speaker, almost 4 years ago on July 15, 1965, an exciting program to aid our senior citizens was created through enactment of the Older Americans Act. We are considering today an extension of this act, which has been responsible for serving thousands of older Americans through grants to the States for community planning, service and training; grants for research, demonstrations and development, and training grants for persons in the field of aging.

H.R. 11235, the Older Americans Act Amendments of 1969, amends the original act by extending duration of the grant programs; providing assistance to strengthen State agencies on aging and community projects; and authorizing areawide model projects. In its plan, however, to establish a national older American volunteer program, the bill offers an innovative and challenging opportunity to our senior citizens. The program calls for participation by retired persons over 60 who would provide services in their home communities or in nearby communities on publicly owned and operated facilities or projects or on local projects sponsored by private nonprofit organizations. These volunteers would be compensated for their transportation, meals, and other expenses incident to their services.

To accomplish all provisions of the bill, H.R. 11235 authorizes an appropriation of $122 million over the next 3 years.

I am sure my colleagues will concur on the merits of the retired senior volunteer program—RSVP. Too often the specialized talents of our senior citizens are unnoticed or not utilized because the proper vehicles are not available. Our scope of knowledge at all ages is virtually unlimited and the chance to benefit from the wide experiences and skills of our retired persons is equally as exciting as their participation in a new and stimulating endeavor. Retirement years often bring depression and listlessness to its victims because they are not prepared for effective use of the time suddenly available to them. Many older persons would greatly enjoy an opportunity to contribute meaningfully to their society and RSVP is just the answer to their needs. In fact, the hearings held by the Education and Labor Committee brought out the fact that there could be as many as 1,000,000 older Americans who would be interested in volunteering for such a program. There are exciting possibilities for all who choose to serve in RSVP but the benefits to be derived by all participants are what is so very encouraging about this idea.

The foster grandparents program, now administered jointly by the Administration on Aging and the Office of Economic Opportunity, will be operated solely by the Administration on Aging as a component of RSVP. The foster grandparent program began in 1965, to assist low income older persons to volunteer their services to their communities for a regular stipend. In almost 4 years 68 projects have been established in 40 States and Puerto Rico and the services of 4,000 foster grandparents are being utilized to help 8,000 retarded, disturbed, or emotionally disadvantaged children every day. These persons take exceptional pride in their work and are particu-

larly pleased at their ability to bring a new awareness to the young.

In addition to the volunteer programs, H.R. 11235 purports to strengthen State agencies by providing funding to analyze existing programs, plan improvements in existing efforts and extend comprehensive services statewide. Our senior citizens are often overlooked in a society which is so oriented toward the young. This legislation is imaginative and stimulating in its aims for the older American and its advantages, as I have indicated, are numerous. Our society can only benefit by aiding the elderly to live a healthier, happier and more enriching existence. I urge my colleagues to give their enthusiastic support to this bill.

Mr. PUCINSKI. Mr. Speaker, I rise in support of the Older Americans Act and wish to state I am proud to have been instrumental in helping report this bill out of my committee.

This bill affords us an opportunity to continue this act for 3 more years and to improve its operation.

I am particularly pleased to see included in this bill a new provision which permits senior citizens to participate in community projects.

Our senior citizens constitute the very heart of our communities and they can be most helpful in each community. This wise provision will permit all of us to continue benefiting from the wise council and judgment of our senior citizens.

I believe we all made a significant contribution when we first initiated this legislation and I am pleased there is almost unanimous agreement to continue it.

Mr. BURLISON of Missouri. Mr. Speaker, it is the purpose of H.R. 11235 to extend the duration of the grant programs of the Older Americans Act; to authorize a national older Americans volunteer program; to provide assistance to strengthen State agencies on aging and community projects; and to authorize areawide model projects.

New legislation is required to authorize appropriations for the grant programs of the Older Americans Act for the fiscal year beginning on July 1, 1969, and subsequent years. H.R. 11235 provides authorization of appropriations of $20 million for fiscal year 1970, $25 million for fiscal year 1971, and $30 million for fiscal year 1972 for State and community projects, and $12 million for fiscal year 1970, $15 million for fiscal year 1971, and $20 million for fiscal year 1972 for research, demonstration, and training projects. These authorizations will enable the grant programs to continue to fund existing projects and to expand into other areas of critical need.

The national older Americans volunteer program established by H.R. 11235 would open the door to many new opportunities for retired persons aged 60 or over to give of their talents and skills in their home communities. Under the retirement senior volunteer program older volunteers would provide services in their home communities or in nearby communities on publicly owned and operated facilities or projects or on local projects sponsored by private nonprofit organizations. These volunteers would not be compensated for other than transportation, meals, and other out-of-pocket expenses incident to their services. Authorization of appropriation of $5 million for fiscal year 1970, $10 million for fiscal year 1971, and $15 million for fiscal year 1972 would be provided.

Through the foster grandparent component of the national older Americans volunteer program, low-income older persons would be assisted to volunteer their services through the payment of a stipend. The foster grandparent program is a continuation of the highly successful demonstration program that has been operated by the Administration on Aging and the Office of Economic Opportunity for the past 3½ years. Foster grandparents provide invaluable personal services on an individual relationship basis to children receiving care in hospitals, homes for dependent and neglected children or other establishments providing care for children with special needs. Authorization of appropriations of $15 million for fiscal year 1970, $20 million for fiscal year 1971, and $25 million for fiscal year 1972 would be provided for carrying out this program.

The redesign of the title III program of the Older Americans Act to strengthen the State agencies on aging is another important provision in H.R. 11235. The bill establishes new State plan requirements for statewide planning coordination and evaluation of programs which serve older people. Simultaneously it separates out the authorization of appropriations to carry out these activities from the funds available for project activities.

Under present law a State may use up to 10 percent or $25,000, whichever is the larger, of its allotment under title III to pay one-half of the costs of administering the State plan. Under H.R. 11235 a separate authorization of appropriations of $5 million each year for fiscal years 1970 through 1972 is provided for paying three-fourths of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of the Older American Act and of administering the State plan.

Through these amendments, the State agency on aging would be provided with the resources necessary for it to provide leadership in the analysis of existing programs serving older persons; the identification of gaps and weaknesses in services; the development of plans to achieve coordinated, comprehensive services throughout the State; and the persuasion of public and private agencies to cooperate in implementation of the plans.

H.R. 11235 would also give the States the flexibility to determine the timespan for support of title III projects. The Federal share of project costs would be such percentage of the cost of any project as the State agency on aging may provide but not in excess of 75 percent for the first year, 60 percent for the second year, and 50 percent for the third and any subsequent year of the project. This provision would permit the States to make the determination as to the length of time for which funding is appropriate after careful periodic evaluation. This would guarantee continuation of the best projects. Current law permits only 3 years of Federal support.

As a further step to strengthen State and community services for older persons, the bill authorizes a program of areawide model projects under title III. The Secretary of Health, Education, and Welfare would be authorized to make grants or contracts with State agencies on aging to pay not more than 75 percent of the costs of statewide, regional, metropolitan area, county, city, or other areawide model projects. Projects would provide services for, or create opportunities for, older persons in fields of services and for categories of older persons prescribed by the Secretary after consultation with the State agencies. Authorization of appropriations of $5 million for fiscal year 1970 and $10 million each for fiscal years 1971 and 1972 would be provided.

In addition to these major provisions, H.R. 11235 would extend the contract authority for title IV and V projects to profitmaking organizations; add the Trust Territory of the Pacific Islands as a "State" for the purposes of the Older Americans Act; provide for evaluation of Older Americans Act programs; and authorize joint funding of projects by more than one Federal agency.

On July 14, 1965, the Older Americans Act which created an Administration on Aging within the Department of Health, Education, and Welfare was signed into law. The act provides for three grant programs which are administered by the Administration on Aging. They include:

Title III, grants to the State for community planning, services, and training.

Title IV, grants for research, demonstration, and development projects; and

Title V, grants for training of persons in the field of aging.

The Administration on Aging also operates the foster grandparent program, which is funded by the Office of Economic Opportunity until July 1, 1969, when funding will be assumed by the Administration on Aging.

The Administration on Aging and the State agencies on aging have made significant progress in the 3½ years of operation of the title III program. Only three States and one territory do not have programs in operation. By the end of June there will be over 1,000 community projects funded through the title III program, serving over 660,000 older persons in a wide variety of ways. In fiscal year 1969 alone:

Six thousand older Americans were served in their homes by homemaker or home health aid services;

Eighty-three thousand older Americans were served through home maintenance, friendly visiting, or telephone reassurance services;

Seventeen thousand older Americans received the benefit of nutritional meals, home delivered to the homebound, and in friendly community settings for the healthy;

Eleven thousand older Americans were placed in paid, part-time jobs;

Forty-one thousand older Americans benefited from special transportation services for the frail, and for those without available public transportation;

Forty-seven thousand older Americans received personal counseling services;

Twenty-nine thousand older Americans volunteered their time and talents to the community;

Two hundred and ninety thousand older Americans participated in recreation and leisure time programs;

Four million older Americans resided in the areas covered by the local planning programs of title III.

The persons served by these programs represent the full spectrum of the social, economic, ethnic, and racial composition of the Nation.

The title IV research and development grant program is now beginning to show results as the first of its multiyear projects are being completed. For instance, a nationwide study by the University of Denver refutes the stereotype of the older driver as a high insurance risk and potentially dangerous driver-licensee.

A new technique for outreach and information and referral services is being successfully pioneered by the educational television station in Hershey—WITF-TV—and by the statewide five-station educational television network in Minnesota. Up to 85 percent of the total 65-plus population in the viewing areas is reached by programing on activities and topics important to older people, such as tax relief, social security, preventive health care, volunteer service opportunities, senior center activities, adult education, and the programs of service agencies. The Hershey project provides on-the-show answers to phoned-in-questions. The Minnesota project arranges group-watching in locations where there are many older people, followed by professionally led discussions. Both encourage TV watchers to visit senior centers and service agencies.

Through another title IV project, a study of changes in life pattern caused by widowhood is being made by Roosevelt University to develop new content for counseling services.

In addition, as a result of the 1967 Amendments to the Older Americans Act, a significant nutrition program has been launched under title IV. Approximately $4 million has been invested in the 29 projects. The projects are testing nutrition program techniques that will not only improve diet but also enhance self-sufficiency and bring elderly participants into social contact with others. All projects include food consumption, nutrition education, and the consumer education components. The Administration on Aging has also contributed to the national nutrition survey. Adults 60 and over constituted 13 percent of the total sample of 12,000 studied to determine nutritional deficiencies. All of these projects will provide new knowledge about the feasibility and acceptability of programs and techniques for coping more effectively with older people's distinctive nutrition problems.

The title V training grants program has established 15 long-term university training programs at the masters degree level in areas where no previous training existed. The areas are occupations in aging concerned with: first, planning, evaluation, administration, and coordination at Federal, State, and community levels; second, administration and management of retirement housing, homes for the aged, and related facilities; third, management of multiservice senior centers; and fourth, specialized service needs of older people in adult education, architecture, home economics, library science, and recreation. These programs currently have over 200 students in training.

In addition, 24 short-term projects, together with training components of title III projects, have trained 4,750 persons already employed in the field of aging, or about to enter such employment. This training upgrades skills and better fits trainees for working with older people.

The foster grandparent program began as a limited demonstration program in August 1965 with 21 projects. It now has 68 projects operating in 40 States and Puerto Rico. The services of 4,000 foster grandparents are being utilized to help 8,000 retarded, disturbed, or emotionally disadvantaged children every day.

These illustrations reflect the extent to which the Older Americans Act has provided services and opportunities for the Nation's elderly that were previously unavailable or nonexistent.

CONCLUSION

Presently there are approximately 20 million Americans who are 65 or older. By 1980 it is estimated that there will be at least 25 million senior citizens.

It is the committee's conviction that this bill will accomplish its two major objectives:

First, to open up new doors of opportunity for older people who wish to be of service to others; and

Second, to increase and strengthen the leadership role of State commissions and agencies on aging in their efforts to build strong statewide and local programs of services and opportunities for their older citizens.

It is the committee's belief that the provisions of H.R. 11235 will enable the Administration on Aging and the State agencies on aging to jointly move ahead and achieve both these objectives.

Mr. Speaker, the Committee on Education and Labor, as evidenced by the above material, has presented its case well. I wish to associate myself with the conclusions drawn by the committee. I am confident that the House will today vote favorably on this legislation. I am also pleased to note that Missouri is one of the participating States in this legislation.

Mrs. MINK. Mr. Speaker, I take pleasure in joining with my colleagues in support of H.R. 11235. As a member of the Select Subcommittee on Education, I have watched with much interest the progress that has been made since the passage of the Older Americans Act in 1965. Many imaginative and worthwhile programs have been begun. The success of these programs has been heartening, but it is also clear that various parts of the act need to be strengthened.

One of the most important provisions of this bill strengthens the capability of State commissions and agencies on aging in the areas of statewide planning, coordination, and evaluation related to the broad mandate of the Older Americans Act. The States carry a heavy responsibility in this regard, and their resources are very limited for the job that needs to be done. Few have more than four professional staff, and many have only one.

To give more special focus to the leadership role of the State agency, the amendments provide for a new requirement that the State plan include a provision for statewide planning, coordination, and evaluation of programs related to the objectives of the Older Americans Act. To assist the States in carrying out these activities a separate authorization of appropriations to pay up to three-fourths of the costs of State agency activities has been provided.

Another important amendment enables the States to continue after the third year to use Federal funds to pay not more than 50 percent of the costs of title III projects which they consider to be especially deserving. Under present law, Federal funds cannot be used for support of a project for more than 3 years. I believe that it is important to provide this additional support so that constructive programs that are underway in communities will not be jeopardized by the withdrawal of Federal interest and support.

These amendments would also authorize appropriations for the next 3 fiscal years for the grant programs of the Older Americans Act and provide authorizations under the act for the continuation of the highly successful foster grandparent program. In regard to the latter program, which for the last few years has been administered jointly by OEO and AOA, I would like to point to Hawaii's experience. The Hawaii foster grandparent program was one of the 21 original projects selected to demonstrate the feasibility of providing loving care to severely retarded children. At the Waimano Training School and Hospital, 38 foster grandparents work 4 hours a day, caring for severely retarded children.

The stories that come back about the improvements in the children with foster grandparents and the benefits to the foster grandparents themselves are heartening. Just one example is the foster grandparent who is quoted as saying:

> All my life, I worked hard in the cane field along with my husband, then raised my family. It was a hard life, but I have no regrets. Since my girlhood, I always wanted to have a job in a place like this and help the unfortunate children. I know, I have hardly any education or training to qualify for such work but when I heard about this project, I couldn't resist the temptation to inquire about it. When I was hired, I wept with joy. My life long dream finally came true.

I am convinced of the merit of continuing this program and placing it under the operating authority of the Older Americans Act.

I have also noticed with interest that these amendments provide for including the Trust Territory of the Pacific Islands as a "State" for purposes of the Older

Americans Act. I wholeheartedly support this addition to the program.

In summary, Mr. Speaker, I believe these amendments represent a logical and needed addition to our Nation's program for its older citizens. I urge my colleagues to vote for this bill as an important way of assisting our senior citizens to continue to find meaningful ways to serve their communities.

Mr. FASCELL. Mr. Speaker, I join my colleagues in support of H.R. 11235, the Older Americans Act Amendments of 1969. As we have heard, these amendments will extend the programs under the Older Americans Act of 1965 through June 30, 1972, as well as authorize a national older Americans volunteer program, provide greater assistance to strengthen State agencies on aging and authorize areawide model projects.

Today there are approximately 20 million Americans in the 65-years-or-older age bracket. It is estimated that by 1980 there will be at least 25 million senior citizens. In my judgment, it is obvious that we must open new doors of opportunity for our senior citizens who wish to be of service to their communities—and we must increase and strengthen the leadership role of State commissions and agencies on aging as well.

It is important to note that the persons served by the Administration on Aging—which was established by the 1965 act—and the State agencies on aging, represent the full spectrum of the social, economic, ethnic, and racial composition of the Nation. Since inception of programs under this act over 660,000 elderly persons have been served in a variety of ways including home health aide services, home maintenance, special transportation services, and personal counseling services. In addition to taking advantage of these services, many senior citizens have volunteered their services to the communities through programs organized under the Older Americans Act, and participated in recreation and leisure time programs.

The success of the programs to date points to the wisdom of the Committee on Education and Labor in recommending extension of the act for 3 years and I join in urging approval of the bill now under consideration.

Mr. FRASER. Mr. Speaker, I want to indicate my strong support for H.R. 11235, the Older Americans Amendments of 1969. Through the passage of this legislation, we are strengthening a network of Federal, State, and local efforts to meet the special needs of our Nation's older people.

H.R. 11235 is particularly significant because of its emphasis on service opportunities for retired people. The new retired senior volunteer program—RSVP—modeled after the successful foster grandparents program, will enable thousands of older people to use their retirement in a productive, meaningful way. At the same time, RSVP will provide an able body of volunteers from many community service projects.

I know that many older people are asking for this opportunity to be of service. Recently I had an opportunity to meet with representatives from a senior citizens organization in my district that has designed its own program of services for older people in the Minneapolis' model cities area. This group, Minneapolis Age and Opportunity, Inc.—MAO—has used the RSVP approach in a social service proposal which uses senior citizens to provide services for their peers. The "senior to seniors" technique should reduce the resistance that older people sometimes have to more traditional services.

The programs authorized by H.R. 11235 will enable us to continue developing these new approaches for dealing with the problems of aging.

Mr. HORTON. Mr. Speaker, today, the House has before it a matter of vital importance, not only for senior citizens, but for the entire Nation.

I am pleased to support the Older Americans Act. Through my years in Congress, I have continually worked for legislation to improve the conditions of our older citizens. As one of the founding members of the National Task Force on Problems of the Aging, I have studied the problems of our retired people. I have realized the vast manpower, skill, and experience that we have been throwing out the window by not utilizing their talents.

Past performance of the programs funded under the Older Americans Act illustrates its success and the necessity for its continuation.

The act incorporates the principle of giving and using. The voluntary program and the foster grandparents program will benefit the entire country and have a large impact on individual communities which take advantage of the talents of our many senior citizens.

The Older Americans Act is a step toward solving the complex problems of retired people.

I am hopeful that we will act promptly and positively on H.R. 11235.

Mr. DONOHUE. Mr. Speaker, I most earnestly hope the House will promptly and overwhelmingly approve this bill before us, H.R. 11235, designed to amend the Older Americans Act of 1965.

The overall purpose of this measure is to extend the duration of the grant programs of the Older Americans Act; authorize a national older Americans volunteer program; and provide assistance to strengthen State agencies on aging and community projects.

In effect, these amendments to the existing act will expand the opportunities for retired persons, 60 and over, to profitably offer and apply their talents and skills in volunteer programs in their own home communities; and they also will grant the various State agencies on aging the necessary resources to initiate analyses of existing programs serving older persons, identify and correct any weaknesses in these services, develop plans to improve and achieve coordinating services for the elderly throughout the various States, and influence both public and private agencies to cooperate in establishing the best possible programs to encourage the fullest use of the talents, skills, and abilities of the elderly in this country.

The record shows that in the comparatively short time this legislation has been operating the great majority of the programs have proved to be a tremendous impact toward improving the quality of life for the older citizens of this Nation. Obviously the reasonable extension and expansion of these programs is essential, because it is authoritatively estimated that, by 1980, the present number of approximately 20 million Americans over 65 will be increased to at least 25 million senior citizens.

Mr. Speaker, as one of the advocates and supporters of the original Older Americans Act, I am deeply gratified at the substantial progress that has been so far achieved in promoting the basic objective of the legislation, namely, that the Federal Government shall help our elderly citizens in reaching and maintaining wholesome freedom, economic independence, and the fullest exercise of individual initiative in planning and managing their own lives.

The continuation of these objectives is entirely in accord with the established American concept and tradition of promoting the inherent dignity of the individual in our American society, and I most earnestly urge that this bill be adopted in the national interest without delay.

Mr. BENNETT. Mr. Speaker, I am pleased to support the legislation before the House of Representatives today, the Older Americans Act Amendments of 1965. My bill, H.R. 948, to provide for a National Community Senior Service Corps, was introduced on the first day of the 91st Congress. I also introduced H.R. 247, an identical bill to H.R. 948, in the 90th Congress and H.R. 15756 in the 89th Congress. The bill today includes the thrust of my legislation, particularly providing for the national older Americans volunteer program.

I congratulate the House Education and Labor Committee for its work and I was honored to testify to the committee when hearings were held on the bill. I have had a longtime interest in the field of Federal legislation for our older citizens, and I congratulate this committee on its efforts to assist the over 26 million Americans who are over the age of 60. I was one of the original sponsors of the Older Americans Act of 1965, which has accomplished much in its short life. In fact, under this act, the Florida Commission on Aging has received a total of $1,086,717 in Federal funds to begin a very worthwhile statewide program for senior citizens, which represents 12 to 15 percent of Florida's population.

The Florida Commission on Aging, primarily because our State is so attractive to the retired and millions of older Americans, has gathered many significant and important statistics which are helpful in programs for the aged. The facts are that millions of Americans are retiring at an earlier age each year. In 1957, according to the Florida commission, the average age of people inquiring about retiring in Florida was 64. By 1964 the combined average age of civilian and military personnel inquiring about retiring in Florida was 58.9.

The age of retirement is being lowered each year. Almost a seventh of our population is in the forced or voluntary leisure class, and many millions of these people want to do things to occupy their

time productively. By doing so, they will live longer and happier lives. It was for this same reason that during the 89th Congress I pushed for enactment, as part of the Manpower Development and Training Act, of a special program directed by the Secretary of Labor for those Americans who reach the age of 45 years and need further occupational and special training to compete in the labor market. So often, in today's society, our aging problems do not begin with retirement age, but begin much earlier. Testing, counseling, and training can make these citizens useful far past the usual retirement age. It is not unusual today for someone to enter the labor force at age 20 and retire at age 50.

I visualize the National Community Senior Service Corps and the program in today's bill becoming another Peace Corps for the elderly. I believe it would provide incentives and retirement possibilities, just as SCORE, the Small Business Administration's service corps of retired executives, has done throughout the country. The SCORE program has attracted thousands of retired businessmen to help their fellow businessmen who cannot afford high-priced advice in accounting, marketing, purchasing, and in other fields in their limited operations.

This proposed legislation recalls words of Justice Oliver Wendell Holmes, Jr., who, on his 90th birthday, said:

> The riders in a race do not stop short when they reach the goal. There is a little finishing center before coming to a standstill. The race is over, but the work never is done while the power to work remains.

It has always been my feeling that as a general principle retirement from active productive living should be through choice, and not through compulsion of age. In recent years we have come to recognize that many of our senior citizens have no desire to retire from work; and to many people social security and retirement benefits are not a satisfactory substitute for a paycheck. Many of those who are able to work need to work and want to work. But modern methods of business and industry deny them this. While the number of persons 65 and over has almost doubled since 1940, only about 13 percent are now in the labor force—half the 1940 percentage.

The National Older Americans Volunteer program would allow millions of Americans to continue active and useful lives. The program will give new opportunities to our older Americans and will serve as a symbol of strength to those citizens who are forced to end their lives in forced idleness.

There are many elder citizens who do not need such a program, but there are far more who demand it for continued active life. I know of one such person who will not personally benefit from this legislation but who most probably will use it for others, and if adopted, to inspire hundreds of her fellow men and women. She is Dr. Eartha M. M. White of Jacksonville, Fla. I believe Dr. White, who is 92 years of age and very productively active, is the best example I can think of for the passage of this legislation. We are dealing with people in this bill—old people—and that has been a large part of Miss White's involvement for over three-quarters of a century.

The legislation would allow participation by private nonprofit organizations such as the one led by Dr. White, in the development of a wide range of opportunities for senior citizens. Dr. White was born on November 8, 1876.

She recently opened a new $775,800 120-bed nursing home, supported by a $387,900 Federal grant under the Hill-Burton program. She founded the Clara White Mission in honor of her mother in 1920; has operated a home for the aged for 60 years; she secured an appropriation from the Jacksonville City Council for the first colored playground in the city and was the prime mover in the establishment of the Forest Hill Correctional School for Girls in Florida. These are just some of the good works of Dr. White, a living legend in her time.

Mr. Speaker, the legislation presents an enlightened program which would give the Eartha Whites of our Nation—the elderly who are able to help themselves—an opportunity to help their fellow men.

American history is filled with examples of leaders who have accomplished great things for their nation after reaching the age of 70. Benjamin Franklin is the first who comes to mind. He helped mold a Nation beginning in 1776 when he was 70 years old. Thomas Edison invented the phonograph after he was 70. Bernard Baruch served as U.S. representative on the United Nations Atomic Energy Commission when he was 76. The final year Sam Rayburn served as Speaker of the U.S. House of Representatives he was 79. And when he was 72, Herbert Hoover went on a tour of 38 nations at the request of President Harry Truman.

We have a tendency to push aside people because they are too old, too young, or disabled in some way. We do not do it out of meanness but probably out of misplaced kindness and thoughtfulness. What we should do is to help develop the abilities of the old, the young and the disabled to the fullest extent. We need to draw out the talents these people have. They can all lead constructive lives. The bill before you today will help the elderly grow and prosper through activity and usefulness.

I urge the adoption of this legislation, and again congratulate the chairman of the committee and the gentleman from Indiana (Mr. BRADEMAS), chairman of the subcommittee, on bringing this "Peace Corps" for the elderly to the Congress—which will mean so much to all Americans.

Mr. RODINO. Mr. Speaker, I am pleased to support this most essential bill, H.R. 11235, to extend and strengthen the Older Americans Act of 1965. It was my pleasure and privilege to cosponsor the original legislation that initiated a new era in which the Federal Government has assumed a proper role in providing financial assistance and leadership to meet the problems and needs of our growing older population.

Our senior citizens now number almost 20 million—about every 10th American—and they well deserve our attention and aid to assure them the fullest possible participation in all the benefits and amenities of everyday American life.

Under the Older Americans Act, according to the Special Committee on Aging of the U.S. Senate, significant changes have taken place in funding for programs for the aged. In my own State of New Jersey, appropriations have increased from $95,000 in 1963–64 to $135,000 in 1967–68, and under the able leadership of Mrs. Eone Harger, director of our division on aging, we have an active and increasingly effective State program.

Mr. Speaker, it is imperative that this very modest Federal effort be continued, and I am pleased that the bill we are considering provides for a 3-year authorization of the act with $20 million in fiscal year 1970 and increases of $5 million in each of the 2 subsequent fiscal years. Most important of the changes in the bill, in my judgment, is the authorization for utilization of money to administer and provide reimbursement for expenses for volunteer efforts by the elderly in community service projects. For we have already seen the tremendous success of fledgling pilot projects—such as the foster grandparents and green thumb programs.

There is still much to be done, particularly to meet the basic income needs of our retired citizens. In this connection, I was happy to cosponsor legislation providing a 15-percent increase in social security benefits with a minimum monthly payment of $80 and automatic increases in benefits to meet increases in the cost of living. Estimates clearly show that this is the minimum increase needed to enable our senior citizens to barely maintain existing income levels on the basis of projections from Consumer Price Index cost of living rises. Enactment of social security increase legislation is urgent, as is further action to solve the special economic problems of the aged, and I am glad that the Senate special committee plans a thorough study on the specific subject.

In the meantime, approval of H.R. 11235 is essential to permit proper planning and funding of the small but vital programs that are undertaken with the assistance furnished under the Older Americans Act.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 11235, the Older Americans Act Amendments of 1969.

I was privileged to play a part in the enactment, nearly 4 years ago, of the Older Americans Act of 1965, and again in the passage of the Older Americans Act Amendments of 1967. I am grateful for the opportunity to support for the third time one of the great social programs which emerged from the 89th Congress.

Today, as in 1965 and the ensuing years, the needs of older Americans require the sympathetic consideration of an informed Congress. Statistics have been cited by distinguished Members of this body, on both sides of the aisle, showing that Americans of advanced age are not only becoming a growing segment of our population, but that they are also becoming a more active group. What is clearly needed, therefore, is a strength-

ening of the original Older Americans program with new thrusts in directions indicated by recent experience.

The bill we are now considering would do this and more. Having a fourfold purpose, H.R. 11235 would extend the duration of the grant programs of the Older Americans Act; it would authorize a national older Americans volunteer program; it would provide assistance to strengthen State agencies on aging and community projects; and, finally, it would authorize areawide model projects.

The retired senior volunteer program and its foster grandparent component hold great promise in the utilization of the talents and skills of older Americans at various economic levels, and bringing them once again into the mainstream of life in their communities. Retired senior volunteers would be given the opportunity to provide services in their home communities or in nearby communities on publicly owned and operated facilities or projects or on local projects sponsored by private nonprofit organizations. They would receive no compensation other than for transportation, meals and other out-of-pocket expenses.

The foster grandparent program, on the other hand, would enable low-income persons to earn a stipend by providing needed services in the community. Foster grandparents would provide invaluable personal services on an individual basis to children receiving care in hospitals, homes for dependent and neglected children, and other establishments providing care for children with special needs.

The 1969 amendments, in addition, would strengthen State agencies on aging and provide them with the resources needed for a role of increased leadership in the development and implementation of plans to assist older citizens. A certain amount of flexibility in the financial support of State projects is also included in the 1969 amendments.

To carry out the multipurpose thrust of this legislation to aid the elderly, the sum of $122 million is authorized for the next 3 years. Graduated amounts are stipulated for State and community projects and for research, demonstration, and training programs administered by the Administration on Aging in the Department of Health, Education, and Welfare. Some objection has been voiced with respect to the amount of the authorization. The facts and figures which earlier were disclosed by our colleagues clearly indicate, however, that the authorization is consistent with the tremendous job that needs to be done.

It is, after all, a modest price to pay. The responsibility toward the well-being of older Americans rests with the entire Nation. H.R. 11235 would help us to meet that responsibility and at the same time bring enrichment and fulfillment to their lives.

Mr. Speaker, I urge a favorable vote for this legislation.

Mr. HALPERN. Mr. Speaker, I would like to express my enthusiastic support for H.R. 11235, the Older Americans Act Amendments of 1969. This bill provides for the establishment of programs that will serve both the senior citizens who participate and the community in general. By establishing a national older Americans volunteer program, a foster grandparent program, an authorization of areawide model projects, and a requirement that statewide planning and evaluation of these programs be instituted this bill takes a constructive and necessary step in dealing with the needs of our older citizens.

The citizens who would participate in these programs have already made valuable contributions in their chosen fields of endeavor. This bill insures that the Nation will continue to benefit from the knowledge and experience of these older citizens. Simultaneously, the older citizens themselves will benefit. They will be given a new interest in civic action; they will have an effective means to contribute to the betterment of their community. They will make new contacts, some of them with youngsters. The older citizens will be able to become a part of the great movement to improve the lives of their fellow citizens.

This bill very wisely encourages the cooperation of the Federal and State Governments. Through a joint effort these programs can best be implemented. After the first 3 years of these programs the Federal support is reduced to 50 percent. This will force the States to evaluate the success of these programs and to eliminate those that have failed to serve the community and the participants.

While these programs are expensive, they certainly can return far more than the investment. They are serving a vital dual purpose. They are providing a means for older people to continue to serve their community and Nation. They are helping the residents of the community by providing it with the volunteer service of a highly skilled and experienced group. Through the foster grandparent program the misfortunate youngsters who are in hospitals or care centers will be befriended by understanding older people who will be receptive to their problems. The States will be provided with an incentive to take over and develop the most effective programs.

This bill serves to demonstrate the gratitude of our Nation to the older people and acknowledges our firm belief that they have many more years of productive service before them. I am confident that the results of this bill will be beneficial to all concerned. I heartily support it and praise the Congress for its prompt passage of this bill.

Mr. PERKINS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS) that the House suspend the rules and pass the bill H.R. 11235, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so have 5 legislative days in which to revise and extend their remarks on H.R. 11235.

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

There was no objection.

CONSTRUCTION-DIFFERENTIAL SUBSIDY

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 265) to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies, as amended.

The Clerk read as follows:

H.R. 265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out "June 30, 1969,", and inserting in lieu there of "June 30, 1970,".

The SPEAKER pro tempore. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield myself such time as I may consume.

This bill would continue for an additional year the ceiling of 55 percent on the amount of construction-differential subsidy paid on vessels built in U.S. shipyards under section 502 of the Merchant Marine Act of 1936.

Under the provisions of that act, an operator qualifying for subsidy is paid the difference between the bid of an American yard and the cost of a similar vessel built in the lowest cost foreign yard. Under the Merchant Marine Act of 1936, as originally enacted, the ceiling for subsidy payment was set at 50 percent, but in 1960 it appeared that the difference between foreign and domestic costs were exceeding that amount, and, as a result, in that year the 55 percent ceiling was first enacted. Since that time, it has been extended by successive acts and the present authority expires on June 30 of this year. This bill would provide for continuance of the 55 percent rate for 1 more year.

The bill as introduced provided a 2-year period, but Maritime Administration has stated to the committee that it proposes a new merchant marine program later this year and that changes in the subsidy would be included, and as a result an additional year is sufficient.

The same provision authorizes 60 percent for the reconstruction or reconditioning of passenger vessels, but unhappily at the present time, there appears to be no operator willing to invest any money in American-flag passenger vessels. It should be pointed out that this subsidy while in terms payable to the shipowner, in fact, is for the benefit of the shipbuilder, and ship operators. The effect of this law is to give the shipowner his vessel at the foreign cost which is the amount of his outlay for the vessel. The

additional payment from the Government is to meet the balance of the vessel cost as quoted by the shipyard. The disparity in cost between American and foreign shipyards is based primarily on the difference in living standards and it is possible with the forthcoming administration program that U.S. yards will be able to compete with others in building ships for the world market. However, the subsidy, in my opinion, is completely justified because it enables American yards to continue in business and thus be available for use in an emergency.

We need only recall the part played by our shipbuilders during World War II to justify this subsidy. We have been told from time to time that ships are obsolete and that future emergencies throughout the world will not require appreciable numbers of ships. However, the fact remains that our present problem in Southeast Asia has entailed delivery of supplies to the extent of 98 percent by ships so that it appears that ships will be with us for many years to come.

While, of course, we are continually hopeful that the gap between American and foreign shipbuilding costs will narrow, the unhappy fact remains that it has not done so in the last 10 years, and there is no present prospect of any reduction in the future. While American yards have expended great sums of money on modernization, the foreign counterparts have expended considerably more, thus bringing their cost down to a greater degree than ours. Unless, and until, we get a stable maritime program that will enable the yards to anticipate future ship construction in reasonable volume, they are not justified in undertaking radical modernization and thus our whole problem becomes one of evolving an overall maritime program, which in the long run will save us money.

I feel that this bill is amply justified by the facts, and I call attention to the House that at the present time the United States through the operation of this program has built the largest fleet of modern liner vessels presently in existence in the world. Of course, we cannot maintain this lead without the expenditure of large sums of money and the development of a new program, but at least we have that to show for our efforts to date.

I, and my committee, feel that this bill is not only beneficial, but necessary to our merchant marine and, therefore, I urge favorable consideration.

Mr. LENNON. Mr. Speaker, on May 15 the House passed H.R. 4152, the bill to authorize appropriations for certain maritime programs in the Department of Commerce. This was most necessary in order to fund the on-going activities of the Maritime Administration. We all know that the Administration is working on a new maritime program which is to be presented sometime this summer. Until that time, there are a number of matters vital to the current maritime programs which must be acted upon.

Obviously the authorization of appropriations for the Maritime Administration is of paramount importance. Another matter basic to the U.S.-flag fleet which requires our immediate attention is this bill, now under consideration, H.R. 265, which would amend section 502 of the Merchant Marine Act of 1936 to extend the 55/60 percent subsidy ceiling. The present 55/60 percent ceiling extension expires on June 30, and, unless Congress mandates its continuance for at least 1 year as required by the bill reported out by our committee on June 10, the subsidy ceiling will revert to the permanent section 502 ceiling of 50 percent. Such a happening would be contrary to the well-being of the U.S. merchant marine.

I am sure we are all well aware of the disparity between United States and foreign shipbuilding costs which make construction subsidies essential if ships for the foreign trade are to be built in the United States. This differential rate we are talking about measures the degree of difference between U.S. price and foreign prices for a particular vessel at a given time.

When this differential in cost between building here and abroad exceeds the basic 50 percent written into permanent law, the shipowner is denied parity and in effect is forced to either underwrite the subsidization of U.S. shipyards or not build ships. The profit margins of the subsidized ship operators are in the very low range of 3 to 4 percent. Thus, it is clear that they certainly do not have the financial wherewithal to pick up any of the excess costs over and above the 50-percent differential. In this connection, it is pertinent that the hearing record over the past 10 years has abundantly established the fact that the construction costs in the United States and abroad have generally been ranging between 50 and 55 percent and it is clear that the CDS rate will continue to be somewhere in the 50- to 55-percent range. In the last several years, in these different ship construction arrangements, the actual differential as computed by the Maritime Administration was in excess of 55 percent with the owners being required to absorb the excess.

It does not take great foresight to see the financial bind the subsidized operators will be in if the present 55 to 60 percent subsidy ceiling is allowed to expire and lapse back to the permanent 50 percent. It could well cripple all subsidized commercial ship construction in U.S. yards because the owners will be financially unable to absorb the construction differential excess. Thus, I urge my colleagues to vote to extend this ceiling for one more year and let us see what the administration comes up with in the way of a maritime program which may obviate the necessity of requesting extensions in the future.

Mr. PELLY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I endorse the remarks our distinguished chairman of the Committee on Merchant Marine. The extension of the 55-percent ceiling on construction-differential subsidy payments for new vessels and the 60-percent ceiling for the reconstruction of passenger vessels was reported by your Committee on Merchant Marine without dissent and has been endorsed by the administration.

The Merchant Marine Act of 1936 was designed to foster the American merchant marine through two basic programs. The first of these programs is the operating-differential subsidy, which enables American-flag carriers to offset their foreign-flag competitors significantly lower operating expenses, thus placing them on an equal competitive footing. The second approach of the Merchant Marine Act is designed to maintain an adequate shipbuilding capability in the United States. To achieve this, the act requires those carriers who receive operating-differential subsidy to build their ships in American shipyards. Due, however, to our extremely high standard of living, vessels constructed in American yards are considerably more expensive than comparable ships built in foreign yards. To offset this difference in price, the Merchant Marine Act of 1936 established the construction-differential subsidy. This subsidy, in theory at least, enables an American-flag carrier to purchase ships from American yards at a cost equal to what it would pay for the same ships constructed in representative foreign shipyards. To the extent that the subsidy does not equalize the cost between American and foreign shipyards, the American-flag carrier is penalized by not being able to seek out the lowest cost source for new ships.

In addition to the requirement built into the Merchant Marine Act of 1936 that carriers holding operating-differential subsidy contracts build only in American yards, foreign built ships are barred for a period of 3 years from carrying Public Law 480 and AID cargoes, and are prohibited from engaging in the coastwise trade.

The 1936 act established a ceiling of 50 percent on construction-differential subsidy payments. So long as the cost of constructing vessels in American yards did not exceed foreign construction costs by more than 100 percent, this limitation did not penalize American-flag carriers. Beginning in 1960, however, American-built merchant ships have consistently been more than twice as expensive as comparable ships built abroad. For that reason, the 50 percent ceiling was raised to a maximum of 55 percent in 1960, and has been continued at 55 percent up to this time.

While wages which are the principal cause of higher American construction costs appear to be rising at a more rapid rate abroad, the spread between American and foreign wages is so great that there is no likelihood that these costs will equalize in the foreseeable future. In this regard, it must be recalled that we are faced not only with lower wages in the foreign shipyards but also lower wages in all the various industries which support the shipbuilding industry.

The operating-differential subsidy program, as established by the Merchant Marine Act of 1936, has proven its worth. We have maintained a basic American capability to construct merchant ships. Today we are witnessing a revolution in the design of cargo vessels. American-flag carriers and American shipyards are leading this technological revolution. Today we are building the most modern

efficient ships in the world. Without the construction-differential subsidy, this would have been impossible. These new ships will product significant economic benefits which will more than offset their increased cost, both to the carrier and to the Government. For example, a seabarge type containership, of which there are a number now under construction, will have the productivity of at least three of our traditional break-bulk type vessels now in service. This increased productivity together with a high degree of automation will significantly reduce the operating-differential subsidy required to maintain adequate American-flag service on a given trade route during the 20- to 25-year life of these vessels.

H.R. 265, as introduced by our distinguished ranking minority member of the Merchant Marine Committee, would have extended the 55 percent subsidy ceiling for 2 years. In view of the fact that the administration expects to make significant recommendations to Congress covering the overall merchant marine picture, it is appropriate that this ceiling be extended for only 1 year at this time. Mr. Speaker, I urge the passage of H.R. 265 as amended by your Committee on Merchant Marine.

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

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

Mr. BINGHAM. I wonder if the gentleman, or the chairman of the committee, could give us some information about the financial implications of this measure?

I notice from the report that no precise estimate is provided.

Could we have some idea of the order of magnitude of the financial consequences of this legislation?

Mr. PELLY. I am glad to respond to the gentleman's question and say that, for example, in 1968 there were 10 awards under the ship construction program, and all of these exceeded the 50-percent construction differential that existed in the old Merchant Marine Act of 1936. Therefore, the amount involved in this particular bill is an amount of somewhere between the 50-percent construction subsidy under the 1936 Merchant Marine Act and the 55-percent subsidy authorized by the amendment which this bill would extend for 1 year.

I think it would be difficult to state an exact amount. But I would estimate that the total cost of this bill, based on a 10-ship experience of last year, would involve an average of about $1 million per ship, or a total of $10 million. That is a very rough estimate.

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

Mr. PELLY. Mr. Speaker, I yield myself 3 additional minutes.

The SPEAKER pro tempore. The gentleman is recognized for 3 additional minutes.

Mr. PELLY. Therefore, if there were 10 ships, it would be $10 million in total.

Mr. BINGHAM. Mr. Speaker, if the gentleman will yield further, would that be the incremental over and above the 50 percent or would that be the total amount?

Mr. PELLY. What I am talking about is the total involved in this particular bill. I believe that, normally, a ship that is built receives a subsidy of somewhere around $15 million now. It used to run around $8 million. And therefore, if we take the amount that is over 50 percent, it would be anywhere from 3 to 5 percent above the 50 percent, or a total of $10 million. So, roughly speaking, and I must say I am afraid it is a rough figure and it is a difficult figure to come up with, but in my opinion that is the figure that might be involved is the amount over the previous 50 percent.

Mr. BINGHAM. I thank the gentleman.

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

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

I have supported this program in the past, but my patience is wearing thin.

Now, is it not true that labor costs are not the only factors that enter into this question? Is it not a fact that these shipyards are more modern than American shipyards—the shipyards in Japan, in Germany, and in France and elsewhere?

Mr. PELLY. I would say to the gentleman from Iowa that actually today that while the total price of our ships is going up, this is because of new technical improvements and things of that nature. Actually, we are building ships insofar as labor goes at no greater cost than before. So, I believe that our shipyards are more modern today and that they are building certainly vastly improved ships which in gross amount are more expensive.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, were we not dupes when we forfeited war reparations from the Germans and from the Japanese, and then turned around and made loans to them which we settled for a few pennies on the dollar; funds they used for purposes of rebuilding their modern shipyards—shipyards over that we bombed into destruction?

How stupid can we be in this business of fighting wars and then eternally and forever financing those we have defeated at a huge cost in blood and money? We have rebuilt the productive facilities and capacity of some of them to the point where we cannot now compete and that includes shipyards.

Mr. PELLY. I would say to the gentleman from Iowa that I believe we do have some pretty fine shipyards in this country. I do not believe they are as modern as we would like to have them, but the problem is that they have not been able to have enough orders to work on so as to get into a production line basis. As a consequence, they are building them on a one order basis—a one ship, or two or a three ship at a time basis.

I believe that is the explanation.

Mr. GROSS. I would say to the gentleman that the reason American yards are not getting orders is because of the cost of building the ships; is that not correct?

Mr. PELLY. I believe that certainly for national security purposes we have felt we should subsidize construction costs in order to continue the know-how of our shipyards to provide the necessary ships to take care of our security.

Mr. GROSS. That is correct, and this is just some more, in part, at least, of the stupidity of foreign aid, trying to be all things to all people around the world. It will not work. I will go along with this procedure for 1 more year but, as far as I am concerned I am about to the end of the string.

Mr. PELLY. The gentleman is absolutely right that those nations he has mentioned, Japan and Germany, and so forth, are great shipbuilding nations, and I have no doubt that it was our foreign aid that built them up.

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

Mr. GARMATZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. SULLIVAN), a member of the committee.

Mrs. SULLIVAN. Mr. Speaker, I heartily support this legislation.

During my term as a member of the Merchant Marine and Fisheries Committee, I have observed the operation of the subsidy provisions of the 1936 Merchant Marine Act, and I am convinced that it has been instrumental in maintaining the relative handful of ships that we have.

At the moment, we are in the forefront of the container revolution and we are not only building very fast ships, but also modern, economical types. The entire operation of liner ships has changed radically in the past 5 years. It is essential that we be in a position to take advantage of developments and, for that matter, initiate new ones so that we can maintain our precarious hold on what little of our commerce we presently carry.

I emphasize the point made by the chairman that this is a bill for the benefit of shipyards and not ship operators. All of the money paid under its provisions ultimately reaches the shipbuilder as part of his price for construction of the vessel. The operator obtains his vessel at the same price that he obtained it abroad, and thus he gets no benefit from the subsidy except that he has an American product instead of a foreign one. The money paid by the Government goes to the shipbuilder to defray his extra costs of maintaining an American establishment.

I believe that this bill is essential for the maintenance of our merchant marine and, accordingly, joint with the chairman in urging its enactment.

Mr. GARMATZ. Mr. Speaker I yield such time as he may consume to the gentleman from Pennsylvania (Mr. CLARK), a member of the committee.

(Mr. CLARK asked and was given permission to revise and extend his remarks.)

Mr. CLARK. Mr. Speaker, I am in complete agreement and support H.R. 265.

The vast majority of our merchant fleet was constructed during World War II. Faithful service of these ships is near an end. Of the approximately 900 privately owned active U.S.-flag merchant ships, about 60 percent are at or near their 25th year of service. As a whole the entire fleet averages about 20 years of

age. Unless prompt steps are taken to build new ships, the United States will be reduced to a second-rate maritime power with grave consequences to our balance of payments and sealift support capability for our Armed Forces. The aging of our fleet is unfortunately paralleled by low earnings throughout most of the maritime industry where profits generally range among the lowest in U.S. business. Faced with low earnings, aging equipment, and intense foreign competition, steamship operators must receive national support to at least put them on a capital cost parity with their foreign competitors. By law and regulation, most U.S. shipowners are required or encouraged to build ships in the United States where because of our high standard of living, prices are substantially higher than those abroad. Witnesses from both industry and Government have testified that the cost of building ships in the United States during recent years has generally averaged between 50 and 55 percent more than abroad. The extension of this legislation to permit payment of construction subsidies up to 55 percent is essential if replacement programs presently underway are to be continued and expanded. Accordingly, I urge prompt passage of this legislation to extend the current 55-percent construction subsidy ceiling for one more year. I hope that this is the last extension that will be required and that the administration, as promised, will present a new merchant marine program that will provide the basis for a new, long-term merchant marine policy.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. Mr. Speaker, many Members of this body, on both sides of the aisle, have evidenced their alarm over the diminishing stature of our merchant marine. Their concern is well taken. The United States emerged from World War II with the largest and most modern merchant fleet in the world. But the fleet of more than 5,000 ships—the oldest of which were but a few years of age—today numbers approximately 1,000 ships, 80 percent of which are now approaching 25 or more years of age. Testimony to the infirmities and inadequacies of our merchant marine is the stark, incredible fact that less than 6 percent of this Nation's import-export trade moves in American-flag ships. Ships of other nations monopolize and control not only our imports of vital raw materials but also our access to world markets. That this Nation—the leader in world trade—is so heavily dependent upon the fleets of other nations, in my judgment, is intolerable.

H.R. 265, calling for a 1-year extension of the 55-percent construction differential ceiling, will not resurrect the American merchant marine. Nor will it necessarily enable our merchant fleet to carry a respectable amount of our foreign trade. It will, however, enable those American-flag ship operators who are able to undertake the construction of new vessels between July 1, 1969, and June 30, 1970, to acquire their ships at the same price levels as paid by their overseas competitors.

H.R. 265 does not prescribe that the Government pay 55 percent of the cost of ships built for subsidized operators. Instead, it would maintain the existing ceiling—a maximum of 55 percent—on the extent of governmental participation in funding the cost of such ships.

Unless this legislation is enacted the ceiling will revert to 50 percent. The possibility of reduction in the cost of foreign-built ships during the next 12 months makes it necessary to maintain the 55-percent ceiling in force.

Certainly, with the American merchant marine in such a deteriorated condition, every effort should be made to encourage American shipping lines to modernize their fleets with new efficient vessels. H.R. 265 is a positive and essential step in this direction and I urge support for its passage.

Mr. PELLY. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Speaker, this bill, to extend the provisions of the Merchant Marine Act relating to construction-differential subsidies, is essentially a holding action. It provides for business-as-usual in the merchant marine for 1 more year—but only one. By this time next year, I hope and expect that the Nixon administration will have a clear-cut program of its own to revitalize the American merchant marine.

No one can deny that such a revitalization program is sadly needed. Our merchant marine, once among the finest in the world, has been allowed to dwindle to a shadow of its former self.

If this decline were merely a matter of prestige, we could possibly learn to live with it. But there is much more to it than that. A strong merchant marine can be as effective an arm of national policy as a strong Navy—even stronger, since it represents "present" as opposed to potential power. Despite all the talk about air freight, the vast majority of world trade is carried on ships—merchant ships—and every year, fewer and fewer of those ships are American. This is not a matter of abstract prestige but of cold cash and direct influence lost.

The Russians are aware of the value of an up-to-date merchant marine. As the American fleet declines, the Russian fleet has expanded.

Three years ago I visited the Soviet Union on a factfinding trip to determine their maritime capabilities and goals. I would like to bring to your attention some of the more sobering statistics I gleaned from that trip.

As a result of its 7-year plan, the Soviet Union in 1960 strengthened its 11th-ranked fleet to sixth place in 1965—with a present—that is, 1966—fleet of over 8½ million deadweight tons. The next Soviet target is to triple the size of this increase over the next 4 years. The Soviet goal for 1980 is to have developed a fleet of over 20 million tons—the equivalent of the huge British merchant marine of today."

In comparison, the United States is far behind. During 1965, the Soviets accepted delivery of 129 new ships, while the United States took delivery of only 16.

The Soviet's proclaimed goal is "to gain control of the seas." And they are well on their way to doing just that.

Even disregarding the Soviet threat, the consequences of allowing the U.S. fleet to decline are alarming. We are becoming more and more dependent on foreign shipping to carry our cargoes—in spite of our World War I and World War II experiences when foreign shippers, as the war clouds gathered, suddenly withdrew, leaving our cargoes standing at the docks. And now, as then, we are forced to charter foreign vessels to carry cargo; this time to Vietnam.

We, in the Congress, who are concerned with this situation are looking to the new administration for leadership—and I am sure it will be forthcoming. Already the Nixon administration has gathered some of the most competent and imaginative men in the field to lead its merchant marine effort. The new Maritime Administrator, for instance, is a former shipmaster, and served as assistant comptroller of the Military Sea Transport Service in the Navy before becoming an officer of Grace Line. I have every confidence that this background of Andrew Gibson's will soon be reflected in a strong administration plan to rebuild the merchant marine.

The Under Secretary of Commerce, Rocco Siciliano, has a similarly impressive background. As president of the Pacific Maritime Association, as chairman of the International Labor Organization Maritime Preparatory Conference, and in a multitude of other roles, Mr. Siciliano has shown a strong background in and strong concern for the merchant marine.

These men—and others like them—give this administration the personnel resources it will need to formulate a vital national maritime policy. I am sure that by this time next year they will have a plan for action that we can adopt with confidence. For the sake of the U.S. role in international commerce, I hope that they do. Our national interest demands it.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BYRNE).

Mr. BYRNE of Pennsylvania. Mr. Speaker, earlier this year the Maritime Administration, an agency of the U.S. Department of Commerce, released a staff study entitled "Maritime Subsidies." This comprehensive report revealed that virtually all maritime nations, big and small, provide either direct or indirect subsidies, or both, to their shipping and shipbuilding industries. In ali instances the support is rendered in recognition that such industries are vital to the respective countries' economic and/or military posture, and is intended to preserve them in face of international competition.

Of all the nations in the world, none has a greater need of a strong, viable maritime industry than the United States. Because of our high standard of living, the wage rates of American seamen and shipyard workers range from double to four times those paid to their foreign counterparts. In the field of shipbuilding, if the French, the Italians, the British, to mention but a few, feel that government support is essential to offset,

or minimize the low costs and competitive advantages of Japanese shipbuilders, then I submit, the United States in its own self-interest must see that steps are taken to assist and reinforce it's shipbuilding and shipping industries.

H.R. 265, which would extend for a 1-year period beginning July 1, 1969, a 55 percent ceiling on the construction differential subsidy, is a positive and essential measure to enable the American-flag ship operator to procure his ships at the same price levels which prevail for his foreign-flag competitors.

In essense, this legislation merely insures that those few operators who in the next 12 months are able to order, with Government assistance, new merchant ships from American shipyards will be on a construction cost parity with their oversea counterparts.

I, therefore, urge my colleagues to support passage of this essential legislation.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Speaker, I urge support of this authorization bill, H.R. 265, relating to construction-differential subsidies for our merchant ships, sponsored by my distinguished colleague, the gentleman from California (Mr. MAILLIARD) ranking minority member of the House Merchant Marine and Fisheries Committee.

H.R. 265 authorizes the extension for an additional 1-year period of the present 55-percent ceiling on construction differential subsidy payments on new vessels and 60 percent on reconstruction or reconditioning of passenger vessels. On May 15 the House overwhelmingly gave its support to legislation authorizing $145 million for construction-differential subsidy, as indication of the prevailing feeling in this body that our merchant marine is woefully in need of revitalization.

The General Counsel of the Commerce Department pointed out to the members of the committee during their consideration of H.R. 265 that failure to approve this legislation could deny to the subsidized ship operators parity with their foreign competitors in the construction of the necessary ships. My colleagues are well aware that 98 percent of the material and a very substantial portion of our troops serving in Vietnam are conveyed to Southeast Asia by ship. The United States has a grave responsibility to meet in assuring that we can provide newer and faster ships for such service. Since foreign shipyards consistently undersell American yards in shipbuilding services primarily due to the cheap cost of labor abroad, we of the committee are firmly convinced that we must continue to subsidize our American liner companies—and at the 55-percent ceiling for new vessels and 60 percent in the case of reconditioned or reconstructed vessels, the rate first established in 1960. It was first felt by the committee that a reasonable extension of the present percentage ceiling should be at least 2 years, however, since the administration has indicated it plans to present Congress with a new maritime program affecting this particular area, it was deemed that a 1-year extension would be more appropriate.

In his report, the chairman noted that the subsidized companies under this program are now building a fleet of the most advanced and efficient ships in the world. The crisis in our maritime industry is well known to all of us, as the condition of our merchant marine has been severely inadequate for too long. We have an opportunity today to remedy some of these shortcomings and to insure the success of our construction program by approving H.R. 265. I consider this legislation essential to the needs of the merchant marine and I urge my colleagues to support this bill.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, I have asked for this time to further explore this particular bill in light of the bill that we passed a few weeks ago, H.R. 4152.

Mr. Speaker, I am not so concerned about the percentages being increased here on the subsidies as I am in finding out what kind of vessels they intend to build under this authorization, and under the authorization passed just a few weeks ago.

I wrote the distinguished chairman of my concern about that, and raised a question on the floor when the bill was before the House. All I could ascertain from the chairman was that, insofar as the intent of the bill was concerned, no kind of subsidy would be given to shippers of a particular commodity. The concern of the gentleman was the construction of vessels, and that the gentleman was asking somewhere in the neighborhood of $29 million extra for the purpose of construction of these vessels. The question occurs again to me, because I still have not received a satisfactory answer.

The chairman wrote me on May 26, in which he said:

> I have no information with reference to this particular movement, but it occurs to me that it would very likely be handled in foreign-flag vessels over which the U.S. has no controls.
>
> Furthermore, these are bulk commodities and although some applications are pending for the construction subsidy for bulk carriers, it is highly unlikely that any government funds will be allocated in this direction.

I wrote to the chairman and I also wrote to the Administrator of the Maritime Administration to ask him what kind of vessel would be planned, and he writes back, and the information is somewhat contradictory. That is what I am trying to get established here today. He said, and I quote from his letter to me:

> The type of vessel to be used would, of course, be a bulk carrier and the cargo would be classified as nonliner dry cargo.

Then he goes on to say:

> You indicate that this prospective endeavor could have a very direct and detrimental effect on your district.

I notice in this week's issue of Traffic World that the Deputy Administrator of the Maritime Commission, Robert J. Blackwell, is quoted in this particular edition, in appearing before the committee, as to the type of construction that they anticipate. I know, Mr. Speaker, you cannot in a bill always say that so many vessels of a certain type are to be constructed. Still you are bound to know what kind of vessel you are going to have.

This is what Mr. Blackwell said:

> In a subsequent question-and-answer discussion with committee members, Mr. Blackell also disclosed that the MSB is currently studying plans submitted by the Langfitt Corp. for construction of two "super" tankers in Brooklyn, N.Y., of 230,000 deadweight tons each, expressly for service in the proposed new Northwest Passage route.
>
> Mr. Blackwell noted that, even if the route, presently under exploration, should prove to be unfeasible, an expanded tanker fleet would be needed anyway. Without the new route, he said, pipelines would have to be built to supply the capacity anticitpated for the tankers. Tankers would be needed, he said, to service the pipeline at its coastal terminals.

The point here is that Blackwell was saying that apparently you are asking for this extra money to build large vessels to haul liquid fuel, I assume petroleum products, and yet, the chairman earlier said that the vessels they anticipate constructing would be for dry bulk.

Now, are you talking about dry bulk carriers under the bill we passed 3 weeks ago, and liquid under this particular bill? So what kind of vessels are you going to build, and for what purpose?

I want the House to know that I am concerned, because I have a calcium limestone industry in my district which engages in the production of limestone. If under this bill they build these vessels and they haul in calcium and aragonite as it is called from the Bahama Islands, on which no tariff is paid, and on which they are asking for depletion, and they are also getting a construction-differential subsidy, I say that that is unfair competition with our domestic industry.

I ask either one of the gentlemen, what kind of vessels are you building? I will be very glad to yield to either side.

Mr. GARMATZ. First of all, they did not get enough money originally from the subsidy for liner vessels let alone bulk vessels. I would say 99 percent of the subsidy in 1965 and 1966 and the last few years, were for all liner vessels.

I do not know how you possibly can answer what particular type will be involved.

Mr. PICKLE. You mean that they are coming to you and you are appropriating $29 million extra and you did not ask what kind of vessel they are going to build?

Mr. PELLY. That question was asked and Mr. Blackwell of the Maritime Commission Administration, as I recall, answered and said that part of the funds would be used to build a sea barge type of modern cargo vessels.

I heard nothing mentioned with regard to any liquid cargo that I can recall in the hearings.

Mr. PICKLE. But earlier you say that they were hoping to build these two super tankers of 230,000 deadweight tons each.

Mr. PELLY. I am not making that statement because I do not know what

they are doing. But I would think that the Maritime Administrator, if you give him a call, would tell you exactly what he intends to do.

Mr. PICKLE. I respectfully tell the gentleman that I have tried to get that information from the Maritime Administrator. I have a letter here from him that I would like to include in the RECORD:

U.S. DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D.C., June 4, 1969.

Hon. J. J. PICKLE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PICKLE: This is in reply to your letter of May 22, 1969, enclosing a copy of your letter to Chairman Garmatz with respect to the policy that should be followed in balancing the need for a strong merchant marine against the desirability of preserving existing domestic activities. You mention that there is an organization which has a proposal to dredge calcium and aragonite deposits from the area of the Bahama Islands and ship them to southern ports in competition with domestic lime and limestone production, and that their operation in very large measure depends on their receiving a construction-differential subsidy from the Maritime Administration. The type of vessel to be used would, of course, be a bulk carrier and the cargo would be classified as nonliner dry cargo. You indicate that this prospective endeavor could have a very direct and detrimental effect on your district.

No decision has been made as to what vessels will be paid construction-differential subsidy from the funds appropriated for this purpose for the fiscal year 1970. In the past such appropriations have been used only for the replacement of liner vessels operated under operating-differential subsidy contracts, and the appropriations requested and made have not been fully adequate for this purpose. We hope at some time in the near future to be able to make some such funds available for the construction of bulk carriers.

Vessels built with construction-differential subsidy must be built in the United States and must be registered under United States laws. The amount of the subsidy is the excess of the cost of building the vessel in the United States over the cost of building the vessel in a foreign shipyard. The cost of a vessel to the recipient of a construction-differential subsidy, in other words, is the same as though he had had it built in a foreign shipyard. The only vessels eligible for construction-differential subsidy are those that are to be operated in foreign trade.

An operator who wishes to operate in foreign trade can have his vessel built in a foreign shipyard and can register the vessel under United States laws or under foreign laws, as he chooses. In either case there is no tariff on the vessel. The recipient of a construction-differential subsidy is not receiving a benefit so far as the cost of his vessel is concerned that he cannot achieve for himself by building his vessel in a foreign yard. Construction-differential subsidy is in substance a subsidy to United States shipyards rather than to United States ship operators.

In 1968, foreign flag vessels carried 96.8 percent of the tonnage of commercial nonliner dry cargoes in our foreign trade, 94.6 percent of the tonnage of commercial liquid cargo carried in tankers, and 76.4 percent of the tonnage of commercial liner cargo. In that year foreign flag vessels carried 93.6 percent of the total tonnage of commercial cargo moving in our foreign trade.

In view of the above, it would not be possible to protect domestic produced commodities from competition with foreign produced commodities through denial of applications for construction-differential subsidies.

I hope this information will be of assistance to you.

Sincerely,

ROBERT J. BLACKWELL,
Acting Maritime Administrator.

I tell you I cannot get that information from him. He says that they are apparently going to build dry boat carriers. That is in conflict with reports I am getting.

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

Mr. PICKLE. I am glad to yield to the gentleman from Iowa, if I have the floor, for a question.

Mr. GROSS. By any chance, would these 250,000-ton tankers eventually wind up in the hands of that great lover, Aristotle Onassis, who flies the Liberian flag or some other flag?

Mr. PICKLE. I, of course, cannot answer that question. I thought he had a pretty good supply of vessels already. He is apparently a pretty good operator.

I am concerned about our need for the vessels. We need the vessels. I do not question that. Our maritime industry is too small for our own good, and we probably should increase it. But I am concerned that, in the consideration of such an authorization as the one proposed, that the Congress at least know what kind of vessel and for what purpose it is going to be constructed.

There is an outfit in Florida called Ocean Industries. I do not know too much about them. I speak only in terms of the competition they might give to my district, and the district of anyone in the Congress. I think the district of any Member of Congress would certainly be affected. If they go into Florida or the Bahama Islands, and if we build several vessels for such a concern, whether they are built there or in a foreign port, and we give them a construction-differential subsidy of up to 55 or 60 percent, then, to begin with, we have given them a tremendous edge in competition.

Second, if we let them bring that calcium into our ports, whether they are the gulf ports or the ports along the Atlantic coast, wherever they might be, they could haul the material more cheaply even to the Pacific coast than we could, and that would be giving them another edge. And with those factors we would also be hurting the railroads, because they cannot compete with that kind of competition.

So in building such vessels or giving them the proposed subsidies, we ought to know exactly what kind of commodities will be carried in them. We ought to serve notice on the Maritime Administrator that we cannot be providing subsidies in such cases. The matter of any such violations ought to be looked into, and a lot of other problems ought to be more thoroughly examined, because it looks to me like we would be creating vessels that would be in competition with local producers. I submit to the chairman that we ought to be told completely what kind of vessel will be built and for what purpose.

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

Mr. PICKLE. I yield to the gentleman from Maryland.

Mr. GARMATZ. I would like to assure the gentleman that the hauling of the particular material to which he referred would probably be done in foreign vessels, because it could be hauled more cheaply into the United States, and we would have no control over that.

Mr. PICKLE. Yes. The chairman wrote me a letter saying that he thought it would be hauled in foreign vessels. If that is the case, we would have no control, but the unfair competition would be just as real. I want the chairman to assure me that it is not the intent of his committee in the construction of these vessels, that a foreign trader or a foreign operator be allowed to haul products into this country in severe competition with our own industry. Is that the intent of the committee?

Mr. GARMATZ. We cannot stop any foreign operator from bringing in anything he wants to bring in, in that sense of the word; but I assure the gentleman that the American money that is used as a subsidy for the building of the two tankers that we are speaking about will not be provided for the hauling of material in the Northwest Passage or to be used in the hauling of the material that you have in mind.

Mr. PICKLE. There are two classes: First, the oceangoing tankers, which would haul petroleum, using the North-West Passage. In addition, this is apparently strong indication, judging from the letter I got from the Maritime Administration on June 4, in which he says:

The type of vessels used, of course, would be a bulk carrier, and the cargo would be classified as nonliner dry cargo.

There is more here than meets the eye. I ask that we be given more information. I do not want to appear as one who objects to the construction of vessels. But when the committee asks for a considerably larger amount of money than asked for by the administration; namely, $20 to $25 million, and when I read that there is a manufacturing concern in Florida—Ocean Industries—that is trying to offer a prospectus to the public in almost that exact sum, then I wonder if this is the little jewel that is waiting for this legislation to be passed.

Naturally I do not want to see these kinds of commodities hauled in competition with our local industry. Surely it is not the intent of our Congress that we do that.

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

Mr. PICKLE. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, the argument the gentleman from Texas has is with the Merchant Marine Act of 1936. That is not before this House today. All this bill would do is raise the amount of subsidy or the percentage of subsidy from 50 to 55 percent, to be used in order to construct ships. As far as I know there have not been any of these funds to use in the intercoastal service, which I believe is the service the gentleman from Texas is referring to.

This bill is simply raising the amount percentagewise that can go toward construction of ships. This does not authorize any particular kind of ship. We have to go back on that to the act, and I think if the gentleman from Texas will go to the Maritime Administration and if there are funds that come up for construction, then he can put a limitation on that, but he should not attack this particular bill.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PELLY. Mr. Speaker, I yield the gentleman from Texas 2 additional minutes.

Mr. PICKLE. Mr. Speaker, I made it plain at the beginning that I was not objecting to the fact that the percentage could be raised from 50 to 55. Actually at this point it is 55 and the gentleman in the bill would authorize raising it to 60 percent.

Mr. PELLY. Mr. Speaker, that is not correct. It is 60 percent on passenger vessels, except they do not build passenger ships. It is 55 percent on cargo vessels.

Mr. PICKLE. Sixty percent is the impression we would have from reading the bill, but actually it is 55 percent.

I presume the percentages are in line with the facts that have been given to the committee. I am using this time to ask about the bill just passed, and what the money is to be used for, and I have not been given that information yet.

Mr. PELLY. Mr. Speaker, may I respond to the gentleman by saying it is the wrong time and the wrong bill. I would, however, hope that the chairman of the Committee on Merchant Marine and Fisheries would see that the gentleman from Texas gets the appropriate information he wants, so at the appropriate time the gentleman from Texas can raise this issue before the House.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield some time to the gentleman from Texas?

Mr. PELLY. Mr. Speaker, I yield the gentleman from Texas 2 additional minutes.

Mr. GARMATZ. Mr. Speaker, if the gentleman will yield, may I say to the gentleman from Texas there have been no applications made, so no one knows what type ship will be offered. It is physically impossible.

Mr. PICKLE. Mr. Speaker, may I say to the chairman it seems to me that commonsense would dictate if they come to the gentleman and ask for several million dollars worth of appropriations, the gentleman would find out what kind of ships they are going to build for that kind of money.

Mr. GARMATZ. The authorization for the bill was passed the other week and carried $145 million for defense features. This would carry $1.6 million which would permit construction of about 18 to 22 ships as compared to 11 ships last year. There is no telling in the absence of specific applications as to what kind of ships will be built.

Mr. PICKLE. That was the amount of $29 million that was added; for what purpose was it added, and why was the $29 million extra included that the committee put in that was not even in the administration report?

Mr. GARMATZ. It was for more ships.

Mr. PICKLE. What kind?

Mr. GARMATZ. That is up to the Maritime Administration to see what kind of applications are made out. We cannot tell that. It is physically impossible.

Mr. PICKLE. I cannot understand that, Mr. Speaker. I thank the gentleman.

Mr. PELLY. Mr. Speaker, I understand the problem of the gentleman from Texas. I am sure the chairman of the committee will try to work with the gentleman from Texas in order to give him the information to which he is entitled.

Mr. PICKLE. Mr. Speaker, I hope we will bring in the Maritime Commission, so we will have the exact knowledge of what is in this bill.

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

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

Mr. KYL. Mr. Speaker, I thank the gentleman from Washington for yielding.

Mr. Speaker, it seems we have several other questions. We have a question with respect to the 7-percent investment credit and another regarding what we call loopholes which are intended to spur economic development. How do those differ from the subsidy with which we have been involved today?

Mr. PELLY. Mr. Speaker, if the gentleman will yield, I would say to the gentleman it all depends on what loopholes the gentleman may be referring to. I am sorry the chairman of the Ways and Means Committee is not here for this.

Mr. KYL. Then may I ask this question instead, sir? Would it be possible under the present 7-percent investment credit for someone to get a subsidy of 50 percent in building a ship and then also on his part of the purchase to get a 7-percent investment credit?

Mr. PELLY. It is not possible for someone to get a 7-percent investment credit in addition to the 55 percent.

Mr. KYL. I thank the gentleman.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 265, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS FOR PADRE ISLAND NATIONAL SEASHORE, TEX.

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11069) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes, as amended.

The Clerk read as follows:

H.R. 11069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final net judgments rendered against the United States in civil action numbered 66-B-1 in the United States District Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore, totaling $4,129,829.00, plus interest as provided by law.

The SPEAKER. Is a second demanded?

Mr. SKUBITZ. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker, H.R. 11069 authorizes an appropriation of $4,129,829 to satisfy the last remaining judgment at Padre Island National Seashore.

As most Members will recall, we considered legislation to increase the authorization ceiling for this seashore during the 90th Congress. At that time, we indicated that additional legislation would be required to satisfy this last judgment, but, because this judgment was not final, we felt it unwise to include it.

During the interim, it was possible to reduce the final cost involved at the seashore. While the legislation was being considered, the court reviewed the verdict and ordered the award reduced from $9,924,387.80 to $7,332,750. Since $1,602,921 had been deposited with the court when the declaration of taking was filed, this left a deficiency of $5,729,829.

The United States became liable for the fair market value of the property, as determined by the court, at the time that the declaration of taking was filed. No one expected that the land prices would be as much as they turned out to be, but, once the court award became final, there was little recourse without the cooperation of the landowners.

Late last year, the National Park Service negotiated with the previous landowners in an effort to reduce the judgment further. Both sides ultimately agreed to the revestment of some 1,600 acres of lands detached from the main body of the seashore and the court approved the compromise. As a result, the judgment was reduced by $1,600,000 to $4,129,829. The former owners also agreed to waive all interest through December 31, 1968—which will result in a reduction of the total outlay for the seashore. The total interest saved on this agreement amounts to more than $1 million.

Mr. Speaker, no one regrets the necessity of bringing this legislation to the floor more than I do. I had hoped that the Padre Island National Seashore could be acquired and made available to the American people at a much more modest

cost. Unfortunately, the land-cost estimates were extremely low and the land-price escalation was extremely fast once the Congress authorized the establishment of the seashore.

I feel we have learned a great deal from these experiences. The cost figures provided us in more recent years have been based on sound appraisals and we are advised that many of the recent authorizations seem to be progressing within the authorized ceilings. We hope that adequate appropriations can be made to assure the timely acquisition of the lands necessary to assure viability of the units authorized by Congress.

As chairman of the Committee on Interior and Insular Affairs, I recommend the enactment of H.R. 11069, as amended, and urge its approval by the Members of this House.

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

Mr. ASPINALL. I am glad to yield to my good friend from Iowa (Mr. GROSS).

Mr. GROSS. I thank the gentleman for yielding.

Perhaps, in dealing with matters of this kind in the future, it might be well for the committee when it considers an original bill to have a complete understanding with those who are involved in disposing of the land and who want Federal funds to prevent just such a thing as this from happening. The gentleman from Colorado was very frank about it last year when he made his statement regarding this project when he came before the House for the authorization. The gentleman said then that those responsible for this promotion had badly underestimated the costs.

Mr. ASPINALL. The gentleman is correct. We thought in this particular instance that we had the answer. Since that time, however, we found out we did not have the answers, at least in this particular instance. I do not know if we have had them in one or two other matters that were taken care of at about this time. We are better prepared today than we were then. We are making certain changes in our procedures such as we did for the redwoods and are taking the property as of the time of authorizing the facility and letting the appraisals stand as of that time. There is no more of this escalation that we will permit if we can possibly help it.

Mr. GROSS. I am pleased to hear the gentleman say that, because it seems to me in this particular case there was an unconscionable escalation in the cost of the Federal Government. I must register my protest to what happened. I am not going to make a full-fledged issue out of it here today. We are already in it to that extent where I feel we must proceed, but I hope it does not happen again.

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

Mr. ASPINALL. I yield to my second good friend from Iowa.

Mr. KYL. I appreciate the gentleman mentioning that he has two friends from Iowa. I thank the gentleman for yielding.

In this particular instance I think there was a surprise that no one in the administration or in the House or in the States of Texas could contemplate. This was the amount which was actually allowed by the court in the condemnation proceedings. This was larger than the landowners themselves expected. It was much larger than the solicitor of the Department of the Interior contemplated. There was no way of predicting what the court would do in this instance in a most unusual manner.

Mr. ASPINALL. I go along with my friend in his statement. Knowing this area as we thought we knew it at that time, this kind of price did not seem possible, but when it got into court, of course, the prices were set there and the court found those prices to be proper. The judgment became final, and it called for more money than we had allowed. Particularly with the increasing cost of interest, we feel the best thing to do is to go ahead and pay this judgment now.

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

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

Mr. GROSS. It seems to me in the future, if we run into a situation of this kind and dealing with people as avaricious as they apparently are in this particular case, there must be an agreement which would prevent a matter of this kind going to court, or else see to it that the Federal Government's commitment of funds was abrogated.

Mr. ASPINALL. We are endeavoring to get those commitments.

Mr. SKUBITZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 11069, a bill to authorize the appropriation of $4,129,829, plus interest, to satisfy a final judgment against the United States in a condemnation action which was brought to acquire property for the Padre Island National Seashore in the State of Texas.

Congress in 1962 authorized the establishment of Padre Island National Seashore, comprising 133,918 acres, substantially all of which was in private ownership—33,545 acres owned by the State of Texas—and authorized an appropriation of $5 million for the acquisition of lands and interests in lands.

Negotiations to acquire these lands and interests failed, and the Government was required to file declarations of taking under the act of February 26, 1931.

The result has been that practically all of the lands needed for the establishment of Padre Island National Seashore have been acquired in this manner, and at tremendous cost to the Federal Government—a cost which I am advised was not foreseeable in the original estimates of acquisition costs.

H.R. 11069 authorizes the appropriation of $4,129,829, plus interest, to satisfy the final judgment as mentioned.

Despite my inward reaction against this type of legislation, the facts are that the judgment must be paid and, therefore, the need for this legislation.

A careful review of this proceeding—or civil action No. 66–B–1—further dictates that the legislation be favorably considered—as the best of a bad bargain.

This legislation involves a total of 10,560 acres of the Padre Island National Seashore.

At the time the declaration of taking was filed the sum of $1,602,921 was deposited with the court and the fee simple title to these lands vested in the United States.

The Federal statute prescribes that in such court proceedings that the judgment shall include, as part of the just compensation awarded, interest at the rate of 6 percent per annum on the amount finally awarded as the value of the property.

Through compromise and court action the judgment has been reduced from $9,891,637.80 to a total award of $5,700,000.

The award, less the deposit, results in a deficiency in the sum of $4,129,829—the amount authorized to be appropriated in this legislation.

Mr. Speaker, I urge the passage of H.R. 11069 to satisfy this judgment against the United States.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 11069 increases the amount authorized so as to complete the acquisition of land for the Padre Island National Seashore.

Last fall Congress had before it legislation which would have increased the authorization to permit appropriations to complete this land acquisition. However, we felt that the ceiling should be limited at that time to the amount needed to satisfy the judgments which had been made final. It was understood at that time that additional judgments had been rendered against the United States, but that the time for appeal had not expired.

These judgments, when made final, exceeded the amounts deposited with the court by the National Park Service by nearly $9 million. However, further consideration by the court and a compromise between the parties approved by the court have reduced the need for additional funds to $4,129,829, plus interest at 6 percent from January 1, 1969.

This is a just matter of authorizing money to pay valid judgments against the United States which are now final and drawing interest at the rate of 6 percent per year. I believe that we have no choice except to pass the legislation and pay this debt.

The moneys authorized by this will pay the balance due on the judgment for 8,932.10 acres. Originally, this action—civil No. 66–B–1—involved 10,560.15 acres, but 1,628.05 acres are being revested in the original owners. It was felt that the lands revested would have been a valuable addition to the seashore, but it is detached from the remainder of the seashore by the Mansfield Channel. Since the costs exceeded the amounts anticipated, it was not essential and was not as valuable as the costs to be incurred.

In all, with the revestment, the Padre Island National Seashore will total approximately 132,000 acres of lands and submerged lands.

The SPEAKER. The question is on the motion of the gentleman from North

Carolina that the House suspend the rules and pass the bill H.R. 11069, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RELEASE OF RETAINED RIGHTS IN CONVEYANCE TO THE BOARD OF EDUCATION OF LEE COUNTY, S.C.

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9946) to authorize and direct the Secretary of Agriculture to quitclaim retained rights in certain tracts of land to the Board of Education of Lee County, S.C.

The Clerk read as follows:

H.R. 9946

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to execute and deliver to the Board of Education of Lee County, South Carolina, its successors and assigns, a quitclaim deed conveying and releasing unto the said Board of Education of Lee County, South Carolina, its successors and assigns, all right, title, and interest of the United States of America in and to those tracts of land, situate in said Lee County, South Carolina, containing eleven parcels, five of said parcels being more particularly described in a deed dated December 14, 1945, from the United States conveying said parcels to the State Superintendent of Education for the State of South Carolina, recorded in the land records of the office of the Clerk of Courts for Lee County, South Carolina, in deed book H–1, page 388, and six of said parcels being more particularly described in a deed dated July 15, 1946, from the United States to the State Superintendent of Education for the Senate of South Carolina, and recorded in the land records of the office of the Clerk of Courts for Lee County, South Carolina, in deed book J–1, page 288.

The SPEAKER. Is a second demanded?

Mr. KLEPPE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Texas (Mr. DE LA GARZA) will be recognized for 20 minutes, and the gentleman from North Dakota (Mr. KLEPPE) will be recognized for 20 minutes. The Chair recognizes the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Speaker, this is a bill to direct and authorize the Secretary of Agriculture to convey by quitclaim deed the interests of the U.S. Government to certain property situated in Lee County, S.C.

The interest in question is a 61-percent undivided right of reentry to approximately 285 acres. The right would only exist in the event the property in question ceases to be used for educational or community purposes. The conveyance will be made without consideration.

By way of explanation, Mr. Speaker, I would like to inform my colleague that the land in question was part of a very large tract which was jointly purchased by the Farm Security Administration of the Department of Agriculture and the South Carolina Rural Rehabilitation Corporation in the 1930's, for use as a resettlement project necessitated by the great depression.

Most of the land in this tract was deeded to individuals in 40-acre tracts; many of the original owners still farm those parcels. The land in question was set aside for municipal use in the resettlement project and a school constructed thereon. The school and its related facilities have been in continuous operation, however, in the 1940's the Farm Security Administration deeded its interest to the South Carolina State Superintendent of Education, while retaining the right of reentry which I explained a moment ago.

In 1953 the State of South Carolina deeded its interest in the land to the Lee County Board of Education which has since operated a 12-grade, segregated school thereon.

As many Members know, there is a broad Federal court order in existence in South Carolina which calls for the integration of schools. Lee County is one of 22 counties which are subject to this order. Lee County is diligently trying to comply with the court order and to this end has obtained the approval of the Department of Health, Education, and Welfare of a plan to bring it into compliance. The approved plan requires Lee County to construct a single high school with modern facilities as a replacement for its four high schools. The new school will, of course, be open to all students.

The Superintendent of Schools for Lee County testified that the centrally located parcel of property available for the new school is the one in question, HEW officials concur—the approved plan specifies the site.

As we all know, construction requires financing and in this instance bonds will be necessary; however, there is no possible way for the county to market its bonds without clear title. The need for early action on this bill is accentuated by the fact that the court order has previously been extended on several occasions. More importantly, however, it should be noted that Lee County has obtained approval of HEW on a plan which involves the land in question. Our failure to act favorably on this bill could result in undue delay.

The need for House action and passage of this measure is self-evident. The Department of Agriculture has indicated that it has no objection to relinquishing its right to reenter the property; the South Carolina Rural Rehabilitation Corporation has advised the committee it is preparing a deed to quitclaim its undivided rights.

I reserve the balance of my time. I yield to the gentleman from North Dakota such time as he may consume.

The SPEAKER. The Chair recognizes the gentleman from North Dakota (Mr. KLEPPE).

Mr. KLEPPE. Mr. Speaker, in addition to the remarks of the gentleman from Texas, I would briefly like to stress two facts: First, this measure involves no cost to the Government and, moreover, early action will actually result in a savings to the Government. This is so because compliance by Lee County will enable HEW and the Justice Department to bring to an end their enforcement proceedings against Lee County.

Second, as my colleague stated earlier, the land in question has been used as a school since the 1930's and present plans call for this to continue on a permanent basis. There is hence little likelihood that the interest of the United States has an assessable pecuniary interest.

All this bill does is to quitclaim the Government's reversionary rights.

I hope my colleagues will support this bill.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill, H.R. 9946.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BANKING AND CURRENCY COMMITTEE TO INVESTIGATE PRIME RATE INCREASE

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

Mr. PATMAN. Mr. Speaker, Thursday afternoon, the Banking and Currency Committee will launch a full-scale investigation into last week's increase in the prime interest rate from 7½ to 8½ percent.

Mr. Speaker, this investigation is designed to get to the bottom of these disastrous interest rate increases and determine ways in which we can prevent further increases and roll back the current rates.

Mr. Speaker, Secretary of the Treasury, David M. Kennedy, will be the first witness before the committee. Other witnesses will include the Federal Reserve Board Chairman and Attorney General John Mitchell.

In addition, we will have testimony from representatives of Bankers Trust Co. of New York, Chase Manhattan National Bank of New York, First National City of New York, Continental Illinois National Bank of Chicago, and Riggs National Bank of Washington, D.C. Other witnesses will be announced later this week.

The hearings will open at 2 p.m., Thursday, or as soon as the House adjourns that day. They will continue Friday, Saturday, and Monday, June 20, 21, and 23, if necessary.

Mr. Speaker, I have received telegrams, letters, and telephone calls from people all over the Nation since the interest rates were increased last week. The American public is unquestionably aroused about this situation and it is obvious that they want something done quickly by the Congress.

As I stated last week, the Nation cannot long endure a prime lending rate of 8½ percent. The prime rate, of course,

is the rate that goes to only the very best customers of the bank. The other customers pay higher rates and the average consumer and small businessman is virtually cut off from credit at any rate. This is a highly serious situation.

Mr. Speaker, the banks have made this assault on the American public at a time when their earnings are at the highest levels in years. The banks know that the first 6-month figures for 1969, which will be available in a few weeks, will show these record earnings. The banks have totally abandoned their public responsibility and are making an outrageous grab for more profits at a time of economic crisis for the Nation.

One again, the banks have cloaked their profitmaking in outlandish propaganda. Once again, they have claimed that they are fighting inflation by raising the price of their product. The banks, of course, are adding to inflation; they are not fighting it through higher and higher interest rates. High interest rates add to the cost of every item in the economy. To fight inflation with high interest rates is like pouring gasoline on a fire.

Mr. Speaker, I wrote President Nixon last week strongly urging that this administration take firm steps to hold back the banks and to protect the public against high interest rates. I have also urged the Secretary of the Treasury to stand up and be counted and to forget his ties to the banking industry long enough to act responsibly. I have also asked Attorney General John Mitchell to investigate the possible violations of the antitrust laws which were engaged in by the banks in this latest prime rate increase.

Mr. Speaker, the administration is moving timidly while the public is gouged with high interest rates by the big banks. The Secretary of the Treasury wrote me a weak-kneed letter about high interest rates which, for all practical purposes, was an open invitation to the banks to raise rates. The Secretary of the Treasury unfortunately is only a few months from the chairmanship of the Nation's eighth largest bank, the Continental Illinois National Bank of Chicago, and he is having great difficulty deciding whether his first concern is for public office or his first love, the banking industry.

Mr. Kennedy is also hamstrung by the fact that he continues a massive financial arrangement with the Continental Illinois National Bank, one of the participants in the prime rate increase. Mr. Kennedy's ties to Continental Illinois National Bank were not lost on the banking industry as it considered this prime rate increase. The banking industry knew full well that the Secretary of the Treasury could not attack them at a time when he was receiving thousands of dollars in benefits from one of the participants in the prime rate increase.

Mr. Kennedy's hands have been effectively tied by his relationship to Continental Illinois National Bank and every banker in this Nation knows it, even if the fact has escaped President Nixon.

It is a simple and age-old fact that no man can serve two masters.

The American public can expect no relief from an administration whose principal economic watchdog is beholden to the banks. If President Nixon has any concern about these high interest rates and if he is determined to protect the public against this outrageous gouging, then it is incumbent on him to find a new Secretary of the Treasury. The present situation is just what I was talking about when I raised the conflict of interest questions about Mr. Kennedy earlier this year. Mr. Kennedy is not a free man in his office and the country is put in a perilous situation when it becomes necessary for the Secretary of the Treasury to take action directly affecting the banking industry.

Mr. Speaker, it is regrettable that a Member of Congress must repeatedly call attention to such an obvious fact. It is regrettable that this administration did not act to either remove Secretary Kennedy or to seek an adequate resolution of his conflict of interest situation before the banks made this new assault on the American public.

Can the American public have confidence that the Secretary of the Treasury will act against the banks to bring down interest rates when he is tied so firmly to the Continental Illinois National Bank?

Secretary Kennedy has heightened the public suspicion by the statements he has made since the prime rate increase last week. After his friends in the banking community had raised the rates, Mr. Kennedy was quoted widely in newspapers all over the country as saying he would not condemn the action. Reporters repeatedly have sought the Secretary's views, but each time he has steadfastly refused to condemn or criticize his colleagues in the banking industry. With interest rates at their highest level in history, the Secretary of the Treasury lacks the courage to stand up for the American public. Mr. Kennedy is obviously much more at home with the philosophy of the banks. He is constitutionally incapable of criticizing the banks even when they jack the prime rate to 8½ percent.

President Nixon has made a grievous mistake in refusing to deal with Secretary Kennedy's conflict-of-interest situation in a forthright manner. President Nixon and his administration must now accept the responsibility for this latest round of interest rate increases.

Mr. Speaker, I hope that President Nixon will do everything in his power to correct the mistakes of his administration in the monetary field and bring about lower interest rates. The Banking and Currency Committee will cooperate fully with the administration in any meaningful program to bring about lower interest rates. I hope that President Nixon will act on the suggestions I made in a letter to him on June 9. Mr. Speaker, I place a copy of this letter in the RECORD.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 9, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: Enclosed is a copy of a press release issued today concerning the latest move by the commercial banks of this country to raise the prime rate from 7½ to 8½ per cent.

Since the beginning of this year, commercial banks have increased their prime lending rate by more than 25 per cent—from 6.75 per cent to the current 8½ per cent. In my opinion, there is no difference between this move by the banks and that of any other industry engaged in price-fixing. A sudden and simultaneous 25% increase in steel prices by major producers would almost certainly bring a hue and cry from everyone in the Federal Government. Yet the same outrage seems to be lacking when the banks conspire to raise prices.

As in past interest rate increases, banks across the nation moved immediately and almost simultaneously to increase their prime lending rate to the 8½ per cent level in what appears to be an obvious conspiracy to fix prices. As indicated in my press release, the Attorney General should be called on to use the antitrust laws to prevent the big banks of the country from joining in a conspiracy to establish a general increase in the prime lending rate.

As the Chief Executive Officer of this country with control over the Federal Reserve Board and the Treasury Department, there are many actions that can be taken by your office to roll back the high rates which have been aptly characterized as a form of legalized plunder.

First, Mr. President, I would urge that you issue a strongly-worded statement which plainly indicates opposition to the latest interest rate increase.

Secondly, Mr. President, I urge you to instruct the Federal Reserve to close its discount windows to those banks which participated in this conspiracy to raise interest rates.

Thirdly, Mr. President, I urge you to direct the Secretary of the Treasury to remove all "tax and loan" accounts from the banks which participated in this conspiracy.

Fourth, Mr. President, I urge you to direct the Attorney General to proceed with antitrust actions against those banks that engaged in a conspiracy to raise prices.

In addition, I urge you to call together all of the monetary and economic policy makers in the Administration and let them know fully and firmly that you want lower interest rates and that you are opposed to the type of conspiracy which was engaged in by these banks across the country. This meeting will plainly indicate your intention to do something about the high interest rates which have increased more than 25 per cent since your election.

Mr. President, your office has great powers to end these high interest rates and to prevent monetary policy from forcing the country into a severe recession. I respectfully urge you to exercise this power in the public interest.

Let me assure you that as Chairman of the Banking and Currency Committee, I will cooperate fully with you in any meaningful plan to bring down interest rates. If you do not feel that you have sufficient powers to bring about lower interest rates, I hope you will let me know immediately. Let me know exactly what powers you feel are lacking. I am sure that the Banking and Currency Committee and the Congress as a whole will give immediate attention to any new powers which you feel the President needs to control monetary policy and to bring down the current high level of interest rates. We will give this priority attention if you will forward a message before the situation reaches crisis proportions.

Mr. President, I do not raise these questions about high interest rates and their adverse effect on the economic health of the nation in a partisan spirit. The economic health of the nation affects every American, Democrat as well as Republican. And as you know, I

have supported many of your economic policies including the extension of the surtax, the repeal of the 7 per cent Investment Tax Credit, and tax reform.

High interest rates now pose the most serious threat to the economic well-being of the nation. Therefore, Mr. President, I hope that you will take immediate action on this extremely serious problem.

Sincerely,

WRIGHT PATMAN.

SHOE IMPORT PROBLEM URGENT

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

Mr. BURKE of Massachusetts. Mr. Speaker, may I call to the attention of the Members of the House of Representatives the recordbreaking petition sent to the President Richard M. Nixon on June 12, 1969, asking that the President enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations on shoes. Four additional names have been sent to the President today. They are as follows: Hon. JOHN PAUL HAMMERSCHMIDT, BERNIE F. SISK, WILLIAM C. WAMPLER, and DANIEL E. BUTTON. In all 302 Members have signed. I am very sure that the White House will give this petition serious consideration.

I want to express my deep appreciation to the members of the Ad Hoc Shoe Steering Committee who helped Congressmen WILLIAM BATES, LOUIS WYMAN, and myself in this effort. Our thanks, of course, is extended to the Members who signed, thereby recognizing the urgency of this shoe import problem.

The following press releases and telegrams further explain the magnitude of the shoe import situation:

[From the Quincy (Mass.) Patriot Ledger, June 12, 1969]

LIMITATIONS ON IMPORTED SHOES SOUGHT TO AID DOMESTIC INDUSTRY

(By Robert A. Berger)

WASHINGTON.—U.S. Reps. James A. Burke, D-Mass., and William H. Bates, R-Mass., have gathered the signatures of 300 congressmen on a petition to President Nixon asking relief for the domestic shoe industry.

A petition with as many as 300 House members may well be unprecedented. The figure represents more than two-thirds of the House.

SHOE IMPORTS

The petition asks Nixon to negotiate voluntary limitations on shoe imports with the foreign nations which have been sending the bulk of the imported shoes into the United States.

It warns of disastrous consequences for domestic mills and shoe workers if shoe imports are not leveled off in the near future.

The list of signers includes:

Every congressman from New England.

The Speaker of the House, John W. McCormack, plus the House leadership from 23 of the 25 members of the House Ways and Means Committee, the committee which considers tariff and trade legislation;

The entire congressional delegation of 12 states, and all but one of the members of 10 other states;

The chairman of the Republican National Committee, U.S. Rep. Rogers C. B. Morton of Maryland.

Burke described the 300 signatures as an amazing total. He said the petition should impress President Nixon, and should convey a message to importing nations as well.

"It should serve as a notice to countries which are glutting the market with shoes to stop, look and listen," Burke said. If voluntary limitations can't be reached, Burke said, the Congress might decide to take more severe, mandatory measures.

Having the signatures of two-thirds of the 435-member House bears some symbolic significance, since it represents the number needed to override a presidential veto, or to bring a bill out of a reluctant committee under suspension of the rules.

The House petition will be sent to the White House by this weekend, Burke said.

Meanwhile, U.S. Sen. Margaret Chase Smith, R-Maine; has collected 29 signatures on an identical petition in the Senate, and is still seeking further signatures from her colleagues.

Statistics on petition signatures apparently aren't kept in the Congress. But Burke and Bates both speculated that 300 may set an all-time record.

Burke has been carrying a large roster of Congressmen with him all over the Capitol Hill in recent weeks, buttonholing members of congress whenever possible. (Bates himself has been handicapped due to illness, but his office has been active in the effort. The petition reflects broad geographical representation. It also covers the gamut of opinion, from staunch protectionists to those more committed to free trade.

Burke said the petition is acceptable to free-trade Congressmen because it calls for voluntary agreements, instead of a mandatory, unilateral act. For this reason, he said, the petition does not represent "protectionism."

Burke said, it is very obvious that the overwhelming membership of the U.S. Congress is concerned about the magnitude of the growing problem of shoe imports and the loss of jobs to American shoe workers and the closing of shoe factories and tanneries.

Burke believes there are 250 members of the House who have shoe factories in their districts—less than the number who signed the petition. The extra signatures represent Congressmen who have similar problems in their districts with such industries as textiles and steel.

The petition says that shoe imports have risen 600 per cent since 1960, and now represent 28 per cent of the market.

If the plea to Nixon for voluntary controls is not successful, Burke said he will probably push for his "orderly marketing" bill which would generally freeze imports at their current level.

[From the Boston (Mass.) Globe, June 13, 1969]

NIXON GETS SHOE IMPORT PETITION

WASHINGTON.—President Nixon has been asked by 301 congressmen to open negotiations aimed at voluntary restrictions on shoe imports into the U.S.

Cong. James A. Burke (D.-Mass.) announced yesterday that the petition signed by more than two-thirds of the House membership had been forwarded to the White House.

In a letter accompanying the signatures, the legislators note that shoe imports have risen 600 percent since 1960. "In the first half of 1969, seven New England shoe factories closed with imports an important factor in each case," they said.

Calling the problem one of "immediate and critical proportions," the congressmen asked Mr. Nixon to enter into talks with the principal foreign nations supplying shoes to the U.S. with the aim of establishing voluntary import limitations.

The petition was drawn up by a 33-member informal House group which Burke heads with Cong. William H. Bates (R-Mass.)

ST. LOUIS, MO., *June 12, 1969.*

Congressman JAMES BURKE,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BURKE: You are to be commended highly for your great achievement in getting more than three hundred congressmen to sign the petition to President Nixon on footwear imports your help has always been appreciated by the industry but now more than ever we will continue the campaign with all congressmen so the momentum that you have generated will continue.

Sincerely,

W. L. H. RIFFIN,
President, Brown Shoe Co.

NEW YORK, N.Y., *June 12, 1969.*

Hon. JAMES A. BURKE,
House Office Building,
Washington, D.C.:

Congratulations from Tanning industry on your great leadership in gaining congressional support for petition to President Nixon urging shoe import curbs. The Tanning industry applauds your wisdom and perseverance.

IRVING R. GLASS,
Executive Vice President, Tanners Council of America.

NEW YORK, N.Y., *June 13, 1969.*

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.:

Utterly fantastic. You deserve a medal for your remarkable achievement never before forward of a similar accomplishment by a Congressman. The footware industry owes you a debt of gratitude.

MARK E. RICHARDSON.

NEW ENGLAND FOOTWEAR ASSOCIATION,
Boston, Mass., June 13, 1969.

Hon. JAMES A. BURKE,
House Office Building,
Washington, D.C.:

Our association, on behalf of all its officers and members, extends hearty congratulations on your personal achievement in securing 300 signatures on footwear.

Petitions forwarded to President Nixon. This is an outstanding record number. Your continued cooperation with the shoe industry is very much appreciated and valued by us all.

Best regards.

F. KEATS BOYD, *President.*
MAXWELL FIELD, *Secretary.*

B. W. FOOTWEAR CO.,
Webster, Mass., June 12, 1969.

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.:

Congratulations on getting two-thirds of House Members to sign petition asking restriction on shoe imports.

ROBERT SIFF.

BATES SHOE CO.,
Webster, Mass., June 12, 1969.

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.:

Congratulations on getting two-thirds of House to sign your petition about restriction of shoe imports and many, many thanks for your efforts.

DICK SEARS.

MARLBORO, MASS., *June 12, 1969.*

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.:

Thanks for the great job you did in getting the petition on shoe imports to the attention of the White House.

Regards.

F. KEATS BOYD.

An amazing record has been achieved by Congressman James A. Burke (D-Mass.) and Congressman William H. Bates (R-Mass.), co-chairmen of a twenty-man committee of the U.S. House of Representatives to aid the shoe industry. A petition signed by more than two thirds of the Congress has been forwarded to President Richard M. Nixon requesting the White House to take steps to enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations so that both now and in the future the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

Actively working on the committee with Burke and Bates were Congressmen Louis C. Wyman (R-New Hampshire), Herman T. Schneebeli (R-Pa.), William Hathaway (D-Maine), Melvin Price (D-Ill.) Philip M. Landrum (D-Ga.), Peter Kyros (D-Maine), Joseph McDade (R-Pa.), Hastings Keith (R-Mass.) and James C. Cleveland (R-N.H.) and others.

The list of signers is most impressive including the signatures of Speaker of the House John W. McCormack, Majority Leader Carl Albert, Majority Whip Hale Boggs, Republican Leader Gerald Ford, Minority Whip Les Arends, Chairman of the Republican National Committee, Rogers C. B. Morton, William Colmer, Chairman of the House Rules Committee, Chairman of the Armed Services Committee Mendel Rivers, and twenty three members of the House Committee on Ways and Means which is charged with the responsibility of dealing with trade and tariff legislation as well as the entire House membership of the New England Delegation to Congress.

"It is very obvious that the overwhelming membership of the U.S. Congress is concerned about the magnitude of the growing problem of shoe imports, the loss of jobs to American shoe workers and the closing of shoe factories and tanneries," Burke said.

The petition in the form of a letter to the President and the list of those Members of Congress who signed follow:

JUNE 12, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The undersigned have become acutely aware of the intensive foreign competition now facing the United States shoe manufacturing industry. We are particularly interested in this industry because of its high labor content. There are over 1100 factories located in over 600 communities—the vast majority of which are small towns where shoe manufacturing is the major source of income and employment. There are already signs of the damage which has been done to medium and small manufacturers—the backbone of this employment.

The full magnitude of this problem and the threat which it presents is apparent and becoming increasingly severe. In the first half of 1969 seven New England shoe factories closed, with imports an important factor in each case. Evidence indicates that there will be more. Total imports of foreign leather shoes (non-rubber) which entered the United States in 1968 were over 36 percent greater than in 1967. Since 1960 shoe imports have increased by 600 percent. Imports equalled almost 28 percent of the total domestic production in 1968. We have every reason to believe that, if unchecked, this rate of increase in shoe imports will continue to cause a loss of job opportunities for American shoe workers.

This problem is of immediate and critical proportions. We therefore, respectfully ask that you take steps to enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations so that both now and in the future the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

To quote Secretary Stans in a different although related context, "we do not seek to close our market. We do seek to establish some order in the marketing process that will permit all suppliers, foreign and domestic, to share equitably in the growing demand."

Sincerely,

JAMES A. BURKE, WILLIAM H. BATES, LOUIS C. WYMAN, HERMAN T. SCHNEEBELI, SILVIO O. CONTE, WILLIAM D. HATHAWAY, HASTINGS KEITH, PETER N. KYROS, JOSEPH M. MCDADE, THOMAS P. O'NEILL, Jr., ALEXANDER PIRNIE, MELVIN PRICE.

WATKINS M. ABBITT, THOMAS G. ABERNETHY, E. ROSS ADAIR, JOSEPH P. ADDABBO, CARL ALBERT, BILL ALEXANDER, GLENN M. ANDERSON, WILLIAM R. ANDERSON, GEORGE W. ANDREWS, FRANK ANNUNZIO, LESLIE C. ARENDS, JOHN M. ASHBROOK, WILLIAM H. AYERS.

WALTER S. BARING, WILLIAM A. BARRETT, J. GLENN BEALL, Jr., PAGE BELCHER, ALPHONZO BELL, JACKSON E. BETTS, MARIO BIAGGI, JONATHAN B. BINGHAM, RAY BLANTON, HALE BOGGS, EDWARD P. BOLAND, FRANK T. BOW, WILLIAM G. BRAY, JACK BRINKLEY, WILLIAM E. BROCK III, GEORGE E. BROWN, Jr., JOEL T. BROYHILL, J. HERBERT BURKE, OMAR BURLESON, BILL D. BURLISON, LAURENCE J. BURTON, GEORGE BUSH, JAMES A. BYRNE, JOHN W. BYRNES, DONALD G. BROTZMAN.

EARLE CABELL, WILLIAM T. CAHILL, JOHN N. HAPPY CAMP, TIM LEE CARTER, ELFORD A. CEDERBERG, EMANUEL CELLER, CHARLES E. CHAMBERLAIN, BILL CHAPPELL, Jr., SHIRLEY CHISHOLM, DONALD D. CLANCY, FRANK M. CLARK, DON H. CLAUSEN, WILLIAM CLAY, JAMES C. CLEVELAND, JEFFERY COHELAN, HAROLD R. COLLIER, WILLIAM M. COLMER, BARBER B. CONABLE, Jr., ROBERT J. CORBETT, JAMES C. CORMAN, LAWRENCE R. COUGHLIN, GLENN CUNNINGHAM, BOB CASEY.

EMILIO DADDARIO, W. C. DANIEL, DOMINICK V. DANIELS, GLENN R. DAVIS, JOHN W. DAVIS, JAMES J. DELANEY, JOHN R. DELLENBACK, ROBERT V. DENNEY, JOHN H. DENT, SAMUEL L. DEVINE, WILLIAM L. DICKINSON, CHARLES C. DIGGS, Jr., HAROLD D. DONOHUE, WILLIAM JENNINGS BRYAN DORN, THOMAS N. DOWNING, THADDEUS J. DULSKI, JOHN J. DUNCAN.

DON EDWARDS, EDWIN D. ESHLEMAN, FRANK E. EVANS, JACK EDWARDS.

GEORGE H. FALLON, DANTE B. FASCELL, MICHAEL A. FEIGHAN, O. C. FISHER, DANIEL J. FLOOD, WALTER FLOWERS, JOHN J. FLYNT, Jr., GERALD D. FORD, WILLIAM D. FORD, L. H. FOUNTAIN, LOUIS FREY, Jr., SAMUEL N. FRIEDEL, JAMES G. FULTON, RICHARD FULTON.

NICK GALIFIANAKIS, CORNELIUS E. GALLAGHER, EDWARD A. GARMATZ, JOSEPH M. GAYDOS, TOM S. GETTYS, ROBERT N. GIAIMO, JACOB H. GILBERT, HENRY B. GONZALEZ, GEORGE A. GOODLING, KENNETH J. GRAY, WILLIAM J. GREEN, CHARLES H. GRIFFIN, MARTHA W. GRIFFITHS, H. R. GROSS, JAMES R. GROVER, Jr., GILBERT GUDE.

G. ELLIOTT HAGAN, DURWARD G. HALL, SEYMOUR HALPERN, LEE H. HAMILTON, JAMES M. HANLEY, RICHARD T. HANNA, JULIA BUTLER HANSEN, WILLIAM H. HARSHA, JAMES F. HASTINGS, AUGUSTUS F. HAWKINS, WAYNE L. HAYS, KEN HECHLER, MARGARET HECKLER, HENRY HELSTOSKI, DAVID N. HENDERSON, LAWRENCE J. HOGAN, FRANK HORTON, JAMES J. HOWARD, W. R. HULL, Jr., WILLIAM L. HUNGATE, JOHN E. HUNT, EDWARD HUTCHINSON.

RICHARD H. ICHORD, ANDREW JACOBS, Jr., CHARLES S. JOELSON, ALBERT W. JOHNSON, CHARLES RAPER JONAS, ED JONES, ROBERT E. JONES, WALTER B. JONES.

JOSEPH E. KARTH, ROBERT W. KASTENMEIER, JAMES KEE, CARLETON J. KING, JOHN C. KLUCZYNSKI, EDWARD I. KOCH, DAN KUYKENDALL, JOHN KYL, THOMAS S. KLEPPE.

PHIL M. LANDRUM, ODIN LANGEN, DELBERT L. LATTA, GLENARD P. LIPSCOMB, SHERMAN P. LLOYD, MANUEL LUJAN, Jr., DONALD E. LUKENS.

RICHARD D. MCCARTHY, PAUL N. MCCLOSKEY, Jr., JOHN W. MCCORMACK, ROBERT C. MCEWEN, JOHN J. MCFALL, MARTIN B. MCKNEALLY, JOHN L. MCMILLAN, JACK H. MCDONALD.

TORBERT H. MACDONALD, RAY J. MADDEN, JAMES R. MANN, JOHN O. MARSH, Jr., ROBERT B. MATHIAS, THOMAS J. MESKILL, CLARENCE E. MILLER, GEORGE P. MILLER, JOSEPH G. MINISH, WILLIAM E. MINSHALL, WILMER MIZELL, ROBERT H. MOLLOHAN, JOHN S. MONAGAN, ROBERT H. MICHEL.

G. V. MONTGOMERY, WILLIAM S. MOORHEAD, THOMAS E. MORGAN, F. BRADFORD MORSE, ROGERS C. B. MORTON, JOHN M. MURPHY, WILLIAM T. MURPHY, JOHN T. MYERS.

ANCHER NELSON, WILLIAM NICHOLS, ROBERT N. C. NIX, ARNOLD OLSEN, MASTON O'NEAL.

OTTO E. PASSMAN, EDWARD J. PATTEN, THOMAS M. PELLY, CLAUDE PEPPER, JERRY L. PETTIS, PHILIP J. PHILBIN, BERTRAM L. PODELL, RICHARD H. POFF, HOWARD W. POLLOCK, ROMAN C. PUCINSKI, GRAHAM PURCELL, ALBERT H. QUIE, JAMES H. QUILLEN.

THOMAS F. RAILSBACK, WILLIAM J. RANDALL, JOHN R. RARICK, BEN REIFEL, HENRY S. REUSS, DONALD W. RIEGLE, Jr., L. MENDEL RIVERS, RAY ROBERTS, HOWARD ROBISON, PETER W. RODINO, Jr., BYRON G. ROGERS, PAUL G. ROGERS, DANIEL J. RONAN, FRED B. ROONEY, DAN ROSTENKOWSKI, WILLIAM V. ROTH, RICHARD L. ROUDEBUSH, EDWARD R. ROYBAL, EARL B. RUTH.

FERNAND J. ST GERMAIN, WILLIAM L. ST. ONGE, CHARLES W. SANDMAN, Jr., JOHN P. SAYLOR, HENRY C. SCHADEBERG, FRED SCHWENGEL, WILLIAM LLOYD SCOTT, GEORGE E. SHIPLEY, GARNER E. SHRIVER, ROBERT L. F. SIKES, JOE SKUBITZ, JOHN M. SLACK, HENRY P. SMITH III, M. G. SNYDER, WILLIAM L. SPRINGER, ROBERT T. STAFFORD, HARLEY O. STAGGERS, J. WILLIAM STANTON, TOM STEED, WILLIAM A. STEIGER, LOUIS STOKES, SAMUEL S. STRATTON, FRANK A. STUBBLEFIELD, WILLIAM S. STUCKEY, LEONOR K. SULLIVAN, JAMES W. SYMINGTON.

ROBERT TAFT, Jr., BURT L. TALCOTT, ROY A. TAYLOR, CHARLES M. TEAGUE, OLIN E. TEAGUE, FRANK THOMPSON, Jr., VERNON W. THOMSON, ROBERT O. TIERNAN, AL ULLMAN, JAMES B. UTT, LIONEL VAN DEERLIN, CHARLES A. VANIK, JOSEPH P. VIGORITO.

JOE D. WAGGONNER, Jr., JEROME R. WALDIE, G. ROBERT WATKINS, ALBERT W. WATSON, JOHN C. WATTS, LOWELL WEICKER, J. IRVING WHALLEY, G. WILLIAM WHITEHURST, JAMIE L. WHITTEN, WILLIAM B. WIDNALL, LAWRENCE G. WILLIAMS, CHARLES H. WILSON, JOHN WOLD, LESTER L. WOLFF, JAMES C. WRIGHT, Jr., WENDELL WYATT, CHALMERS P. WYLIE.

GUS YATRON, CLEMENT J. ZABLOCKI, ROGER H. ZION, JOHN M. ZWACH, JACK H. MCDONALD, DONALD G. BROTZMAN, JACK EDWARDS, THOMAS S. KLEPPE, JAMES W. SYMINGTON, BOB CASEY, ROBERT H. MICHEL, WILLIAM H. NATCHER, JOHN PAUL HAMMERSCHMIDT, BERNIE F. SISK, WILLIAM C. WAMPLER, DANIEL E. BUTTON.

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

Mr. BURKE of Massachusetts. I yield to the gentleman from Maine.

Mr. HATHAWAY. I wish to take this opportunity to commend the gentleman in the well for the outstanding job he has done in bringing to the attention of the House of Representatives the dire condition in which the shoe industry is at the present time. I hope he is successful in his efforts to get the President to do something about it.

Mr. BURKE of Massachusetts. I thank the gentleman. I wish to commend him for being a member of the ad hoc committee that secured over 302 names to the petition to which I have referred. The Members of the House who signed that petition indicated that they were opposed to the sweatshop conditions in this world, particularly in the Orient, where shoe workers are paid 14 cents an hour. Shoe workers over there work under terrible conditions. They are financed by the international financiers of the world who care nothing about human beings. They are glutting the American market with shoes that are paid for out of the sweat and blood of those poor human beings.

I wish to commend the 302 Members of this House, including the leadership in both parties who have spoken out against these inhumane conditions that exist in the world today.

I am surprised that a great newspaper in New York, the New York Times, in view of the fact that over 200,000 people are employed in the footwear industry in and around New York City, would ignore the plight of those people who live in the ghettos of New York, in the teeming tenements, who are forced to compete with a 14-cent-an-hour wage.

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

Mr. BURKE of Massachusetts. I am happy to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I wish to commend the gentleman for the action which he has taken on behalf of people in the shoe industry. He has been one of the foremost exponents of this movement, and I commend him.

I just want to say to him that the next time that those who come from the coal mining areas of Pennsylvania, Kentucky, and West Virginia have a problem with our miners, I hope he has the same milk of human kindness in his heart for our miners that we have for his shoe workers.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HATHAWAY. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to answer the gentleman from Pennsylvania (Mr. SAYLOR). There are no conditions in the world of competition with coal miners such as exists on competition in the shoe industry. I know of no place in the world where wages in the oil or coal industry are as low as 14 cents an hour.

Mr. Speaker, I have always supported the coal miners and I intend to continue to do so, but also I keep in mind that we have to allow fuel to come into the Northeast part of this country so people will have heat in their homes and not freeze to death.

CONGRESSMAN JOHN BRADEMAS ELECTED TO BOARD OF OVERSEERS OF HARVARD

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

Mr. HATHAWAY. Mr. Speaker, it gives me a great deal of pleasure to call to the attention of the Members of the House another honor bestowed upon our distinguished colleague from Indiana and my college classmate, JOHN BRADEMAS. Let me read from a recent news item in the South Bend, Ind., Tribune.

Cambridge, Massachusetts, Thursday, June 12 . . . Harvard University announced today that Congressman John Brademas (D-Ind) and four other Harvard alumni were elected to a six-year term to the Board of Overseers.

The Board of Overseers, the senior governing board of Harvard University consists of 32 members. Each Overseer is ordinarily assigned to act as chairman of at least one committee responsible for visiting and advising a particular department of the University. Other responsibilities of the Board of Overseers includes acting on all staff and faculty appointments in excess of one year and on all earned or honorary degrees.

In addition to Brademas, the other newly elected Overseers are Clifford L. Alexander, Jr., former chairman, now member, U.S. Equal Employment Opportunity Commission; Franklin Stanton Deland, Boston attorney; Alan Pifer, President, the Carnegie Corporation; and Calvin H. Plimpton, President, Amherst College.

Brademas, now Chairman of the House Select Subcommittee on Education, graduated from Central High School in South Bend, Indiana, and then attended Harvard University as a Veterans National Scholar. He graduated from Harvard in 1949, magna cum laude, and won membership in Phi Beta Kappa. He then attended Oxford University as a Rhodes Scholar for Indiana and received a Ph. D. in Social Science in 1954.

Brademas has been a member of two Harvard Boards of Visitors: the Visiting Board for the John F. Kennedy School of Government and the Visiting Board for the Department of Romance Languages and Literature.

In addition to Brademas' Harvard affiliations, he serves as a member of the Board of Trustees of Saint Mary's College, Notre Dame, Indiana and of American University, Washington, D.C.

CONSIDERATION OF CIGARETTE HEALTH ADVERTISING BILL

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

Mr. ADAMS. Mr. Speaker, on Tuesday and Wednesday of this week the House will consider the cigarette health advertising bill. We have been waiting for President Nixon to take a position on this bill for some period of time. General debate on the bill will begin on Tuesday, and discussion under the 5-minute rule with amendments will occur on Wednesday. If the administration is going to take a position, it had better do so now. So far the silence has been deafening.

The issue is not whether to ban cigarette smoking, and that will not be raised—at least by this gentleman, and so far as I know, by anyone else—but the issue is whether or not industry self-regulation is valid and whether or not Congress should let the agencies that normally regulate products have an opportunity to carry out their regular duties.

I hope Members will be present this week, particularly on Wednesday when the amendments will be voted upon—and there will be a series of amendments.

With respect to the issue of self-regulation, there has been a breakdown, in the opinion of this gentleman, of self-regulation, which means that there is no effective regulation of cigarette advertising and Government action, for better or worse, is our only recourse.

Last week Mr. Warren Braren, former head of the National Association of Broadcasters' Code Authority Office in New York testified before the committee. Because the hearing record might not be ready for the Members in that it may not be printed by that time and because of the importance of his remarks, I have asked unanimous consent to include this in the RECORD so Members can read the remarks of Mr. Warren Braren which he presented to the Committee on Interstate and Foreign Commerce last week. I hope Members will read these remarks and be present for the debate. It will be an important honestly presented issue.

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

Mr. ADAMS. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, will the gentleman not also include in his remarks the remarks of the president of the National Association of Broadcasters, so the membership may have both sides of this particular controversy which was raised by the "junior Ralph Nader," Mr. Braren?

Mr. ADAMS. I will be happy to do so. Those remarks will be included immediately after the remarks of Mr. Braren.

The remarks of Mr. Braren are as follows:

STATEMENT BY WARREN BRAREN BEFORE THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, U.S. HOUSE OF REPRESENTATIVES, JUNE 10, 1969

Mr. Chairman, my name is Warren Braren. I resigned from the position of Manager of the New York Office of the Code Authority on May 1 of this year. This resignation, which was requested, came about as the result of substantial differences between myself and the Code Authority Director Stockton Helffrich concerning the administration and policy direction of the Code Authority.

I originally joined the Code Authority in September 1960 at the time the New York Office was opened. During my tenure, I have been involved in the creation and development of most all of the procedures and programs followed by the Code Authority in the self-regulation of television advertising.

I consistently have been a strong advocate of business self-regulation. The kind of regulation which calls for industry to exercise meaningful and responsible self-restraint, even when self-sacrifice is required, in order to serve the public good. Unless self-regulation operates under principles such as these, it loses its reason for existence and becomes nothing more than an industry defense

mechanism designed to cover up selfish self-interests. This latter situation presently describes the real nature of broadcast self-regulation of cigarette advertising.

In the most candid terms, Congress and the public have been misled as to the real nature of the broadcast self-regulatory program on cigarette commercials. They have been told that an active and effective self-regulation program exists. In reality it is virtually nonexistent—and it has been this way ever since a meeting was held in Washington on April 16, 1968.

These representations are in stark contrast to the testimony of Mr. Vincent T. Wasilewski, President of the National Association of Broadcasters, before this Committee on April 21, 1969. In speaking of the self-regulatory machinery established by the broadcast and cigarette industries, he stated, "Broadcasters are not insensitive to the issues involved. The industry recognizes its obligation. Through the Codes it maintains a continuing review of cigarette advertising on radio and television as it relates to the public interest, and it has been responsive to that interest. We believe that self-regulatory efforts have played and are playing a significant role in dealing with the issue and the furtherance of such efforts should be encouraged."

However, ten days after this testimony the Television Code Review Board announced that, acting on the recommendations of Mr. Wasilewski, it "has decided to keep the matter of cigarette advertising under continuing review and that no further actions are necessary at this time." A further statement from the Code Board Chairman, Mr. Robert W. Ferguson, claimed that the reason Mr. Wasilewski had requested the Board to take no action was that such action might be construed "to be merely a strategic maneuver designed to influence Congressional action."

Mr. Chairman, no such continuing review of cigarette commercials existed at the time of Mr. Wasilewski's testimony nor at the time of the May 1st Code Board announcement. Further, while efforts were made at one time by the Code Authority to play a significant role in dealing with the content of cigarette advertising, these efforts have failed.

The gap that exists between the industry's promise vs. performance led me to make available to Congressman Brock Adams a copy of a confidential Broadcast Cigarette Advertising Report conducted by the Code Authority staff in 1966. This report was submitted to the key NAB executives and to the Television Code Review Board for consideration at its October 1966 meeting. The report covered all radio (224) and TV (148) cigarette commercials on the air during that time and, as such, represents the only real review of cigarette advertising conducted by the Code Authority. It raises a number of significant questions on the content of cigarette commercials especially in terms of the effect of this advertising on young people. Among themes particularly cited were those related to encouragement to smoke, hero images, the good life, nature settings, popularity and filter representations.

The final Report contained observations on over a dozen areas of possible concern and vulnerability to criticism under the existing Code standards. Its conclusions were candid and direct. No doubt was left that broadcasters needed to take firm action on cigarette advertising if the public interest was to be served. The report speaks for itself:

"For the first time broadcasting is confronted with the dilemma of accepting advertising for a product which, through normal and obviously popular use, is potentially if not necessarily capable of inflicting irreparable harm upon the user's health. . . .

"Despite changes which have been brought about in cigarette advertising on radio and television, the cumulative impression created by virtually all of the individual campaigns supports a finding that smoking is made to appear universally acceptable, attractive and desirable. . . .

"The difficulty in cigarette advertising is that commercials which have an impact upon an adult cannot be assumed to leave unaffected a young viewer, smoker or otherwise. The adult world depicted in cigarette advertising very often is a world to which the adolescent aspires. The cowboy and the steel worker are symbols of a mature masculinity towards which he strives. Popularity, romantic attachment and success are also particularly desirable achievements for the young. To the young, smoking indeed may seem to be an important step towards, and a help in growth from adolescence to maturity."

These conclusions dispute the thesis that the only effects of broadcast cigarette advertising are the identification and switching of brands. Rather they support the argument that these commercials cannot help but have an intrinsic youth appeal.

I do not believe it is possible to reconcile the major findings of this report with current NAB policy and pronouncements on broadcast cigarette advertising.

Attempts have been made by the Code Authority to deal with a number of the substantive issues raised by the Report. Strong advertising guidelines actually were drafted by the staff in the summer of 1966. This draft would have affected many commercials passed by the tobacco industries' own Code. For instance, it called for the ruling out of: all sport settings; any use of hero types, including cowboys and entertainers; settings associated with springtime or the rejuvenation aspects of nature; any depiction of the act of smoking.

These guidelines never went boyond the stage of staff discussion. Instead a more lenient set of guidelines were pursued—guidelines which would have a better chance of being accepted by the broadcast and tobacco industries. These are the guidelines which are currently in existence. They contain six provisions dealing with athletic activity, tar, nicotine, filters, uniforms, premiums, and portrayal of youth. In reality only the athletic activity section required more than minimal changes in the television commercials reviewed under the report. Except for one or two minor changes, no radio commercials were affected.

The Guidelines were submitted to the Board along with the Report. Both were well received by Board members. The Guidelines were announced as "not going beyond existing Code policy." Several individual Board members reacted by suggesting that the Guidelines should contain more restrictive measures. Specifically advanced was the idea of abandoning actual smoking in commercials. However, President Wasilewski intervened with the argument that such a prescription was "premature," that it would drastically reduce the appeal of cigarette advertising and consequently not be of benefit to broadcasters. The Guidelines thus were issued with no change.

Unfortunately, even these limited Guidelines met with resistance both from tobacco companies and the television networks. Some of the companies protested vigorously. Charges were made that the Guideline interpretations by the Code Authority were arbitrary, too strict, and unreasonable. Strong complaints were directed to the television networks and broadcasters. Oddly enough, certain of the charges were not without merit. In attempting to be both reasonable and practical, the Code Authority failed to deal with some of the basic issues in cigarette commercials and instead found itself nit-picking over comparatively insignificant matters. Essentially the Guidelines ruled out the appearance of young people in cigarette commercials but did not attack the overall problem raised by the Report of the appeal to youth.

By the end of the year 1966, interpretive differences over the Guidelines involving the tobacco companies and television networks had already disabled the Code Authority's ability to function. Two of the networks literally interpreted the Guidelines as a mere codification of the current practice. They offered no support. Given these difficulties the February 1, 1967 cut-off date for questionable commercials was rescinded.

The feeling of Code Authority frustration was high. Mr. Stockton Helffrich, who is now the Code Authority Director but who then was Manager of the Code's New York Office, wrote the following on December 21, 1966 to the then Director of the Code Authority, Mr. Howard Bell:

"Traditionally the effectiveness and strength of the Code Authority in given areas have been in a forthright and honest appraisal of a situation. In this case bluntly: Is cigarette smoking harmful to health? If so, does cigarette broadcast advertising have a significant impact on persons to influence them to smoke? Once we make a determination in this regard, clearly our procedures cannot be determined by what will get by but by what is professionally responsible and right in terms of the public. This does not require of broadcasters a burying of heads in the sand as far as private interests are concerned but rather resistance to any undermining by those interests of our basic obligation.

"In the long run, as experience has shown, the Code Authority can only be respected for taking a position of the type . . . indicated and can only be admired for such a reflection of its and broadcasters' integrity. In brief, it will be the professionalism of this industry that will be the beneficiary."

The Code Authority went on to argue its case for a strict interpretation of the Guidelines before the Television Code Review Board at its next meeting the end of February 1967. The argument was lost. Staff interpretations were considered by most Board members to be "too rigid" with the Code Board Chairman at that time, Mr. Clair R. McCullough, commenting, "When in doubt, okay it." Also defeated at this meeting was a proposed Code amendment which would have banned on-camera smoking in commercials.

A more flexible interpretation of the Guidelines was finally published in July 1967 at which time a September 1 cut-off date on unacceptable commercials was announced. The date had little meaning since most of the commercials had completed their normal schedules.

In August 1967 the American Tobacco Company withdrew from the tobacco industry's own Code, thereby rendering it ineffectual (the P. Lorillard Co. had withdrawn in 1966). The company's President, Mr. Robert B. Walker, in a letter to Governor Robert Meyner, cited as its reason the effectiveness of the broadcast Guidelines and claimed that it was clearing its advertising with the Code Authority. This was not the case. In fact, in the months ahead this very same advertiser repeatedly violated the Guidelines with commercials never submitted to the Code Authority. The company took the view that if a commercial was approved by the television networks there should be no reason for the Code Authority to raise any questions under the Guidelines or Code standards. In so doing they challenged the authority of the Code Authority to administer the Code—a challenge, for the most part, which was successful.

On September 8, 1967 both the Code Authority Director Bell and his eventual successor, Stockton Helffrich, appeared before the top NAB Executive Committee to discuss problems with cigarette advertising. President Wasilewski and key NAB staff members also were present. The group was

advised that certain advertisers appeared to be playing the networks off against each other and, in turn, against the Code Authority. Mr. Bell expressed the view that some dramatic restrictive action was needed on cigarette advertising. Mr. Helffrich supported this view by indicating that nothing had changed in the year since the issuance of the Broadcast Cigarette Advertising Report to reverse the Code Authority staff opinion that cigarette advertising generally makes smoking appear universally acceptable, attractive and desirable. He further voiced the opinion that it is impossible to confine cigarette advertising appeals to adults only.

The NAB Executive Committee responded by placing cigarette advertising on the agenda of a special October meeting of the Television Code Review Board and the NAB Television Board of Directors. In advance of the meeting, a Code Authority memorandum dated September 28, 1967 was sent to the Board members requesting reconsideration of the proposed Code Amendment banning any representation of on-camera smoking in cigarette commercials. Additionally the Board was asked to consider eliminating all sports settings and requiring positive disclosure of tar and nicotine content in all cigarette commercials. No action was taken.

With no progress being made to strengthen Code standards on cigarettes, the existing Guidelines were being eroded through loose network interpretations. This was compounded by the fact that the networks, excepting individual editors acting on their own initiative, were not directing problematic cigarette commercials to the Code Authority's attention despite repeated requests for them to do so. When these matters were raised at a meeting with network representatives on November 21, 1967, one network vice-president and Code Board member bluntly told the Code Authority to stay clear of all cigarette advertising for fear that any action would lead to forcing all cigarette advertising off television.

A week later a heated exchange took place between the network Television Code Board members and Mr. Bell. The latter noted that he still favored earlier Code Authority suggestions for cut-backs in cigarette advertisements, and that he would reiterate these suggestions at a December 1967 Code Board meeting. At least two network officials apparently thought the Code Authority and Mr. Bell should have gotten the point by then. They exploded in a name-calling attack which could be heard, despite closed doors, throughout the Code's New York Office.

A year end 1967 status report from Mr. Helffrich to Mr. Bell in preparation for the December Code Board meeting set forth the dilemma faced by the Code Authority. It states in

"The issuance in September 1966 of our Broadcast Cigarette Advertising Report entailed the cooperation of cigarette advertisers supplying us with raw material on which the report was based. Subsequently the Code Authority enjoyed some limited further cooperation from . . . advertisers. This . . . foundered as the result of interpretive difficulties encountered. . . .

"Additionally a mechanical difficulty exists as to the consistencies of interpretations. The Code Authority does not serve as a central clearance office for all cigarette commercials. It therefore has had to rely on the initiative of advertisers or Code subscribers to volunteer copy for examination where questions might exist under the various specific Guidelines. This has enabled advertisers to rationalize that they did not anticipate questions . . . so did not see any need to volunteer copy. They have particularly stressed, on copy later raising Code Authority concerns, that questions were not raised in regard to it by given Code subscribers . . . and that, therefore, Code Authority challenge was unexpected. In brief . . . overall cooperation on the part of the manufacturers has been more token than real . . . Code subscriber initiative (referring to the television networks), as to cooperating with the Code Authority, in regard to . . . implementation of its responsibilities is considerably less apparent where cigarette advertising is concerned than is the situation pertaining in other (product) categories."

The Code Authority's ability to implement the Guidelines grew progressively worse throughout the early part of 1968. This was true even though Mr. Helffrich, who had assumed the Code Authority directorship, made it clear to the networks that he had no "ambitious" plans on cigarette advertising. One network representative, going to bat for the American Tobacco Company, argued that all networks should be consulted by the Code Authority before any questions are raised on cigarette advertisements being aired over the networks. This official also suggested that the Code Authority should act only in advisory capacity to Code subscribers on cigarette commercials. Particularly at issue were advertising copy relating to filter descriptions, tar and nicotine representations.

Mr. Helffrich turned to Mr. Wasilewski for guidance, and a staff meeting was arranged on April 16, 1968. The TV Code's vulnerability to criticism as to the effectiveness of the Cigarette Advertising Guidelines was fully discussed in the context of the still decreasing cooperation from advertisers and the networks. Attention was drawn to the fact that since the tobacco industry's Code dropped their section related to health claims the Code Authority has experienced "increasing difficulty . . . in holding the line" with filter, and tar and nicotine representations. Mr. Helffrich went on to note that "Whereas network subscribers generally support the interference-running activities of the Code Authority, they see in the area of cigarette copy nothing to be achieved by Code Authority involvement and in fact potential injury to cigarette advertising revenue if the Code Authority pursues such a course." The conclusion—Code Authority "interim withdrawal" from involvement in the clearence of specific commercials approved by the networks but being questioned by the Code Authority under the Cigarette Advertising Guidelines.

From that day on, the Code Authority ceased trying to formulate its own policy on cigarette advertising, and broadcast self-regulation became synonymous with trade association lobbying.

Yet in a May 29, 1968 letter to the FTC, Mr. Helffrich continued to claim that the Code Authority was implementing Code standards on cigarettes. He spoke of the "cooperation" of broadcasters and advertisers, and the "responsibility" exercised in the broadcast self-regulation activity on cigarettes. He concluded by assuring the FTC that the Code Authority and the Code Boards plan to keep cigarette advertising under "continuing review and to recommend changes in policy consistent with new issues as they may arise." But when the Task Force for Smoking and Health gave its Report to the Surgeon General in August, the Code Authority did nothing except to forward the Report and the Tobacco Institute rebuttal to Television Code Review Board members. The Report's comments on advertising received no discussion.

The disparity between promise and performance becomes even more glaring when it is revealed that only a few commercials for cigarette campaigns were reviewed formally by the Code Authority between the time of the April 1968 meeting and Mr. Wasilewski's testimony before the House Interstate and Foreign Commerce Committee in April 1969. On these commercials Mr. Helffrich capitulated to earlier network wishes by requiring that the Code Authority staff first check with the networks in order to reach a "consensus." His objective was to avoid controversy which might jeopardize plans to eventually increase the individual network Code subscription fees. One of these campaigns, in which a compromise solution was achieved by the Code Authority Director, was cited by the FTC several weeks ago for deceptive advertising.

Several non-network Code Board members had no knowledge of this information. A few of them individually had been making repeated pleas for some kind of more meaningful Code action on cigarette advertising. These members spoke out in the Board meeting in December 1968—four and one-half months prior to Mr. Wasilewski's testimony before this Committee. The Board Minutes on this meeting are strangely silent on most of the discussion that took place. Suggestions were again made favoring a ban on actual smoking in commercials, and the disclosure of tar and nicotine content. President Wasilewski interceded my making it clear that the cigarette issue transcended Code Board resolution and that it would be a problem better handled by Government relations people at NAB who had been in contact with Government figures on Capitol Hill. Disagreement with this approach was voiced by several Code Board members who felt it was the responsibility of the Codes to act not react on such an important matter as cigarettes.

Specific proposals covering cigarettes and both advertising and programming were advanced again in March 1969 by these same Code Board members at the Board NAB Convention meeting. A motion to table the advertising proposals did not carry. However, NAB staff executives, including Mr. Wasilewski, and the Code Board Chairman, Mr. Ferguson, suggested that action at the next Code Board meeting would be more advisable so both the programming and advertising proposals were withdrawn. These proposals were then defeated at the May 1 meeting by a vote of 5 to 3 with one member abstaining.

Viewed against this background, it becomes obvious why Code Board member proposals to strengthen the self-regulation of cigarettes never had a chance. The NAB strategy has been to avoid meaningful self-regulatory action as long as the possibility exists that Congress will enact legislation favorable to the broadcasting and tobacco industries. Consequently, consideration of the Code Board member proposals was delayed from the March to the May Code Board meeting so as to allow time for the House Commerce Committee hearings to get underway.

On April 16 one top tobacco company executive, who had met with the Code Authority Director previously to discuss the Code Board member proposals, called the Code Authority indicating that proposals to tighten the Code may be "premature." The following day a Tobacco Institute executive discussed the favorable nature of the House hearings with the Code Authority. He held the view that if either broadcasters or the tobacco industry "appear to cave in" while the House is considering the cigarette issue, the House disposition towards extending the present law might be weakened.

This is the role in which the Radio and Television Codes—the standard bearers for broadcast industry self-regulation—have been placed. The thinking by powerful broadcast groups and the NAB lobbying interests has evolved into nothing more than a series of holding actions designed to bring about legislation favorable to the industry. As evidenced by the unheeded conclusions of the Cigarette Advertising Report, this plan by NAB makes no allowance for self-regulatory standards which might significantly alter cigarette commercials. Their belief is that any such action on the part of the broadcast industry would only serve to

hasten the departure of cigarette advertising from the broadcast media.

The Code Authority record is clear. By its own admission, it has failed to deal with the conclusions of its own 1966 Report on the effects of cigarette advertising on young people. This situation is unlikely to change without a complete overhauling of the broadcast industry's self-regulatory mechanism. As it now stands, the Code Authority is little more than a "step-child" of the NAB. The autonomy and power needed in order to become a truly professional body acting objectively to serve the public interest is absent.

The broadcast industry has had ample opportunity to demonstrate its willingness and ability to enact a truly responsible and meaningful program to self-regulate broadcast cigarette advertising. Congress gave broadcasters this opportunity in 1965. The NAB and the Code Authority have failed in this public trust.

The remarks of the president of the National Association of Broadcasters are as follows:

STATEMENT OF VINCENT T. WASILEWSKI, PRESIDENT, NATIONAL ASSOCIATION OF BROADCASTERS; ACCOMPANIED BY STOCKTON HELFFRICH, CODE DIRECTOR, NATIONAL ASSOCIATION OF BROADCASTERS CODE AUTHORITY

Mr. WASILEWSKI. My name is Vincent Wasilewski. Monday's press carried accounts of an interview given by a former staff member of the NAB, implying that when I appeared before you and your committee on April 21, 1969, certain information that was contained in a 1966 staff report should have been referenced. The inferences are that the information contained in it was withheld for some surreptitious reason.

The report was, in reality, an intraoffice memorandum prepared by the NAB Code staff as a basis for discussion and evaluation by the NAB Television Code Review Board. As you can appreciate, many such memorandums are prepared as a matter of course in many areas of NAB activities. These are working papers which may lead to the development of policies by our board. We would have no more reason to release this particular memorandum, or refer to it, than any of our other intraoffice correspondence.

In truth, in fact, I gave no thought to that report when we were preparing for testimony before this committee and even if I had authority over it, I would not have regarded it particularly relevant because of its date.

This particular report was a compilation of information resulting from letters that were sent by the code authority to all tobacco companies in April 1966. The material was requested in order that the code authority might better be able to determine to what extent or in what manner it should become more directly involved in the evaluation of cigarette advertising.

A code board meeting was held in October 1966. Based upon the material contained in the September 1966 report and other material available to it, the board adopted cigarette advertising guidelines.

In my testimony before you on April 21, 1969—to which the press has alluded—I made specific reference to the work of the NAB codes in the cigarette advertising area. I said:

"The television and radio codes include two provisions dealing with cigarettes which cover advertising and programing. In general, these were designed to prohibit any advertising of cigarettes in such a manner as to indicate to youth that the use of cigarettes contributes to individual achievement or social acceptance.

"Immediately following the adoption of these standards, the code authority undertook the development of cigarette advertising guidelines. These guidelines precluded the use of smokers who appear to be less than at least 21 years of age; the use of athletes in cigarette commercials; testimonials by sports personalities and others who would have particular youth appeal; direct or implied medical and health claims or references, including restrictions on claims for filters or tobacco content; and the use of settings and professionals associated with health care.

"We believe that substantial changes have taken place to lessen the impact of cigarette advertising on young people and to eliminate direct or implied health claims. This activity has been brought about through the separate self-regulatory machinery established by the broadcasting industry and the cigarette industry.

"Broadcasters are not insensitive to the issues involved. The industry recognizes its obligation. Through the codes it maintains a continuing review of cigarette advertising on radio and television as it relates to the public interest, and it has been responsive to that interest. We believe that self-regulatory efforts have played and are playing a significant role in dealing with the issue, and that the furtherance of such efforts should be encouraged * * *"

I have reviewed the guidelines which were adopted by the code authority less than a month after the submission of the September 1966 report to the code review board.

Mr. Chairman, the statement I gave to this committee in April 1969 was true then, and it is true today.

There are allegations in the press to the effect that the guidelines to which I have referred exist only on paper, and nothing has been done to apply them since April 1968.

I submit that this is untrue.

The code authority maintains a review over cigarette commercials similar to that which it does over other product advertising. We do not maintain a central clearinghouse for all commercials, but we do question commercials that have been brought to our attention by code subscribers, advertisers or through our own monitoring. Referring in particular to cigarettes, the code authority had occasion to question the commercials, and effectuate changes, on behalf of nine different brands in 1968. Thus far in 1969, it has had occasion to question the commercials of four different brands.

Mr. Chairman, I submit that the self-regulatory efforts of broadcasters have played and will continue to play a significant role in dealing with the cigarette advertising issue.

Thank you, sir.

THE SUPREME COURT RULING ON THE ADAM CLAYTON POWELL CASE

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

Mr. NICHOLS. Mr. Speaker, we have today seen another example of the judicial branch of our Government overstepping its bounds and ruling in areas where it has no authority. This House saw fit not to seat ADAM CLAYTON POWELL in the 90th Congress because of his misuse of taxpayers funds. Now, the Supreme Court has said that the House has no right not to seat him or any other person who flagrantly misuses public moneys.

The Court made this ruling on constitutional grounds. Mr. Speaker, they must have a copy of the Constitution that is different from mine. My copy, which was printed by the Government Printing Office at the direction of the Congress says in article 1, section 5:

Each house shall be the judge of the elections, returns and qualifications of its own members.

In another paragraph it says:

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

If my copy of the Constitution which plainly says that this House shall be the judge of the qualifications of its members and may punish its members for disorderly behavior is in error, then I think we should ask the Government Printing Office to correct that error in their printing. But I do not think this is the case, Mr. Speaker. I believe we have just seen another example of how the Supreme Court is attempting to run all branches of the Government of our country. If the Court can overrule the Congress on the seating of its Members, then what is to keep them from overruling the Congress on any other matter.

Unless the trend toward all-powerful rule by the Supreme Court is not reversed, our country is heading toward a Government run by nine men who are not popularly elected by the people and who hold their jobs for life. I sincerely hope that this Congress will take immediate steps to bring the Supreme Court down to earth and make it more responsive to the people it serves. House Joint Resolution 557 and House Joint Resolution 558, which I have introduced, would do this, and I hope we will be given an opportunity to act on these pieces of legislation in the near future.

WHAT MY FLAG MEANS TO ME

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

Mr. PIRNIE. Mr. Speaker, recently, the Women's Republican Club of my home county sponsored an essay contest on the subject "What My Flag Means to Me." It attracted keen competition, and last Saturday I was present when Miss Sylvia Montany, of Utica, N.Y., was declared the winner.

She is a charming little lady, with a talent and graciousness belying her age of 14 years. Her approach personalizes the relation of an individual to the flag in crisp, clear, and inspiring language. I congratulate Sylvia on her excellent essay and also the fine women who promoted the contest.

The full text of the essay follows:

WHAT MY FLAG MEANS TO ME

(By Sylvia Montany)

American soldiers gazing silently on their war-torn flag flying slowly over a sunset-red hill in Viet-Nam, the red, white and blue symbol of the United States painted on a vehicle speeding around the moon, and our flag sailing over a station which distributes aid to peoples less fortunate than us, are sights that stir in me a fierce pride and loyalty for the flag that represents so well the unity, power and purpose of my nation.

Conceived in an era of restlessness and hunger for liberty, the stars and stripes have seen the birth of my country; they have seen the rise and fall of great men, and not-so-great men; they have taken part in war and in peace; and, whenever the freedom of men was at stake, they have flown

in its defense. Hers has been a troubled reign, yet the flag has always stood proud in her past and in her present, and in her I see my birthright and my heritage.

A flag, by definition, is the symbol of a nation, state, organization or any other group, but Old Glory means more than that to me. I see in her every race, creed and color, all equally represented in the bold colors. I see a nation that answers the cries for help from men of all status, all over the globe. I see millions of Americans working, fighting, and dying for the realization of the dream of world peace and brotherhood.

But more than representing this country, the ideals of our society, and our achievements, the flag represents me. What I do now, and will do, all reflects on the flag because I, with millions of other Americans, am the flag. Each individual, and society as a whole, are represented by the flag. Without society, there would be no flag.

I want to be able to make the flag something to be looked at with kindness and pride and love.

I want to be worthy of my flag.

FBI MUST COOPERATE WITH LOCAL POLICE OFFICERS

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

Mr. ROONEY of Pennsylvania. Mr. Speaker, late last week newspapers across the country carried lengthy accounts of Mafia activities gleaned from 2,000 pages of transcripts of recorded conversations among underworld leaders.

Mafia activity in my own congressional district was disclosed in several of the transcripts. One of the recorded discussions centered on a $5,000 offer by an Easton, Pa., gambler to a New Jersey Mafia chieftain to have an arsonist burn the gambler's Stage Coach restaurant in Easton.

According to the transcripts, the offer was made by Joseph Migliazzi, the gambler who currently is serving a 15-month sentence in Lewisburg Federal Penitentiary on a gambling and rackets conviction. Migliazzi, the transcripts relate, passed the word that his restaurant was insured for $90,000 and that its destruction by fire would enable him to pay off underworld debts to "Sam the Plumber" DeCavalcante.

The offer obviously got results. A short time after the recorded conversation, the Stage Coach restaurant burned on July 4, 1965. Migliazzi subsequently collected $80,114.03 on his restaurant.

A great deal of controversy centers on the use of wiretaps and recordings in connection with criminal prosecutions. But that controversy aside, what alarms me about this particular transcript is the fact the planned arson was known to the FBI a month before fire destroyed the Stage Coach restaurant. On June 4, 1965, Newark, N.J., FBI officials notified the Philadelphia FBI office "to consider advising authorities through established sources." But Philadelphia responded that "information of a possible arson attempt should not be disseminated to the Easton police department."

Mr. Speaker, I want to know why not? Eight persons living in apartments above the restaurant fled for their lives, as did 13 patrons, when the fire broke out. Innocent people—anyone who happened into the restaurant before the fire was set—might have died in the blaze.

I am writing to FBI Director Hoover to ask for a report on this incident. I cannot see any valid reason why, when it has advance warning of such a crime, that it does not take appropriate steps to protect the lives of persons who may be endangered.

PRIME INTEREST RATE INCREASES

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

Mr. FULTON of Tennessee. Mr. Speaker, the move last week by the major New York banks to increase the prime interest rate to 8½ percent is one of the most distressing actions to date in our efforts to combat inflation.

This move has brought justified cries of anguish and it has also brought into sharp focus some very critical problems in our fiscal and monetary programs and policies. It has pointed up the need for immediate and far-reaching relief.

First, there should be an immediate investigation by the Justice Department of the New York banks action in causing this latest nationwide rate increase. I think the American public and taxpayer should have a full explanation of whether or not this so-called "credit crunch" is justified. If it is, then the cloud of doubt hanging over the New York bankers should be dispelled. If not, then appropriate action should be taken.

Second, I believe the administration should speak firmly in opposition to these rate increases which are adding to the inflationary spiral. There is little doubt this is the case because many potential borrowers at 8½ percent have stated they can only absorb the interest increase by passing it on to the consumer. So the borrower is not going to pay these interest rates, the consumer is.

Third, should pressure by the administration fail and should it be disclosed that these interest rate increases are not fully justified, then I believe the President should instruct the Secretary of the Treasury to remove at least $6 billion in interest-free deposits which the government has stored in commercial banks. The pace-setting New York banks, of course, should bear the brunt of these withdrawals.

Fourth, the administration should rechannel the money it will save in fiscal 1970 by cancellation of the manned orbiting laboratory. Instead of using this $300 million dollars to build up a paper surplus in the budget, the money should be diverted into the homebuilding industry which has already been depressed for more than 2 years by this "credit crunch." Some of the moneys should also go into feeding the poor and improving our programs along these lines. Neither type of spending would be inflationary. Homebuilding is already depressed and food money for the poor is spent on basic items, not luxuries. Should the withdrawal of funds from interest-free Federal accounts from commercial banks become necessary, then this money should be also diverted, to the maximum extent possible, to underwriting the financing of these two depressed areas within our economy.

Fifth, the House Ways and Means Committee should, and it is so prepared, devote its full attention to finalizing a comprehensive tax reform and revision bill to present to the Congress. Tax reform is an absolute must if we are to bring our fiscal and economic forces into adjustment. And it must come this year.

Mr. Speaker, the pressure that has been applied for passage of this surtax extension and the repeated increases in the bank interest rate, combined with the continuing rise in the cost of living through inflation, indicate that we simply do not have control of fiscal matters in this Nation at present. Interest rates go up and the taxpayer pays. The surtax is extended and the taxpayer pays again. Inflation continues and the taxpayer pays once more.

While our Government and large private commercial lending institutions ineffectually attempt to set their own houses in order, the American taxpayer and consumer are being bled to death.

THE IMPLANTATION OF A FLAG ON THE MOON

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

Mr. SYMINGTON. Mr. Speaker, on June 10 this House passed the NASA authorization bill which included an amendment which had earlier passed by voice vote with some 10 percent of the Members present. The amendment decrees that no other flag than the United States flag "shall be implanted on the surface of the moon . . . or any planet, by the members of the crew of any spacecraft making a lunar or planetary landing as part of a mission under the Apollo program or any subsequent program, the funds for which are provided entirely by the Government of the United States."

The Members who might be concerned that this congressional directive would prevent the President from using his own judgment in this regard should be reassured that it does not. It is inapplicable, for example, to the Apollo 11 mission, or any other which is not funded entirely by the U.S. Government.

The amendment was drawn with commendable care by persons cognizant of the distinction between "entirely" and "substantially." While Apollo 11 is substantially supported by the NASA budget, it relies on foreign funded assistance in at least four major respects:

First. Tracking stations. The tracking stations are established around the world on land provided rent-free in nearly every instance by the respective host government.

Second. Solar wind experiment. The solar wind experiment, to determine the composition of certain gases in the solar wind, was developed by a Swiss scien-

tific group funded by the Swiss Government.

Third. Lunar sampling. Of the some 150 scientists chosen to examine lunar samples, 36 will come from eight foreign nations at the expense of their respective governments.

Fourth. Rocket monitor sounding probes. A Brazilian space agency team participates in the Apollo program by conducting rocket flights from the Brazilian equatorial range to sample and monitor energetic particle fluxes, as the radiation belts at this point contain potential hazards to astronauts in earth orbit. Inasmuch as Governor Rockefeller leaves shortly for Brazil in the final phase of an intermittently successful series of trips, he might like to convey the good will of the American people and our gratitude for Brazilian participation in this program. He can; the letter of this amendment presents no obstacle. The spirit leaves, in my view, something to be desired.

Mr. Speaker, parenthetically, no Member of this House need yield to any other in respect and devotion to our flag and what it represents. We might differ a little from time to time on what it represents. I think it represents a people and a nation not only great enough to place the first man on the moon, but to acknowledge with Frank Borman that this moment is a triumph for all mankind.

In the 8th Psalm it is asked of our Lord, "what is man that thou art mindful of him?" Mr. Speaker, who are we that we are not?

COMMENTS ON THE POWELL CASE AND ON UNLAWFUL WIRETAPPING

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

Mr. BINGHAM. Mr. Speaker, first of all I would like to comment that I was one of those who felt that this House acted outside the limits of the Constitution in regard to the Powell case, and I think that the Supreme Court decision has confirmed the views of those who felt that way.

On another matter, I am disturbed by recent press reports that the chief law enforcement officer of the Federal Government, the Attorney General, has stated that he is not bound by law when it comes to the wiretapping of individuals and organizations in this country.

Mr. Speaker, I introduce into the RECORD the article in the New York Times which so reported. If that article is correct, I hope that the chairman of the Committee on the Judiciary will undertake an immediate investigation of the facts and circumstances concerning this apparent disregard of the law by the chief law enforcement officer of the United States. The article follows:

[From the New York Times, June 14, 1969]

U.S. CLAIMS RIGHT OF WIRETAPPING IN SECURITY CASES—JUSTICE AGENCY SAYS COURT APPROVAL IS NOT NEEDED IF SUBVERSION IS FEARED

(By Fred P. Graham)

WASHINGTON, June 13.—The Justice Department contended today that it had the legal power of eavesdrop without court approval on members of organizations that it believes to be seeking to "attack and subvert the Government by unlawful means."

In court papers filed in Federal District Court in Chicago and released here, the Government disclosed that it had used wiretapping or bugging to eavesdrop on some or all of the eight antiwar activists who have been indicted for inciting riots at the Democratic National Convention last summer in Chicago.

In disclosing the surveillance, the Justice Department said for the first time that it had the power under the Constitution to eavesdrop on domestic groups, free of court supervision and without regard for the Fourth Amendment.

THREAT OF FORCE CITED

"There can be no doubt that there are today in this country organizations which intend to use force and other illegal means to attack and subvert the existing forms of government," the Government brief argued.

"Moreover, in recent years there have been an increasing number of instances in which Federal troops have been called upon by the states to aid in the suppression of riots.

"Faced with such a state of affairs, any President who takes seriously his oath to 'preserve, protect and defend the Constitution' will no doubt determine that it is not 'unreasonable' to utilize electronic surveillance to gather intelligence information concerning those organizations which are committed to the use of illegal methods to bring about changes in our form of government and which may be seeking to foment violent disorders," the document stated.

A 32-PAGE DOCUMENT

The latter reference, and others in the 32-page document, made it clear that the Government was saying it had the power to eavesdrop on black militant groups and other radical elements without going through the procedures established by the Crime Control Act that was passed by Congress last year, or those safeguards generally felt to be required by the Fourth Amendment.

These procedures require court approval before any eavesdropping is conducted. They also limit the time of eavesdropping and impose other restrictions on Government surveillance.

Today's assertion by the Government amounts to a statement that Federal agents may legally continue to carry out the kind of unregulated eavesdropping that was used for years against the Rev. Dr. Martin Luther King, Jr. and Elijah Muhammad, the Black Muslim leader.

It came to light in court hearings in Houston last week that the two Negro leaders had been bugged and tapped for long periods by agents of the Federal Bureau of Investigation.

Arguing today that the Attorney General should not have to obtain court approval before conducting such surveillance, the Government argued.

"The question whether it is appropriate to utilize electronic surveillance to gather intelligence information concerning the activities and plans of such organizations in order to protect the nation against the possible danger which they present is one that properly comes within the competence of the executive and not the judicial branch."

In the papers filed today the Justice Department also said that some of the defendants had been overheard over listening devices being used in "foreign intelligence" investigations. This is a new term, which is used to designate Government counter-espionage activity.

Many lawyers believe that the Supreme Court will eventually uphold the President's authority to wiretap without court approval in "foreign intelligence" situations, but the Government had not said until today that it could use the same methods to keep tabs on American citizens not affiliated with foreign powers.

One of the eight defendants, Jerry C. Rubin, 30 years old, a leader of the Youth International party from New York City, had previously been told by the Government that he was overheard over an electronic listening device.

Attorney General John N. Mitchell said in an affidavit attached to today's brief that four other defendants had also been overheard. He named David T. Dellinger, 53 years old, of Brooklyn, and Rennard C. Davis, 28, of Chicago, cochairmen of the National Mobilization Committee to end the war in Vietnam; Thomas E. Hayden, 29, a founder of the Students for a Democratic Society organization, who is from New York City, and Bobby G. Seale, 32, a Black Panther leader from Oakland, Calif.

Mr. Mitchell said that these four and Mr. Rubin had been overheard over devices that were being used either in "foreign intelligence," investigations or revolutionary domestic organizations. The court was furnished with sealed copies of transcripts of the conversations.

The other defendants are Abbott H. Hoffman, 32, a Yippie leader from New York, City; Lee Weiner, 29, of Chicago, and John R. Froines, 29, of Eugene, Ore.

The trial has tentatively been scheduled for this fall in Chicago but the issue of electronic surveillance is so complex that the trial may be delayed.

The brief filed today was signed by Thomas A. Foram, United States Attorney in Chicago. It was a response to a demand by the defendants for complete disclosure to them of all overheard conversations in which they took part. They also took the position that the indictments against them should be dropped if it were found that information obtained by illegal surveillance was used to indict them.

NO DECISION BY LAWYERS

William M. Kunstler, one of the eight lawyers who are jointly representing the Chicago defendants, said by telephone last night that no joint decision had been made as to whether the overheard conversations should be made public.

He said that he felt: "Initially, the lawyers would like to see the tapes themselves without public disclosure to see what they contain. I think any lawyer would be doing his client a disservice to just say to the court, 'Make these conversations public,' because who knows what a client might be discussing—maybe infidelity to his wife?"

The transcripts of recorded conversations of Mafia members filed in Newark's Federal Court by the F.B.I. earlier this week became public property only because the defense attorneys failed to ask that disclosure be restricted to themselves, according to a Government source.

The New York Times published excerpts from those transcripts yesterday.

THE SUPREME COURT DECISION IN THE POWELL CASE

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

Mr. CASEY. Mr. Speaker, the decision announced this morning by the Supreme Court, of course, disturbs the Nation. I do not know whether we can do anything about it, but I do know one positive step we can take. As you recall, the resolution we passed the first of this year permitting the gentleman from New York to take his seat on the floor contained a

provision for a penalty, a fine of $25,000. That did not excuse him from the money that he does owe and which he should return to the Treasury of the United States. I am having drafted a resolution which I would ask all of you to consider and I would appreciate your joining me in introducing. It is true the Attorney General and the local authorities say that they were undoubtedly violating the law on criminal penalties that could be assessed, but there is no reason why we cannot direct the Clerk of this House to take such action as is necessary to recover the funds expended by Mr. POWELL and members of his family and his staff in violation of the rules of this House and the laws of the United States.

I urge you to join me in this resolution and let us get our money back.

My intentions are to introduce this resolution this week, probably Wednesday.

For the benefit of my colleagues, and the American people, who may have forgotten some of the facts in this case—I am including at this point the findings of the select committee published as House Report No. 27, 90th Congress, 1st Session, which will give some idea of the amount of money due the American taxpayer:

FINDINGS

1. Mr. Powell is over 25 years of age, has been a citizen of the United States of America for over 7 years, and on November 8, 1966, was an inhabitant of New York State.

2. Mr. Powell has repeatedly asserted a privilege and immunity from the processes of the courts of the State of New York not authorized by the Constitution. Mr. Powell has been held in criminal contempt by an order of the New York Supreme Court, a court of original jurisdiction, entered on November 17, 1966. This order is now on appeal to the Appellate Division, first department, an intermediate appellate court in the State of New York, and is not a final order. At the time of the Committee's hearings, there were also outstanding three court orders holding Mr. Powell in civil contempt which were issued May 8, 1964, October 14, 1966, and December 14, 1966. The order of May 8, 1964, was vacated when the final judgment against Mr. Powell was satisfied on February 17, 1967.

3. As a Member of Congress, Mr. Powell wrongfully and willfully appropriated $28,505.34 of public funds for his own use from July 31, 1965, to January 1, 1967, by allowing salary to be drawn on behalf of Y. Marjorie Flores as a clerk-hire employee when, in fact, she was his wife and not an employee in that she performed no official duties and further was not present in the State of New York or in Mr. Powell's Washington office, as required by Public Law 89-90, 89th Congress.

4. As a Member of Congress, Mr. Powell wrongfully and willfully appropriated $15,683.27 of public funds to his own use from August 31, 1964, to July 31, 1965, by allowing salary to be drawn on behalf of said Y. Marjorie Flores as a clerk-hire employee when any official duties performed by her were not performed in the State of New York or Washington, D.C., in violation of House Resolution 294 of the 88th Congress and House Resolution 7 of the 89th Congress.

5. As chairman of the Committee on Education and Labor, Mr. Powell wrongfuly and willfully appropriated $214.79 of public funds to his own use by allowing Sylvia Givens to be placed on the staff of the House Education and Labor Committee in order that she do domestic work in Bimini, the Bahama Islands, from August 7 to August 20, 1966; and in that he failed to repay travel charged to the committee for Miss Givens from Miami to Washington, D.C.

6. As chairman of the Committee on Education and Labor, Mr. Powell on March 28, 1965, wrongfully and willfully appropriated $72 of public funds by ordering that a House Education and Labor Committee air travel card be issued to purchase air transportation for his own son (Adam Clayton Powell III), for a member of his congressional office clerk-hire staff (Lillian Upshur), and for personal friends (Pearl Swangin and Jack Duncan), none of whom had any connection with official committee business.

7. As chairman of the Committee on Education and Labor, Mr. Powell willfully misappropriated $461.16 of public funds by giving to Emma T. Swann, a staff receptionist, airline tickets purchased with a committee credit card for three vacation trips to Miami, Fla., and return to Washington, D.C.

8. During his chairmanship of the Committee on Education and Labor, in the 89th Congress, Mr. Powell falsely certified for payment from public funds vouchers totaling $1,291.92 covering transportation for other members of the committee staff between Washington, D.C., or New York City and Miami, Fla., when, in fact, the chairman (Mr. Powell) and a female member of the staff had incurred such travel expenses as a part of their private travel to Bimini, the Bahamas.

9. As chairman of the Committee on Education and Labor, Mr. Powell made false reports on expenditures of foreign exchange currency to the Committee on House Administration.

"THE PUBLIC BE DAMNED"—ARTICLE BY JUSTICE WILLIAM O. DOUGLAS

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma (Mr. EDMONDSON) is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, I was absolutely astounded when there was called to my attention over this past weekend an article which had just appeared in the latest edition of Playboy magazine by a member of the U.S. Supreme Court, Justice William O. Douglas, entitled "The Public Be Damned."

This article is a lengthy, inaccurate, and frequently slanderous attack upon the U.S. Army Corps of Engineers, upon a distinguished colleague of ours who presently is ill and unable immediately to respond on the floor—and I am speaking of the Honorable MICHAEL J. KIRWAN—and it is an attack upon a number of institutions of Government that deal with the development of our water resources and I think upon the Congress itself in many ways.

I have never before taken the floor of the House to comment upon any member of the Supreme Court, and I do so with some reluctance. But when a member of the Court resorts to a medium like Playboy magazine to attack a distinguished Member of this body, who for reasons of health is unable immediately to respond, and totally misrepresents the facts and the records in as many instances as Justice Douglas does in this article, I feel compelled to take the floor and to make response to those charges.

In the first place, let me say this: The allegation contained in this article that MIKE KIRWAN has long been a stern opponent of national park development is completely the opposite of the truth. Any Member who has served for any length of time in this body knows that for a period of 16 years Congressman MIKE KIRWAN was chairman of the subcommittee that deals with appropriation for the Interior Department, and brought to this floor time after time appropriations for the purpose of enlarging and developing the park system of the United States. As a matter of fact, the record of the Kirwan service in this responsible role is one of the most illustrious in the history of the House of Representatives. MIKE KIRWAN was one of the first to recognize the urgent need to make more adequate provision for facilities in our national parks to handle the increasing number of visitors.

In 1965 he increased the budget of the National Park Service, beginning the accelerated program to provide more visitors centers and camping and picnicking facilities. This was the beginning of Mission 66. No less an authority than Conrad Wirth has in private conversations referred to MIKE KIRWAN as the father of Mission 66, the greatest forward step in public park development in many, many years.

MIKE KIRWAN has always been an ardent advocate of the Fish and Wildlife Service. During the period 1955 to 1964, when he was chairman of the Appropriations Subcommittee, for the Department of the Interior he recommended a total of appropriations in the amount of $348 million, which compared with only $93 million for the comparable period preceding the period of his service as chairman.

I am disturbed, Mr. Speaker, about the unfairness of this attack upon a great Member of this body. I am also disturbed about the completely reckless and unjustified attack upon the Army Corps of Engineers. The Douglas article accuses them of conniving with real estate developers, juggling cost estimates, rigging benefit progressions, and a host of other bad deeds. He charges they are "polluters and despoilers of the Nation's water resources," and he uses the phrase to describe them of "Public Enemy No. 1," a phrase normally employed to describe someone engaged in criminal activities.

In his lengthy article he is extremely reckless with his facts. He writes:

A number of waterway projects have been started when they are in fact only in study stage:

He says:

There is hardly a Federal agency in Washington which is not offered corps funds for research and development assignments."

And this is simply not true.

He says the corps has special permission to spend up to $10 million on any project with the approval of only House and Senate committees. This simply is not true. He says the Corps of Engineers has no conservation standards. This is not true.

Justice Douglas should know better. He certainly is in a position to get the facts by picking up a telephone, and in this article it is obvious he does not let the facts stand in his way in his zeal to attack and indict the Corps of Engineers, the water resource development program, which they are responsible for in this country, and both Members committees

of the Congress that have responsibility in this area. I think this is especially unfortunate since the American people undoubtedly are going to be misled, some of them, by Justice Douglas' erroneous remarks.

I note that both the United Press, on June 14, and the Associate Press, on the same date, carried articles quoting at some length and including erroneous material that appears in the Douglas article.

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

Mr. EDMONDSON. I yield to my friend, the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I congratulate my friend, the gentleman from Oklahoma, on the statement he is making.

The gentleman from Oklahoma showed me a copy of this article only today. I regret it. I think any Member of Congress knowledgeable of the facts would be utterly shocked not only at the article itself and the misrepresentations it contains but also at the very fact that such an article could appear under the authorship and name of a Justice of the U.S. Supreme Court.

Wholly aside from the propriety of attacking a Member of Congress with misrepresentations, as the article has done, and wholly aside from the propriety of a member of the U.S. Supreme Court presuming to attack a bona fide agency of the administrative branch on grounds wholly removed from the legality, I think this article points up something far deeper, an utter disregard for factual accuracy, which is indeed shocking when indulged in by a member of the highest tribunal.

The article is sloppy and careless, to say the least, in its treatment of facts, and I surely shudder to think that this would characterize the attitude of the highest court in the land or one of its members toward clearly ascertainable facts. It is the kind of article one might expect to read in a cheap pulp magazine written by some hack writer who has no responsibility to accuracy, and perhaps written under a pseudonym. It is not the kind of article anyone would expect to see in print anywhere under the name of a Justice of the U.S. Supreme Court.

I am sure the gentleman from Oklahoma will point out the numerous factual inaccuracies contained in this article. I could enumerate many of them from a cursory reading, but I should say that our colleague, the gentleman from Ohio, MIKE KIRWAN, is due an apology and I think as well that the highly professional group of Americans serving the Army Corps of Engineers, which so carefully provides information and data called for by congressional enactment, also is due an apology.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman from Texas for his remarks. I concur wholeheartedly with the gentleman about the right of the public to expect a member of the judiciary—of all people—to get his facts straight. Conclusions and observations are one thing, but when those conclusions and observations are based upon a series of misstatements and distortions and outright mistakes, if we want to be kind about it, I think the public is the loser and I think the standards of the judiciary suffer considerably.

As a matter of fact, speaking at Webbers Falls, Okla., just last Saturday, I commented on the fact that 150 years ago, in the year 1819, the United States received the great landmark decisions of the Supreme Court in the Dartmouth College case and in McCulloch against Maryland, and in this year, 1969, 150 years later, we get William O. Douglas writing on "The Public Be Damned" in Playboy magazine. No one is likely to view this as judicial progress.

Mr. Speaker, for the information of those who may have read Justice Douglas' remarks, or may read them hereafter, I picked out approximately 20 of the more obvious and flagrant inaccuracies and half-truths that appear in the article. I insert this summary at this point in the RECORD.

The information is as follows:

SOME OF THE MAJOR ERRORS OF FACT IN JUSTICE DOUGLAS' ARTICLE

1. There is no such Federal agency as "Public Roads Administration" (Page 182). Justice Douglas apparently has reference to the Federal Highway Administration in the Department of Transportation.

2. "There is hardly a Federal agency in Washington that is not offered [a Corps of Engineers research or development project] in amounts from $200,000 to $400,000 or more a year" (Page 182). This is just not true. Few Federal agencies get any money at all from the Corps of Engineers, and in these instances Congress has specifically directed that the Corps transfer funds to these agencies for certain services—not research and development. The U.S. Geological Survey is reimbursed for the maintenance of stream gauging stations; the U.S. Weather Bureau is reimbursed for the provision of certain precipitation studies, and the Fish and Wildlife Service is reimbursed for studies, investigations and reports required under the Fish and Wildlife Coordination Act of 1958, which directs that Corps projects be coordinated with the Fish and Wildlife Service. Several HEW agencies have also received Corps funds. To categorically state that most Federal agencies are "offered" funds by the Corps is completely and totally inaccurate.

3. "* * * the Corps is incorrigible, violating the fundamental principle that while an administrative agency is the creation of Congress, it must report through the Chief Executive * * *. Even though the President advises that a Corps project is not in accord with White House policy, the Corps transmits its report to Congress anyway * * *" (Page 184). As required by Executive Order (No. 9384), the Corps must submit each report to the Bureau of the Budget "for advice as to its relationship to the program of the President." There are, in fact, five Budget Bureau analysts who do nothing but oversee Corps programs. Having requested the Corps to investigate a certain project, Congress fully expects and intends to have the benefit of each such report. There is absolutely nothing "incorrigible" about the conduct of a Federal agency simply carrying out its instructions.

4. "The Corps finally obtained by an act of Congress special permission to spend up to $10,000,000 on any project without approval by Congress, provided the project has been approved by resolutions adopted by the Senate and House committees" (Page 184). This statement is extremely misleading and caused United Press International, in a dispatch datelined Chicago, June 14, to state: "The Army Corps of Engineers * * * can spend $10 million on any project without Congressional approval." This statement, of course, is absolutely false. In 1965, the Congress decided to allow the House and Senate Public Works Committees—without subsequent floor action and White House approval—to "authorize" Corps of Engineers, Soil Conservation Service, and General Services Administration projects costing less than $10,000,000. This only involved the authorization process, and under the proposed procedure every penny of the money would subsequently have to be appropriated by the Congress and approved by the President—the same as before. As it turned out, President Johnson claimed this procedure infringed on the powers of the Executive, and it has never been implemented. However, just a few weeks ago, the White House agreed to allow authorizations for Soil Conservation Service projects to be made by only the House and Senate Committees. But the authorization has never been used in connection with a Corps project.

5. "This is an advantage [special permission to spend up to $10,000,000] 'shared by no other Federal agency * * *." (Page 184). As stated above, only the Soil Conservation Service of the Department of Agriculture is now able to get authorizations for smaller projects solely on the basis of the action of Congressional Committees. However, appropriations must still be made in conventional fashion.

6. "* * * Arkansas already has many times the power it can use." (Page 185). This is just not true. The electric power systems in Arkansas, Oklahoma and surrounding states have absorbed as much hydroelectric power as was available to them through the Southwest Power Administration. It is my understanding that this accounted for only 3 to 4 percent of the total electric demand in the area. The power systems, of course, have to maintain a surplus of power at all times, or there will be power failures. If Arkansas had "many times" the electric power it needed, I am quite sure the Arkansas Power and Light Company would not now be constructing one of the largest nuclear generating stations in the Nation on the shores of Lake Dardanelle.

7. "So why destroy the Buffalo [River]?" (Page 185). As Justice Douglas must know, there are no plans to develop the Buffalo River in Arkansas. At one time, there was some local interest in improving the river, but there was also a lot of opposition. As a matter of fact, legislation to establish the Buffalo National River and preserve 95,730 acres alongside the river as parkland is now being considered in the Congress. Hearings on the Senate bill, sponsored by Senators McClellan and Fulbright, were held last month.

8. "The Corps is an effective publicist." (Page 185). Unfortunately, the Corps of Engineers' story of waterway development has not been very effectively told. Unlike numerous other Federal agencies, the Corps does not spend a lot of money making full color films for television, issue a barrage of newspaper publicity and feature story hand-outs, or ever publish a regular journal. As a matter of fact, I believe that the Corps has had the authority for at least five years to publish a magazine—such as the Bureau of Reclamation does—but as yet has not elected to do so. I, for one, would like to encourage the Corps to do a better job in informing everyone of the importance of wise and efficient water management practices to future economic and social progress.

9. "The problem with dams is that they silt in * * *. In time, the silt completely replaces the water." (Page 185). Here is another example of a grossly erroneous statement. Every Corps reservoir is designed to include a "sediment pool" where river silt is collected over the years. The sediment pool is intended to fill up in a specified number of years—either 50 or 100 years, depending on the projected life of the reservoir. At the end of that period, the reservoir will still

have all of its storage capacity. It's a myth, then, that Corps reservoirs will soon be filled up with nothing but mud.

10. "* * * the Corps has no conservation, no ecological standards." (Page 186). The Corps of Engineers is extremely sensitive to conservation and ecological standards. The Fish and Wildlife Service of the Department of Interior is continually consulted on projects, as required by law. Nearly every proposed waterway involved detailed conservation studies. In 1967, the Department of the Army and the Department of Interior signed a "Memorandum of Understanding" which is in full effect at this time. This formalized a long-standing arrangement whereby the Department of Interior is consulted by the Corps of Engineers on each and every project involving fish and wildlife, estuary, or ecological factors. Each Division of the Corps of Engineers has an Environmental Resources Branch, and every phase of the Corps program involves environmental considerations. In fact, Corps personnel just recently completed conservation and ecological studies at the University of Wisconsin, and Stanford and Cornell Universities. It is a grievous misstatement, therefore, to state that the Corps has no conservation standards.

11. "The Corps approach [to flood control] is purely an engineering approach." (Page 186). Engineering is only a part of the Corps' program to combat flood damage. Flood plain management, in fact, is high on the Corps' agenda. No doubt flood damage will be held down in the future by restricting certain land uses in the flood plain, but it should be pointed out that the Corps' flood control program is eminently successful. Without the huge capacity of upstream dams on the Missouri River, and a system of massive levees and reventments, large sections of the Upper Midwest could well have been swamped by rampaging flood waters this spring. The Corps' good work certainly paid off.

12. "Beautiful river basins are wiped out forever * * *." (Page 186). This is rarely, if ever, the case. The Tennessee River, before it was developed, was sometimes a mile wide in the spring and a foot deep in the summer. It was a liability because of frequent flooding, and it was useless the rest of the year. Now that it is fully developed, the river has taken the form of a beautiful chain of scenic lakes stretching through Tennessee and Northern Alabama. Just because a river is developed, it doesn't mean that it isn't beautiful. The Ohio, the Arkansas and most other developed rivers are more scenic and aesthetic than ever.

13. "Over the years, the Corps juggled costs and benefits * * *." (Page 187). While I do not have specific information about this particular project (Lake Okeechobee), I do know that both costs and potential benefits vary from year to year on any project. I also know that the Corps has the reputation of being very conservative in its estimates. Actual costs of a great many projects, for instance, fall below the Corps' estimates. Which is all the more impressive in view of the high cost overruns on many other Federal programs. And benefits, as it usually turns out, are on the low side. Practically every major navigation artery is now carrying many times the commerce originally estimated.

14. "It [the Atomic Energy Commission] is on the Corps' payroll." (Page 188). As far as I have been able to determine, the A.E.C. does not get a single penny from the Corps of Engineers. The two agencies are conducting a joint study involving the possible use, at some time in the future, of nuclear construction techniques. But this is a cooperative venture, and it is not funded by the Corps. It is reprehensible, therefore, to say the A.E.C. is being paid.

15. "The Corps is now starting a vast internal canal-building project to build waterways into the dry, desert-blown parts of America." (Page 188). The Corps has been involved in waterway improvements since 1824. There were far more canals a century ago (though most were built by state or private interests) than there are today. As a matter of fact, development of new water ways has now come to almost a complete halt. The current budget provides for only two navigation "starts"—Smithland Locks and Dam on the Ohio River, and a deep-draft channel serving Stockton, California. Unfortunately, everything else is in the planning stage, postponed, deferred or otherwise delayed. It is certainly not correct, therefore, to say that the Corps is "starting" any vast program.

16. "That wild idea [development of the Trinity River] is now reality." (Page 188). Nothing could be further from the truth. The Trinity project to bring navigation to Dallas-Fort Worth is only in the early planning stage. Some work on downstream flood control projects is underway. But no work is in progress on any of the navigation channel. Congress must give the go-ahead, in fact, before any decision is reached as to whether to channelize the river. To say it is already reality is utterly absurd.

17. "[The Arkansas-Verdigris Waterway] is now under way—a 539-mile canal reaching into the heart of Oklahoma. The plan includes 18 locks and dams * * *." (Page 188). Justice Douglas has added 89 miles and one lock and dam to the Arkansas project. In reality, it runs 450 miles and contains 17 locks and dams. Navigation is now open to Little Rock, and the people of our region are already beginning to realize the benefits from this far-sighted project. Structural steel, oil well pipe and alumina—among other products—are moving into Arkansas at low-cost, and Arkansas soybeans are being shipped to market by barge, meaning more money in farmers' pocketbooks. Navigation should reach Fort Smith near the Oklahoma state line by the end of the year, and Tulsa in another year will no longer be land-locked. This great new waterway was undertaken only after painstaking and thorough economic studies, and its ultimate success is virtually assured.

18. "* * * Tennessee-Tomlingbee waterway * * *." (Page 188). The correct name of the proposed waterway is Tennessee-Tombigbee.

19. "In 1967, the Corps approved [the Tennessee-Tombigbee] * * *. The interested Congressmen * * * did not take the issue to Congress but in committee ordered the Engineers to start the controversial canal * * *. (Page 188). The Corps of Engineers doesn't approve or disapprove any proposed waterway. It reports on the engineering and economic feasibility. As a general rule, Congress okays only those projects having a favorable benefit-to-cost ratio, but there are other considerations involved in some projects (but not included in the economic analysis) which are meaningful. Anyway, this is a matter for Congress to decide and there is absolutely no way for "interested Congressmen" to avoid taking a project report to Congress if they want to get construction started. A commitee simply can't make the decision. It has to be made by the full Congress and approved by the Congress. This is true in the case of Tennessee-Tombigbee and every other waterway. In the case of Tennessee-Tombigbee, it has not been "started", as Justice Douglas claims. It is still in the planning stage.

20. "Eighty-year-old [Congr. Michael J.] Kirwan has long been a stern opponent of national park development." (Page 188). This is utterly ridiculous. Mike Kirwan, who is now 82, incidentally, has probably done as much as any man in the Congress to develop and build up the parklands and park system. To call him an opponent of a program in which he has taken such a long-time interest is totally inconceivable.

21. "If Texas and Oklahoma can have their worthless canals * * *" (Page 188). I don't know about Texas, but I am quite positive that Oklahoma's canal—the Arkansas and Verdigris Rivers, that is—will be of paramount economic importance. Industry is already locating along the river long before it is navigable. Millions of dollars are being spent readying the Catoosa Port of Tulsa even though navigation won't be available for at least another 18 months. History will prove whether Justice Douglas is right in this instance or not, but if the spirit and determination of the people of Arkansas and Oklahoma is any indication, he is dead wrong again.

22. " * * * if the Corps concentrates on socially useful projects * * *" (Page 188). There is a strong inference here that river basin programs are not socially useful. But the fact is that no other Federal programs of this magnitude is beneficial to more people. When rivers are developed, they are turned from local liabilities into great regional assets. Flood-free sites are made available for industry, which is drawn to the riverside by availability of stable water supplies, low-cost transportation, plentiful electric power, and year-round water recreation. Industrialization means jobs and payrolls, higher tax bases for local communities and states, better public services, a higher standard of living. The region enjoys economic development. New opportunities and incentives are provided so that residents no longer have to seek employment and advancement in over-congested metropolitan areas. In developed river valleys all over America, a richer and more promising life is possible—abundant in both quantity and quality. What more "socially useful project" than this could there be?

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

Mr. EDMONDSON. I am glad to yield to my good friend from Florida.

Mr. SIKES. I wish to commend my distinguished friend from Oklahoma for his service to the House in calling this matter to the attention of our colleagues. I concur in his observations and I commend him for his important interest in this matter.

Mr. Speaker, the Court's ruling on the Adam Clayton Powell appeal is another arrogant assumption of legislative prerogatives reserved by the Constitution for the Congress. It should be disregarded, and Congress should at long last abrogate the unwarranted seizure of powers which has been in progress for years by the U.S. Supreme Court.

The timidity shown by Congress in its failure to take steps to restore the separate but equal concept of the three principal branches of Government is inexcusable, but if Congress insists on making a doormat of itself, it is to be hoped that the administration will recognize the essentiality of taking steps to remedy this problem.

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

Mr. EDMONDSON. I am glad to yield to my good friend from Iowa.

Mr. GROSS. Any Justice of the U.S. Supreme Court who would take as Douglas did, $80,000 from a foundation the bulk of its resources being supplied by gambling money; any Justice of the U.S. Supreme Court who would write and cause to be published and be paid for the publication in a magazine Avant Garde as Douglas did, would not know the meaning of the word "propriety" if he met it in the middle of the street in broad daylight. I am not surprised that

this article appears in Playboy, because of the past avarcious record of Justice Douglas.

For the information of Members of the House who are not acquainted with Avant Garde, it is an obscene, smut-ridden, filthy publication. Yet planted amid all this filth is a full page picture and an article by Douglas who had to know the character of the publication because a case involving at least one of the officials of it had been brought before the Supreme Court.

I compliment the gentleman for calling this matter to the attention of the House. This man Douglas has been engaged in nefarious business for a long time, and from his high post in the Supreme Court. The facts being as the gentleman from Oklahoma says they are, he should apologize to the distinguished gentleman from Ohio (Mr. KIRWAN) and accompany that apology with his resignation from the Supreme Court of the United States.

I thank the gentleman for yielding.

Mr. EDMONDSON. I personally agree 100 percent with the statement which the gentleman from Iowa just made. We have apparently reached the stage in the business of the Court in which it appears to be in order for a Justice to make any kind of attack upon any institution of our Government without any regard to legal questions or judicial considerations that are involved in the situation, and to abandon completely the common ordinary standards of honesty and decency in making that attack. I think the time has come for that gentleman to step down from the Court and make way for someone who has some respect for integrity and fairplay and plain garden variety honesty in his public statements and writings.

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

Mr. EDMONDSON. I am glad to yield.

Mr. GROSS. I would add that if Douglas' resignation is not forthcoming the House of Representatives ought to initiate impeachment proceedings.

Mr. EDMONDSON. Mr. Speaker, I will only comment for a moment on several of the points I have placed in the RECORD as major errors of fact. I comment upon them because they have been made a part of the press accounts about this article.

The statement in the article that the corps has obtained from the Congress special permission to spend up to $10 million on any project without approval by Congress provided the project has been approved by resolutions adopted by the Senate and the House committees is simply not accurate. It is very definitely misleading.

In 1965 the Congress decided to allow the House and the Senate Public Works Committees, without subsequent floor action and White House approval, to authorize the Corps of Engineers, Soil Conservation Service, and General Services Administration projects costing less than $10 million.

This, however, only involved the authorization process. Under the proposed procedure every penny of the money would subsequently have to be appropriated by the Congress and approved by the President—the same as before. As it turned out, President Johnson claimed this procedure infringed on the powers of the Executive, and it has never been implemented. In the case of the Corps of Engineers there is no instance of this power having been utilized or implemented. It is a fact that a few weeks ago the White House agreed to allow authorizations for Soil Conservation Service projects to be made by only the House and Senate committees, but this authorization pertained only to the Soil Conservation Service.

So you have a double inaccuracy with regard to the article: First, in the statement that the Corps of Engineers has the power and utilizes it; and second, in the statement that it is an advantage shared by no other Federal agency. As a matter of fact, the only Federal agency enjoying it now is not the Corps of Engineers but, rather, the Soil Conservation Service.

Mr. Speaker, I would like to comment for just a minute, also, on the statement made with reference to the Arkansas-Verdegris Waterway, since that is pretty close to home. The statement in the article is that this is a 539-mile canal reaching into the heart of Oklahoma, includes 18 locks and dams. The Justice, perhaps coming closer to fact than on any other point, only added 89 miles to the length of the canal and only one lock and dam to the project. In reality it runs 450 miles and contains 17 locks and dams. Navigation is now open to Little Rock. It is proving to be of tremendous benefit to the area already, both eastern Oklahoma and Arkansas, in many ways. I think this is an example of a complete failure by the Justice to recognize all of the facts. The only description given to the Arkansas River project by the Justice is that of a navigation project. The tremendous benefits present in flood control, the tremendous benefits present in hydroelectric power and water storage for community use, the tremendous recreational opportunities for literally millions of people, and the other benefits are not mentioned. The recreational visitors are not counted here in the thousands or hundreds of thousands but in the millions. All of these benefits are completely disregarded and overlooked by the Justice in his article.

Mr. Speaker, I have one further point. In his attack upon the Corps of Engineers the Justice endeavors to put across the point that the Corps of Engineers has absolutely no conservation standards and absolutely no regard for conservation standards. The facts are exactly to the contrary. I would like to quote from a speech delivered by Maj. Gen. Frederick J. Clarke, Deputy Chief of Engineers, to the Mississippi Valley Association in Chicago, Ill., on February 13, 1967. He was speaking about the regard which the Corps of Engineers has for environmental factors and the regard which the Corps of Engineers has for conservation values. General Clarke had this to say:

> Environmental factors are typically qualitative. Hence they are difficult and sometimes impossible to express in measurable quantitative terms. They can be evaluated only through judgment, often subjective. Nevertheless, these qualitative factors must be given weight in all future water resources planning. And they must be entering factors, considered from the very start of the planning process. The public demands this, and we recognize it.
>
> The Corps of Engineers has employed wildlife, park, outdoor recreational, and other specialists on its staffs for many years, and sought the expertise of other agencies. We are now strengthening our capability, both in-house and by contract, to respond to the growing need to preserve environmental resources while meeting the essential needs of development in our expanding economy. We have established Environmental Resources Branches within the planning organizations of our ten Civil Works Divisions. Their responsibility will be to see that environmental considerations are included from the start in all of our planning and program-formulating activities. We are seeking and securing improved working relationships with conservation groups and organizations. Our purpose is not just to explain our activities to them, but also to acquire a better understanding of their needs and views.

This represents the true viewpoint of the Corps of Engineers. It is totally different from the "public be damned" attitude as it is described in the Douglas article. I think any Member who sits on a committee before whom the Corps of Engineers' witnesses appear will testify to the fact that they are as careful, as prudent, and as honest with the Members of Congress in pointing out the effects of a project upon fish and wildlife values and upon environmental conditions as are any witnesses who appear before the committees on behalf of any Government agency. I hope and trust that we will see from the Justice an apology to the corps and to our colleague, the distinguished gentleman from Ohio (Mr. KIRWAN). I hold very little hope, however, that we will also see the other action that my colleague from Iowa suggested a little bit ago on behalf of the Justice. But, certainly, it would be a wonderful thing if we could substitute for this Justice today a Justice of the caliber of John Marshall to hold that seat on the Supreme Court once again.

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

Mr. EDMONDSON. I shall be glad to yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Speaker, I would like to commend my colleague, the gentleman from Oklahoma (Mr. EDMONDSON), for taking this time in the House to bring this question before us and for putting in proper perspective the respect due the House of Representatives and the work of its committees.

I would like to ask the gentleman this question: Suppose I am a beneficiary of a foundation—and that is a pure supposition—and I am on the Court and my connection with the foundation is improper and I will remind you that it is a supposition, and then suppose that I resigned from the foundation but remained on the Court. If my prior connection with that foundation has been improper, would the fact that I resigned from it make it any more proper in the opinion of the gentleman from Okla-

homa—in other words, if I was wrong to be connected with the foundation while serving on the Court would the fact that I have discontinued serving on it at the present time make my prior conduct proper?

Mr. EDMONDSON. I do not think it would in any way affect the propriety of your conduct.

Mr. HUNGATE. Propriety or impropriety?

Mr. EDMONDSON. I think that what it does is to clear the air with respect to present conduct. It certainly does not make right and proper the previous conduct over a long period of time.

Mr. HUNGATE. If it were improper in the first instance?

Mr. EDMONDSON. If it were.

Mr. HUNGATE. I thank the gentleman for bringing this matter to the attention of the Members of the House and for the work which he has done on this matter and I think the House should appreciate that work.

Mr. EDMONDSON. I thank the gentleman from Missouri.

SCHNITTKER FAVORS $5,000 PAYMENT LIMIT

The SPEAKER pro tempore (Mr. TAYLOR). Under a previous order of the House the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, a statement of great significance on farm policy, both short term and long term, was made May 27 at the symposium on public problems and policies of the Iowa State University Center for Agricultural and Economic Development by Dr. John A. Schnittker, former Under Secretary of Agriculture.

His statement has special importance because it deals with the question of individual farm payment limits. The House recently voted a $20,000 limit on payments as an amendment to the agriculture appropriation bill, and the question of sustaining that provision will soon be before the Senate.

The text of Dr. Schnittker's speech includes the declaration, "I favor a limit of $5,000 per program or $10,000 per farm." A study of the effect of farm payment limits ordered last fall by President Johnson and widely identified as the "Schnittker study" concluded that a limit of $10,000 per program or $20,000 per farm would yield budget savings of nearly $300 million a year and at the same time could be administered without "serious adverse effect" on the functioning of present programs.

The lower limits of $5,000 and $10,000 would, Dr. Schnittker estimates, save more than $500 million per year if firm rules were enforced to prevent farm splitting to circumvent the limitation.

He also estimates that cotton payments could be reduced by one-half—$400 million to $500 million—and wheat payments by about $400 million without important adverse effect.

He outlines five different ways to achieve a reduction in farm program costs. I view it as one of the most significant statements on basic farm policy in several years.

Here is the text:

THE DISTRIBUTION OF BENEFITS FROM EXISTING AND PROSPECTIVE FARM PROGRAMS [1]

(By John A. Schnittker [2])

SUMMARY

1. Most of the direct benefits of U.S. agricultural price and income support programs go to a small percentage of our farmers. Sugar cane, cotton, and rice program benefits are the most concentrated, with the largest 20 percent of the growers receiving, respectively, 83, 69, and 65 percent of the benefits in a recent year. Feed grain and wheat program benefits are also concentrated, but less so.

2. Small farmers get only a small share of total farm program benefits. The smallest 20 percent of sugar cane, cotton, and rice growers received, respectively, 1, 2, and 1 percent of direct program benefits in a recent year.

3. Program benefits are increasingly concentrated because farm production is concentrated on about one-third of all U.S. farms, and program benefits continue to be distributed in proportion to production.

4. Most people consider total farm program costs too high, taking other national needs into account; these costs will continue to increase unless major statutory and administrative changes are made. The level of total farm program costs, and the prospect that costs will go even higher, not the overall distribution of farm program benefits among farmers, is the principal farm issue facing Congress and the Administration.

5. Farm program costs can be reduced, in time, by a 5-point program including smaller payments for cotton and wheat growers, lower feed grain prices, long-term land retirement contracts, and a limit on direct payments. Even with those changes, relatively large farmers would continue to get most of the benefits. Gains in average income per farm and in the parity income position of full-time commercial farmers could continue, however, if the indicated changes were phased over several years.

FULL TEXT OF MR. SCHNITTKER'S REMARKS

Direct benefits arising out of price support programs for agricultural commodities go primarily to persons who have relatively large farms, enjoy a comfortable living out of current income, and have substantial equities in property. This is true also for the benefits of agricultural conservation programs, research, extension education, and probably for higher agricultural education as well. This tendency is not limited to agricultural programs; it is evident also in certain education programs; many urban renewal projects stand convicted of displacing the poor for the convenience and edification of the rest of us; rapid snow removal and regular street sweeping often appear to be limited to the "better" neighborhoods. A complete list of regressive public programs would be a long list.

The incidence of program costs is relevant to any discussion of the distribution of benefits from public programs. One might find that those who get the greatest benefits also pay roughly in proportion to the benefits derived. In the case of agricultural commodity price and income support and production adjustment, however, program costs are paid principally out of general revenues, while the direct benefits go principally to farmers and to the owners of agricultural land. Costs and benefits are almost entirely disassociated.

I have chosen to set aside the claim made occasionally that it is not farmers but consumers who really benefit from farm programs. Occasionally when some less creditable aspect of existing farm programs is being questioned—like the Sugar Program or giant federal payments to giant farmers—apologists tell us that big farmers only appear to benefit, and that the real gains escape the farmers and are harvested by consumers. There is an element of truth to this assertion; consumers have unquestionably benefitted from the research and education which underpin agricultural productivity. The farm commodity price support programs also share in the credit for our efficient agriculture; without the prosperity and the stability provided by recent farm programs, farm prices and food costs may well be higher than they are. Even so, that farm programs have benefitted farmers very substantially from year to year is seldom denied, although the long run impact is certainly arguable.[3]

Who benefits?

From the start in 1933, direct benefits of farm price supports in the United States have been distributed almost exactly in proportion to the share of total production each farmer controlled. As agricultural production became increasingly concentrated, largely because of technological change, the concentration of benefits increased also.

A formidable paper prepared by Professor James T. Bonnen of Michigan State University for the Joint Economic Committee of Congress has just been published,[4] adding much detailed information although no new general conclusions regarding the concentration of benefits in farm commodity programs. We have known from the start how farm program benefits were distributed, so it may be asked just how important it is to have greater statistical precision to prove a point that is already accepted. I believe this new information can make an important contribution to further improvement in the farm programs in much the same way. The National Nutrition Survey is improving the prospects for more adequate food programs. That study being done by Department of Health, Education, and Welfare, by adding precision to already valid information regarding the incidence and the effects of malnutrition in the United States, has made denial of the fact of widespread hunger and malnutrition unbelievable if not quite impossible. Perhaps more precise information on the incidence of farm program benefits can have a similar result.

What is the distribution of benefits from farm programs? Bonnen provides the details for major commodities by size strata of farms and state by state. The tables attached are taken directly from his study (with the author's permission). Table 1 (Bonnen's Table 7) shows that:

Sugar cane, cotton, and rice have the greatest proportion of direct benefits concentrated on a few farmers. The larger 20 percent of these growers receive respectively, 83, 69, and 65 percent of program benefits. The smallest 20 percent receive respectively, 1, 2, and 1 percent of the benefits. Benefits going to the largest 5 percent of all farmers were 63, 41, and 35 percent for sugar cane, cotton, and rice.

Wheat and feed grain program benefits are less highly concentrated. The largest 20 percent of the farmers receive 62 and 57 percent of the direct benefits. Tobacco and sugar

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[1] Presented at the Symposium on Public Problems and Policies, Iowa State University Center for Agricultural and Economic Development, May 27, 1969.

[2] Research Consultant, Resources for the Future, Washington, D.C. and Guest of the Institute, Massachusetts Institute of Technogoly. Views expressed are those of the author only.

[3] An excellent paper on this subject, entitled "An examination of past farm programs from the standpoint of equity", by Professor K. L. Robinson of Cornell University deserves broader circulation.

[4] James T. Bonnen, "The Absence of Knowledge of Distributional Impacts: An Obstacle to Effective Public Program Analysis and Decisions." In *Economic Analysis of Public Expenditure Decisions, The PPB System*, Joint Economic Committee. U.S. Congress, May 1969.

beets are the least concentrated of the major crops. Even so, the largest 20 percent of all tobacco growers get 53 percent of program benefits, and the smallest 20 percent, 4 percent.

Differences among crops in the concentration of benefits, while large in absolute numbers, are not meaningful for policy. Small differences indicated in Table 1 in the concentration of benefits from price supports compared with benefits from direct government payments, are also not important for policy. It is worth noting, however, that the relatively large proportion of total direct payments received by small wheat and feed grain producers is the result of "small farm provisions" in effect since 1961 for grains, and now also for cotton program—provisions which have provided helpful income bonuses to small farmers.

Table 2 (Bonnen's Table 9) shows the state distribution of cotton program benefits. Differences among states are interesting but not meaningful for policy. The largest 1 percent of cotton growers in California and Mississippi get 25 and 23 percent respectively of total benefits; in Texas that select group gets only 10 percent of total benefits. If such a table were available for wheat or corn, it would show the same pattern but with less concentration.

Table 3 (Bonnen's Table 10) shows that limiting direct payments to $10,000 per farm would not alter the degree of concentration of farm program benefits in any revolutionary way, assuming the money thus diverted from the largest farms was not redistributed directly to the smaller farmers (and using the statistical indicator selected by Bonnen). This is a somewhat surprising, although undoubtedly valid conclusion. It does not, in my opinion, weaken the case for limiting payments—a case which rests primarily on potential budget savings to be diverted to other programs, not on a more equitable income distribution in agriculture. With a $10,000 payment limitation, Bonnen's index of concentration of total benefits under 1967 farm programs declines only from .67 to .62 (on a scale where an index of 1.0 would represent a situation where all benefits went to one person).

One other point deserves mention in connection with Table 3: the evidence that the smaller farmers who benefit little from price support and payment programs, benefit substantially from full employment policy. The smaller 20 percent of all farmers received only 4.5 percent of total national net farm income, but 26 percent of all the nonfarm income of farmers; the smaller 60 percent had 19 percent of farm income but 70 percent of nonfarm income. Farm program amendments suggested below would not assure greater attention to jobs and incomes for less-advantaged farmers to improve that score further, but by increasing over-all fiscal flexibility, they would surely improve the prospects for greater and more appropriate assistance for low income people wherever they are found. There is no point at all in dealing with the income problems of small farmers primarily through farm programs.

What do we want from farm programs?

The principal objective of agricultural price and income support and production adjustment policies and programs is to stabilize the agricultural economy, to benefit those who produce and market agricultural products, and to help insure an adequate and reasonably priced food supply. I have no argument with those objectives. It is not essential that farmers benefit in direct proportion to their production, but that was a plausible way to begin 35 years ago when agricultural production was less concentrated than it is today, and it is not surprising to find the concept governing the distribution of benefits little changed, even though agricultural production methods have been transformed.

In the early years of modern farm policy, there was an element of truth to the rhetoric which insisted that farm programs were needed to help, or even to save the small family farmer. This meant most farmers in the 1930's, when there were nearly 7 million farms and a deep economic depression. It is different today. The United States has 3 million farms but only 1 million of them are serious producers and major beneficiaries of farm programs. It is increasingly acceptable, but still not quite accepted, to say this, and to insist that conventional farm programs can never help persons on small farms to the better life they want. Commodity-oriented agricultural policy must be designed principally for commercial full-time farmers. But programs and expenditures to help farm people need not be primarily commodity oriented. Only if we understand this can we design and finance future farm programs in accordance with other national priorities, and at the same time (and strategically, in the same bills) move on to the business of creating and financing better programs to assist low-income people on farms (as well as in other places).

Farm program costs

Once we see the real purpose of agriculture price and income support programs, we see also that it is not simply the concentration of farm program benefits which makes farm programs vulnerable; considerable concentration of benefits is almost inevitable in a concentrated agriculture. The most fundamental criticism of farm programs arises out of the total level of public costs and farmer benefits in relation to the level of public support for other pressing public needs.

Programs for the three major field crops now require direct payments to farmers of around $3 billion each year. Price supporting operations (apart from payments) sometimes lead to further expenditures which are later partially offset by receipts from the sale of surpluses. The prevailing public opinion is that this is an indefensibly high level for farm program expenditures, especially in view of the distribution of benefits:

When family food program expenditures total only $600 million a year when millions of Americans are publicly acknowledged to be malnourished and many are permanently damaged as a result;

When education and job training programs already poorly funded must be further stretched and postponed;

When pollution threatens the environment on every side with little authority and even less money to stop it or to clean it up.

In a time of intensive competition for federal funds—a competition which will surely increase in the next decade even if the Vietnam disaster can be liquidated and the peacetime demands of the defense establishment restrained, the critical questions on farm programs (taking the federal tax structure, the character of the agricultural economy, and other pressing national needs as given) are;

Are we spending too much on farm commodity programs?

If we are, how can we reduce farm commodity program expenditures to a level compatible with the financial needs of other public programs?

Two key points set out below, in addition to the urgency of other pressing national needs, lead me to the conclusion that we are spending far too much on commodity price support, production control, and direct income payments. Even more serious, farm program costs will increase unless major changes are made, and will preempt a part of the post-Vietnam dividend from other programs of far higher priority.

First, a large part of farm program costs are not serving any important national purpose. The modern farmer (as distinguished from the land-owner) values price stability and predictability within a limited range more than a high price level. Farmers resemble business in this regard. Federal farm spending does not need to be as great as it is in order to assure farmers of stable and renumerative market prices for farmers. Farm prices can be stabilized at present (or recent levels with far lower federal costs than we have incurred in recent years.

Second, I am persuaded that the American people want to spend less on farm programs and more on other programs, but are frustrated in this resolve by the unique open-ended, or backdoor financing of farm programs, by the impression that farm programs are too complex for a layman to understand, and by the continuing, although declining, agrarian bent of Congress. A Doane Agricultural Service Survey showed last year, for example, that some 85 percent of farmers want to limit the size of farm program payments. City people are surely more single-minded on this score than farmers, yet the Congress had decisively rejected proposals to limit payments year after year.

Before going on to the means by which farm program costs could be reduced, I want to review farm program history briefly, for it bears on what can now be done to make policy for commercial agriculture more compatible with our over-all national priorities. We have now been engaged for some 20 years in efforts to disengage from the post-World War II farm policy—a policy which set out to freeze wartime agricultural prices in peacetime. When it was clear that wartime prices could not be maintained, a second false start was made in the 1950's, featuring ineffective production controls and timid price support reductions. This ended in a round of commodity surpluses. By 1961 the public, the President, and the farmers told us it was time to try again.

Three related events finally determined the direction of the new effort in the 1960's. First, the House of Representatives in 1962 would not apply mandatory acreage controls to feed grains, sensing that feed grain producers would repudiate that approach, and would accept only a payment-based voluntary program to control production. Second, wheat farmers in 1963 also refused to accept mandatory acreage controls, after many years under such controls. Third, cotton producers at last discovered that high prices were giving their market to other fibres, and they determined to do something about it.

These three developments gave direct government payments to farmers a new lease on life and led in 1964 and 1965 to enactment of long-term, payment-based, income support and acreage control legislation for feed grains, cotton, and wheat. Payments had previously been used, but they were by no means secure politically. Beginning in 1961, direct payments had been applied on an emergency basis as the incentive for feed grain acreage reduction; in 1962, direct payments (as wheat certificates) became a part of the wheat program. In 1965, cotton interests, with the greatest reluctance, accepted a "low price support-direct payment program, but only after an unnecessary costly payment formula for both the cotton and wheat programs had been placed in the law.

The shift to direct payment programs was important for three reasons:

It made the extent of agricultural production restraint and the related level of price support which can be sustained over time, a function of the public's willingness to spend federal money on farm programs. Before direct payments became the chief instrument of production control, the level of price supports and of acreage allotments were looked upon as strictly the business of the agricultural community. Now they are budget issues.

By offsetting the income effect of lower prices, payments made it possible to reduce the level at which market prices were supported, and to guarantee approximately world-level prices for production intended for world markets. For the first time in nearly 30 years, farmers in the 1960's came to have a fairly clear view of the real value of U.S. agricultural commodities in peacetime world markets. It is not a view farmers like to see, but it is one that is essential to sensible farm policy for the future in a country which claims to be an efficient agricultural producer and a legitimate agricultural exporter.

By separating the income support technique (payments), from the price support technique (loans), the new programs made it possible to limit direct benefits to individual farmers—to gear payments to an income standard rather than to total production. This is a result long advocated by economists and long feared by the really big farmers.

These three features of direct payment programs provide a great deal of leverage for influencing future farm program costs, if the Congress and the public are willing to take an interest in the next farm policy debate.

How to spend less on farm programs

There are five basic routes to reduced spending on agricultural programs, leaving aside the additional option of terminating them. None of these options would alter the distribution of benefits materially, although the absolute difference between those who benefit most and those who benefit least would be reduced if total farm spending is reduced.

The cotton program requires the greatest changes, and offer the largest potential savings—compared with present spending levels. Total payments could be reduced by at least ½ and perhaps by ⅔ ($400 to $500 million) from 1968 or 1969 levels without any important adverse effects on the cotton growers or the cotton economy, although the value of cotton land might stop increasing for a few years. Cotton payments should be made on only a portion of the crop (like wheat and feed grains), with the balance of the crop being produced for world prices not supplemented by payments. I believe U.S. cotton growers will produce for world markets without a big subsidy, but if they will not, it is not too early to find out about it, and to forget about being a major cotton exporter. The public interest in paying a large subsidy to produce cotton for export would be most difficult to establish.

For wheat, processors (and eventually consumers) finance about $400 million of direct cash payments to farmers. Another $400 million comes from the Treasury (as required by law, based on the difference between the parity price for wheat and $2.00 per bushel, times the amount of wheat milled for domestic food). Budget costs will increase over time as the parity price of wheat, now $2.75, follows a rising general price level. The Treasury-funded payment feature was not in the wheat program proposals in 1962 or 1965, but was added by Congress along with the expensive cotton payment formula noted earlier. Neither stability, nor prosperity, nor production control in the U.S. wheat economy requires wheat program payments as large as $800 million per year. One payment formula or the other, but not both, appears to be needed to provide an incentive for limiting acreage and existing surpluses. Beyond that, additional payments in cotton or wheat simply add to the capitalized value of resources used in production, to the costs of the program, to the tendency for growers to produce more than is needed, and to the certainty that grower demands in the next round are going to be greater than in the last round of farm policy debate.

The only way to reduce feed grain program expenditures sharply over time is to support feed grain prices at lower levels, unless farm costs increase more rapidly than productivity in the years ahead. Feed grain program expenditures have been around $1.5 billion per year recently. This level of spending was required to keep surpluses in check, *given the level at which market prices were supported* and the existing state of production technology. A feed grain program operating under existing laws extended into the 1970's could require total annual expenditures as low as $½ billion per year (if price support was reduced from the present $1.05 for a bushel of corn to perhaps 90 cents per bushel) or it will require annual expenditures of $2 billion or $2.5 billion per year if the present support guarantees are maintained in the face of rapid increases in corn yields. Even to hold the line on spending will almost certainly require a lower price support level. This is a fundamental and difficult choice which must be faced soon, unless drought slows the rapid rise in feed grain output per acre, or unless unexpected export demands materialize out of a world market now glutted with grain.

Changing the method of diverting acreage, principally out of feed grains, from annual contracts to long-term contracts, can also produce important savings in program costs. This prospective change has far less leverage on public spending, however, than does the price support level for feed grains and the payment formulas for cotton and wheat. Long-term land retirement may be one-fourth more efficient than annual contracts (other things being equal), and can lead to direct savings of several hundred millions of dollars per year after a few years. This approach has the additional merit of diverting some land out of crops permanently, which annual contracts are less likely to do. Long-term land retirement is eminently worthwhile, if we are going to continue to support grain prices. By itself, however, it is neither a major departure in farm policy or a major source of budget savings. Its prospects are still clouded politically by the Soil Bank experience of the 1950's.

Limiting direct payments is a fifth potential source of farm program savings. I favor a limit of $5,000 per program or $10,000 per farm. A limit at $10,000 per farm would have affected only 31,845 producers in 1967, but since so many of those farmers get payments only slightly above $10,000 yer year, roughly half that number, principally in cotton, sugar, and wheat areas, would have been substantially affected. Applied to 1969 payment formulas, this feature would save more than $500 million per year if firm rules were enforced to prevent farm splitting to circumvent the limitation. Applied to the scaled-down level of payments discussed above for the major commodities, payment limitation savings would be smaller but still sizable. The rationale for payment limits is not a difficult one. Clearly it would save federal funds now going principally to those farmers who are already doing very well financially. It would slow but not stop the rapid increase in farm size. It would slow the rise in farm land values, but would not threaten the present asset structure. Large farmers have always benefitted the most handsomely from agricultural research; they remain the principal clients of the agricultural extension services; their sons make up most of the student body in the Colleges of Agriculture. They need not get most of the benefits of direct payment programs, too.

It will be objected that such a limitation would make the voluntary payment-based production control programs inoperative. That claim is false. So little grain (especially feed grains but also wheat) is grown on really large farms that the effect of greater production from payment limits as low as $5,000 per program can be ignored. Large cotton payments, on the other hand, have been justified, not to reduce output but to increase it. No one will argue that limiting payments will lead to a cotton surplus.[5] No one needs to take seriously the claim that a payment limit will lead to new grain surpluses.

[5] Walter W. Wilcox, "Large Farm Program Payments and Implications of Proposals for Limitations." Legislative Reference Service, Library of Congress, Washington, D.C., February 19, 1969.

TABLE 1.—DISTRIBUTION OF FARM INCOME AND VARIOUS PROGRAM BENEFITS—PROPORTION OF INCOME OR BENEFITS RECEIVED BY VARIOUS PERCENTILES OF FARMER BENEFICIARIES [1]

	Percent of benefits received by the—						
	Lower 20 percent of farmers	Lower 40 percent of farmers	Lower 60 percent of farmers	Top 40 percent of farmers	Top 20 percent of farmers	Top 5 percent of farmers	Gin concentration ratio
Sugarcane, 1965 [2]	1.0	2.9	6.3	93.7	83.1	63.2	0.799
Cotton, 1964 [3]	1.8	6.6	15.1	84.9	69.2	41.2	.653
Rice, 1963 [3]	1.0	5.5	15.1	84.9	65.3	34.6	.632
Wheat, 1964:							
Price supports	3.4	8.3	20.7	79.3	62.3	30.5	.566
Diversion payments	6.9	14.2	26.4	73.6	57.3	27.3	.480
Total benefits [4]	3.3	8.1	20.4	79.6	62.4	38.5	.569
Feed grains, 1964:							
Price supports	.5	3.2	15.3	84.7	57.3	24.4	.583
Diversion payments	4.4	16.1	31.8	63.2	46.8	23.7	.405
Total benefits [4]	1.0	4.9	17.3	82.7	56.1	23.9	.565
Peanuts, 1964 [3]	3.8	10.9	23.7	76.3	57.2	28.5	.522
Tobacco, 1965 [3]	3.9	13.2	26.5	73.5	52.3	24.9	.476
Farmer and farm manager total money income, 1963 [5]	3.2	11.7	26.4	73.6	50.5	20.8	.468
Sugar beets, 1965 [2]	5.0	14.3	27.0	73.0	50.5	24.4	.456
Agricultural conservation program, 1964: [6]							
All eligibles	7.9	15.8	34.7	65.3	39.2	(7)	.343
Recipients	10 5	22.8	40.3	59.7	36.6	13.8	.271

[1] This table presents portions of 2 Lorenz curves relating the cumulated percentage distribution of benefits to the cumulated percent of farmers receiving those benefits. Cols. 1 through 3 summarize this relationship cumulated up from the lower (benefit per farmer) end of the curve, and cols. 4 through 6 summarize the relationship cumulated down from the top (highest benefit per recipients) end of the curve.

[2] For price-support benefits plus Government payments.

[3] For price-support benefits.

[4] Includes price-support payments and wheat certificate payments as well.

[5] David H. Boyne, "Changes in the Income Distribution in Agriculture," Journal of Farm Economics, vol. 47, No. 5, December 1965, pp. 1221–1222.

[6] For total program payments. Computed from data in "Frequency Distribution of Farms and Farmland, Agricultural Conservation Program, 1964," ASCS, U.S. Department of Agriculture, January 1966, tables 3 and 8.

[7] Not available.

Source: Except as noted all figures are from a 1968 study by Bonnen [4].

TABLE 2.—DISTRIBUTION OF 1964 UPLAND COTTON PRICE SUPPORT BENEFITS, PROPORTION OF U.S. REGIONAL AND STATE BENEFITS RECEIVED BY VARIOUS PERCENTILES OF FARMER BENEFICIARIES [1]

State	Percent of total benefits received by the— Lower 10 percent of farmers	Lower 20 percent of farmers	Lower 33 percent of farmers	Lower 50 percent of farmers	Top 50 percent of farmers	Top 33 percent of farmers	Top 20 percent of farmers	Top 10 percent of farmers	Top 1 percent of farmers	Gin concentration ratio
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Alabama	2.1	4.3	8.0	17	83	73	60	45	15	0.546
Florida	2.7	5.3	8.8	19	81	69	54	37	10	.483
Georgia	1.2	3.0	8.0	16	84	71	58	42	11	.581
North Carolina	2.5	4.9	8.2	13	87	76	64	47	15	.577
South Carolina	1.7	3.3	5.6	13	87	77	63	48	13	.594
Virginia	5.2	10.4	17.3	26	74	65	52	37	11	.401
Southeast	1.9	3.7	6.2	15	85	75	61	47	14	.571
Arkansas	.8	2.6	5.2	11	89	80	70	56	20	.652
Illinois	1.2	2.4	4.9	11	89	83	71	53	12	.650
Kentucky	1.5	3.0	5.0	11	89	80	66	47	10	.613
Louisiana	1.0	2.8	6.4	12	88	79	69	54	16	.628
Mississippi	1.0	2.1	4.9	9	91	84	75	64	23	.701
Missouri	1.3	3.3	6.5	14	86	74	61	44	14	.565
Tennessee	2.4	4.8	9.0	13	82	72	50	42	13	.515
Delta	1.2	2.3	5.9	11	89	81	70	58	21	.657
Oklahoma	1.1	3.7	9.6	21	79	65	50	31	7	.446
Texas	.4	2.0	6.4	15	85	71	56	37	10	.530
Southwest	.5	2.0	6.3	14	86	73	56	39	11	.542
Arizona	.5	1.5	4.1	10	90	80	65	47	15	.628
California	.7	1.9	4.2	8	92	84	72	57	25	.636
New Mexico	.8	2.4	5.7	14	86	75	60	42	11	.555
West	.5	1.6	3.9	8	92	84	72	56	22	.682
United States	.9	1.3	4.9	10	90	80	60	53	21	.653

[1] This table presents portions of 2 Lorenz curves relating the cumulated percentage distribution of benefits to the cumulated percent of farmers receiving those benefits. Cols. 1 through 4 summarizes this relationship cumulated up from the lower (benefit per farmer) end of the curve, and cols. 5 through 9 summarizes the relationship cumulated down from the top (highest benefit per recipient) end of the curve.

Sources: (a) "1964 Upland Cotton: Final Planted Acres and Number of Farms Planting Cotton by Size of Effective Allotment", U.S.D.A., ASCS/Policy and Program Appraisal Division, Mimeo, Nov. 6, 1964 (2 pages).
(b) Agricultural Statistics, 1966, U.S.D.A., 1966, p. 32. Prices from this source were used in computing State value of production figures for use as weights in combining the distributional data from source (a).
(c) Crop Production 1965 Annual Summary, U.S.D.A., SRS, Dec. 28, 1965, p. 54. Yield and acreage data from this source were used in computing State value of production figures for use as weights in combining the distributional data from source (a).

TABLE 3.—DISTRIBUTION OF 1967 GOVERNMENT PAYMENTS AND FARM INCOME—PROPORTION RECEIVED BY VARIOUS PERCENTILES OF FARMERS [1]

1967	Percent of income received by the— Lower 20 percent of farmers	Lower 40 percent of farmers	Lower 60 percent of farmers	Top 40 percent of farmers	Top 20 percent of farmers	Top 5 percent of farmers	Gin concentration ratio
1967 total Government payments:							
With no limitation on size of total payments [2]	1.1	5.7	13.3	86.7	69.0	42.4	0.671
Assuming $25,000 limitation [3]	1.1	6.0	14.1	85.9	67.2	39.0	.652
Assuming $10,000 limitation [3]	1.2	6.5	15.3	84.7	64.4	33.8	.623
Various measures of farmer income in 1967:							
Gross receipts from farming [4]	1.6	3.3	19.1	89.9	72.3	40.4	.693
Realized net farm income [5]	4.5	9.0	19.3	80.7	50.0	26.2	.541
Nonfarm income of farmers	25.5	51.0	70.1	29.9	15.6	5.6	.125
Total income of farmers	14.9	29.8	44.5	55.5	37.0	16.0	.211

[1] This table presents portions of 2 Lorenz curves relating the cumulated percentage distribution of benefits to the cumulated percent of farmers receiving those benefits. Cols. 1 through 3 summarize this relationship cumulated up from the lower (benefit per farmer) end of the curve, and cols. 4 through 6 summarize the relationship cumulated down from the top (highest benefit per recipient) end of the curve.
[2] Government payments to farmers as actually distributed in 1967. Total payments were $3,100,000,000.
[3] Assumes all 1967 beneficiaries continue to participate in programs and are eligible for payments. Under the $25,000 limit payments would total $2,300,000,000 and under the $10,000 limit, $2,600,000,000.
[4] Including Government payments and imputed nonmoney income from farm products consumed at home and from the rental value of the farm dwelling.
[5] Net of farm production expenses and changes in farm inventories of livestock and crops.

Sources: Computed from data in "Farm Income Situation," USDA, FIS-211, July 1968, pp. 68-69, except direct payment data which are from the "Congressional Record," July 31, 1968.

URGENCY OF ARMS TALKS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Illinois (Mr. ANDERSON) is recognized for 15 minutes.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I think the hallmark of the Nixon administration to date has been the circumspection and caution it has exercised in its approach to both domestic and foreign problems. There has been a need for both cool and dispassionate judgments in dealing with these delicate issues and these vital qualities have characterized President Nixon's leadership.

In this regard, I found President Nixon's remarks at the Air Force Academy on the subject of arms control talks, of special interest. The President said, and I quote:

I believe we must take risks for peace—but calculated risks, not foolish risks. We shall not trade our defenses for a disarming smile or honeyed words. We are prepared for new initiatives in the control of arms, in the context of other specific moves to reduce tensions around the world.

Mr. Speaker, I find myself in basic agreement with the President on this. I sincerely believe we must always be willing to take risks for peace because risking war in a nuclear age is akin to suicide. But at the same time, I agree with the President that the risks we take for peace must be well calculated rather than foolish since foolish risks in the interests of peace could be equally suicidal in effect. I do not think there are any truly responsible and knowledge people who seriously advocate unilateral disarmament based on a blind faith and trust in the adversary. This indeed would be a foolish and dangerous risk that would invite war rather than peace. Our strong defensive posture continues to be the best deterrent to war and our best hope for peace.

But it does not logically follow that the larger our nuclear arsenal, the more secure the peace. Both we and the Russians have enough stockpiled weapons to kill each other between 25 and 40 times over. And peace hangs in the delicate balance of terror we have maintained.

This huge overkill capacity which both we and the Russians have built goes far beyond what either side really needs as an effective deterrent to war. It makes no additional contribution to securing peace, but, instead, contributes only to a senseless escalation in the arms race which serves to drain both economies while actually increasing the risks of war.

Mr. Speaker, the time has come to call a halt to this insane nuclear version of keeping up with the Joneses. I am convinced that we stand at a very critical juncture in the arms race, one from which there may be no return. Both we and the Russians are contemplating the deployment of a new weapon known as the multiple independently targetable reentry vehicle or MIRV. The deployment of MIRV would signal a new escalation in the arms race, one which may be irrevocable. Many experts agree that MIRV would make any future arms control agreement nearly impossible because of the difficulty in counting the number of warheads short of onsite inspections.

I think the key to President Nixon's remarks 2 weeks ago was his statement:

We are prepared for new initiatives in the control of arms.

Mr. Speaker, I think the time has come to take those initiatives before it is too late. I think the time has come to move immediately to the negotiating table with the Russians to work out an acceptable agreement on the limitation of nuclear arms. I would hope that this administration senses the urgency of these talks and the dire consequences of further delay. I would, moreover, urge this administration to consider proposing to the Russians an immediate and mutual moratorium on MIRV testing while we together seek a formal arms control agreement. I feel that this or related proposals would demonstrate to the Russians our genuine interest in restoring sanity and rationality to our nuclear arms policy.

At this point in the RECORD, I would like to introduce an editorial from the June 12, 1969, Washington Post, on the topic, "Arms Control and the MIRV Tests." I think this editorial puts the problem in proper perspective and offers

a well-reasoned approach worthy of the consideration of the Nixon administration:

[From the Washington (D.C.) Post, June 12, 1969]

ARMS CONTROL AND THE MIRV TESTS

In a couple of weeks time it will have been one full year since the Soviet Union picked up the United States' recurrently proferred invitation to discuss strategic arms limitations. No one can say what progress—if, indeed, any—might have been made by now toward some sort of stabilizing arrangement, had not the talks been delayed in turn by the Soviets' invasion of Czechoslovakia, our own election campaign and change of government, and Mr. Nixon's insistence on a thoroughgoing, snail's pace review of the U.S. negotiating position. But it takes no special insight to observe what has happened in the past year without arms talks, and little of it suggests that time is working to either side's advantage.

This is especially and even critically true in relation to the development of MIRV—the multiple independently targetable reentry vehicle, which has already come far enough along to complicate enormously any agreement we and the Soviets might reach, not to mention the prospect of our reaching one at all.

The shorthand in which MIRV has been discussed as an obstacle to arms control is slightly misleading. That is, it is frequently argued that techniques of control and inspection likely to be tolerated by the Soviets in any agreement would not include the kind of on-site scrutiny required to establish how many individual warheads a missile contained, so that there would be no mutually acceptable way of "counting" weapons in an agreed-upon arms limitation or freeze. That is true, but at this point is neither the central nor immediate question. We have already deployed "cluster" warheads in some of our missiles—MRV's, minus the crucial "I"—and these already present a simple "counting" problem; but precisely because they are not independently targeted their maneuverability is limited, their purpose as a defense system penetrator fairly clear, and their relative unsuitability for conversion into a first-strike weapon evident.

None of this holds true for MIRV, which was also undertaken in the first instance as a penetrator of a Soviet ABM defense. The improved accuracies that are meant to be gained from continued testing could in time qualify land- and sea-based MIRVs as first-strike weapons, capable in their great and undeterminable numbers of destroying the other side's hardened land-based missiles—the protected retaliatory force which is supposed to be its deterrent. When such accuracies have been achieved, the "counting" problem will become real. Thus, absent an agreement, we could experience an almost unimaginable shift from addition to multiplication as the basis for each side's effort to match the other and to protect its own arsenal.

We are a long way yet from the fulfillment of this grotesque promise. But it can also be argued that we are at a point in the development of this weapon—as the Soviets may be too—when the decisions we take could have a profoundly and even permanently harmful effect on our chances of reaching an agreement concerning it. Our own present series of MIRV tests is intended to lead, in a matter of months, to the deployment of these weapons in refitted nuclear submarines and also in the new Minuteman III. Few people, it is true, believe that the accuracies acquired by this stage will have qualified the MIRV as the menace to stability it could become. And those who view the process with least alarm declare that it will be around eighteen months before the first new seabased MIRVs are operational, adding that in these early stages the Soviets would know the limited extent of its attributes as a weapon.

Be all that as it may, the uncertainties regarding the achievements of our current tests, the rate at which we may proceed with Minuteman III (which is not distinguishable in the silo from its predecessor and does not require refitting operations comparable to those of the sea-based MIRVs), and the improvements that could be mastered via so-called "confidence firings" of these early weapons once deployed, all must contrive to make the terms of any weapons agreement far more arguable in Moscow than they might otherwise have been. The uncertainty is at least equal to the demonstrable facts—and perhaps more important than it—in the area of arms control agreements. What can be believed or imagined or suspected and consequently argued may be more important than a reality which falls short of it. That is why it was so urgent for the Administration to move now to get the arms talks going or, failing that, to put some sort of brake on the MIRV development that will keep it a negotiable item.

A year ago, you heard it argued that, on the eve of an arms bargaining session with the Soviet Union, it would be imprudent—a weak and misleading sign—to cancel the first MIRV flight tests or to delay them. Today, you hear it argued that the moment has vanished, alas, for a unilateral slowdown or moratorium: it would have been practical, the argument now runs, a year ago. There was truth to the first of these propositions, and there is a measure of truth to the second. For at this point, even if there were a slowing or halt of flight tests, progress on the MIRV has already been such that neither side could be entirely confident of where the other had got to or what it might be capable of achieving backstairs.

But it does not follow from this that the only course left to allay these anxieties involves each side's moving unilaterally toward a condition that is preferable only in that we know for sure how much we have to be anxious about—namely, the unchecked development of MIRV weapons by both countries. An eventual agreement to limit the size and number of launchers and also the deployment of anti-ballistic missile systems is—by most good accounts—still attainable and even susceptible of adequate inspection at this stage of MIRV's progress, although MIRV has already introduced complications that may soon bring us past this point. What is left is the opportunity—if these weapons are to be deployed—to control this deployment and restrain it by mutual agreement under negotiated, circumscribed conditions. It is an opportunity Mr. Nixon should seize—or at the very least keep available.

He can do so by braking the flight tests of these weapons or by moving with more dispatch toward substantive talks in Geneva. The critics to the contrary, this is a decision of infinitely more importance at the moment than that of whether or not to approve the President's first request for authority and funds to undertake the Safeguard ABM. Its consequences are more far-reaching and less possible to reverse. Moreover, the original rationale for MIRV—the prospective deployment by the Russians of a heavy ABM system—is at least open to question at this time and also a subject which will be understood more clearly only when the bargaining begins. It would not be difficult to understand the reluctance of a President to enter into arms talks with the Russians at a moment when his whole strategic policy has come under impassioned domestic attack, so that Mr. Nixon may well have it in mind to deal with nothing but the preliminaries until a few things have been voted up or down—resolved, if only temporarily—at home. If that is the case, he should (and could afford to) slow down the MIRV tests. It is late now. Pretty soon it will be too late.

FARM PAYMENT LIMITATIONS: AN IDEA WHOSE TIME HAS COME

The SPEAKER pro tempore (Mr. TAYLOR). Under a previous order, the gentleman from Massachusetts, (Mr. CONTE) is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, as you and my colleagues know, I have been vitally interested in promoting support in the other body for my amendment limiting farm subsidy payments to $20,000 per producer.

In order to further that effort I include in today's RECORD copies of a letter sent to Senator HOLLAND, the distinguished chairman of the Senate Appropriations Subcommittee on Agriculture, by Dr. John A. Schnittker, former Under Secretary of Agriculture, together with his accompanying statement and proposed amendment filed last week with that subcommittee. It is an excellent statement and I trust that Members of the other body will find it useful as the time approaches for their consideration of the agriculture appropriations bill.

Mr. Speaker, you will note that Dr. Schnittker's proposal for payment limitations differs somewhat from my amendment which passed this body 3 weeks ago by a vote of 224 to 142.

While I believe that a workable pay-limitations program can be achieved based on my amendment, and Dr. Schnittker acknowledged this in his famous study of last November, the important thing is that some workable program must be enacted to put an end to the scandal of these gigantic payments, especially at a time when spiraling inflation is forcing spending cutbacks for many worthwhile social programs.

As I said in my own statement to the Holland Subcommittee, which I inserted in last week's RECORD of June 10, on page 15375.

I take no pride of authorship in this amendment, and I am ready to work with Secretary Hardin and members of this body on both sides of the aisle to ensure that this limitation becomes an effective part of our farm program.

If the Senate, in its wisdom, chooses to adopt the amendments proposed by Dr. Schnittker, I will do all I can to urge my colleagues to enact them in this body.

I want to also add, Mr. Speaker, that I am increasingly optimistic about the chances for success in the Senate. This optimism is shared by Dr. Schnittker as is shown in a recent letter of congratulations to me that I deeply appreciate:

JUNE 1, 1969.

DEAR CONGRESSMAN CONTE: I have just read the Record of last week's debate on farm payments. Congratulations. You did a great service for the public, and for legitimate farm programs. This battle can be won this year.

Sincerely,

JOHN SCHNITTKER.

Further reason for optimism is found in a recent newsletter of the National Farmers Union. That group, which is on record as in favor of payment limitation, has analyzed the recent vote in the House on my amendment and concluded that

payment limitation is "an idea whose time has come."

I include here for the information of my colleagues and those in the other body, the vote analysis contained in the Farmers Union Washington Newsletter of June 6, 1969:

When pairs were counted, 129 rural Congressmen were against the amendment (81 Democrats and 48 Republicans). But a total of 95 rural Congressmen (31 Democrats and 64 Republicans) jumped Party traces to vote for the limitation of payments. The Party leaders were hardly able to muster any big city votes against the amendment (only 16 Democrats and 9 Republicans). Another group of Congressmen might be categorized as "mid-urban"—from middle-sized cities and towns in areas not dominated by agriculture. Even in this group, the leadership was able to muster only eight votes (7 Democrats and 1 Republican) against the measure. The indications are that although rural Congressmen are somewhat more prone to follow party leadership on a farm bill, they are almost equally offset by big city and midurban Congressmen who are willing to jump the traces on an issue that appeals to them.

The study concludes:

It seems likely that any new programs must have a limitation of payments.

I believe this analysis makes it quite clear that farm subsidy payments can and must be limited this year.

Dr. Schnittker's letter and statement follow:

Senator SPESSARD L. HOLLAND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HOLLAND: The approval in the House of Representatives of the Conte amendment, limiting farm program payments, by a teller vote of 224 to 142 is an indication of the overwhelming support in that body for a limitation on 1970 farm program payments.

Unfortunately the Conte amendment would not accomplish the savings intended, but it is a beginning. As Secretary Hardin pointed out to you in his statement of June 4, several changes are needed in addition to repealing the snapback provisions of the Agricultural Act of 1965. The changes are not substantial, however, and with the help of legal counsel fully familiar with farm legislation I submit herewith an amendment which would accomplish annual savings up to $250 million.

This amendment places an effective, equitable and administratively feasible limitation on farm program payments and is germane to the Agricultural Appropriation Act for 1970.

From my experience in administering farm programs I find myself generally in agreement with Secretary Hardin's statement which he presented to you June 4. I would go further, however, and point out that under the provisions of the attached amendment the glaring excesses in individual payments can be eliminated in fiscal year 1970 without creating serious inequities or interfering with the basic purposes of farm programs financed by these appropriations.

I urge the Agriculture Subcommittee of the Senate Appropriations Committee to adopt this proposed amendment to the Agricultural Appropriations Act for 1970.

Sincerely yours,

JOHN A. SCHNITTKER.

STATEMENT IN SUPPORT OF A FARM PROGRAM PAYMENTS LIMITATION

This attached amendment in its entirety is germane to the Agricultural Appropriation Act for 1970 as it provides for a reduction in annual government expenditures of about $250 million, without interfering with the basic purposes of the farm programs financed by these appropriations. It is not long-term legislation. All provisions of this amendment apply only to the price support and acreage diversion payments relative to the 1970 crops.

This amendment limits the price support and acreage diversion payments under each of the 1970 price support and adjustment programs, upland cotton, extra long staple cotton, wheat, and feed grains, to a single producer to $10,000.

The Conte amendment approved May 27 by the House of Representatives for simplicity limited total payments for all price supported crops planted in fiscal year 1970 to $20,000 on any farm. I have been advised that farm program administrators conclude that a lower limitation on the payments taking each major price support program separately would accomplish similar overall savings and would greatly simplify the administration of such a limitation. For this reason I suggest this change in the basic limitation provisions.

Secretary Hardin's June 4 statement reported that 14,790 cotton producers, 5,335 feed grain producers and 4,663 wheat producers received payments in 1968 in excess of $10,000. These 24,788 producers received payments totaling $503,817,000. Had a $10,000 limitation been in effect their payments would have been reduced by approximately $256,000,000.

Again using Secretary Hardin's figures, a payment limitation at this level would affect only 3.4 percent of the cotton producers, 0.4 percent of the feed grain producers and 0.6 percent of the wheat producers, yet would reduce payments to these producers by $256 million.

Secretary Hardin estimated that 65 percent of the cotton payments, 49 percent of the wheat payment and 11 percent of the feed grain payments in 1968 were simply income supplements rather than payments for acreage diversion. These figures would change somewhat from year to year. In other words a large part of these large payments are a net addition to the large producer substantial incomes from farm products marketed rather than payment for leaving land out of production to balance supplies with market outlots available.

Paragraphs (2) and (3) of the amendment are germane to the Agriculture Appropriation Act for 1970 in that they provide for changes in 1970 only in the production or acreage diversion requirements of producers who have their payments limited, to achieve equity for them and provide the same incentives for them to cooperate in the voluntary wheat and feed grain programs as they have had in the absence of payment limitations.

Paragraph (2) provides that any wheat or feed grain producer who has his 1970 government payment limited by the $10,000 limitation would have his minimum acreage diversion requirements reduced by the same percentage as his payment is reduced. As an example a feed grain producer whose payments are reduced by ⅓ by the $10,000 limitation would have his feed grain base acreage diversion requirements reduced by ⅓. This feature probably should be placed at the discretion of the Secretary.

Paragraph (3) provides that any cotton producer who has his 1970 cotton program payments reduced by the $10,000 limitation will be allowed to plant some additional cotton acreage without being subject to marketing quota penalties. This feature, too, probably should be subject to the Secretary's discretion. This is to provide equity of treatment under the program to the large producer whose payment is limited. If he continues to plant within the larger limits authorized in paragraph (3) he may receive his $10,000 payment and all cotton produced on the farm would be eligible for price support loans. If, however, his payments are reduced by 20 percent or more and he elects to over-plant his enlarged allotment as provided in paragraph (3), he may forgo all cotton program payments and price support loans privileges and produce as much cotton as he wishes at world market prices without panalty. This is comparable to the treatment given large wheat and feed grain producers, and similar to the export acreage feature of the present cotton program.

The provisions of paragraphs (2) and (3) are germane to the Agricultural Appropriation Act for 1970 in that they make it possible to reduce government fiscal year 1970 expenditures over $200 million, yet continue equitable provisions for large producers and achieve the goals of the programs financed by these appropriations.

Admittedly paragraphs (2) and (3) would permit large scale producers of wheat and feed grains to cooperate in the voluntary programs for these crops although diverting less land and receiving smaller payments than in the absence of a payment limitation. The differential in diverted acreage would be so small, however, that small adjustments in the programs could easily offset the smaller acreage diversion on the large farms.

I am advised that permitting the large cotton producers affected by payment limitations to increase their acreages of cotton would not create a serious problem in balancing cotton supplies with market outlets. At prevailing world prices most cotton producers would not increase their cotton acreage even though given the opportunity. Although the announced national cotton acreage allotment for 1969 was approximately 16,000,000 acres, fewer than 12,000,000 acres were planted. Except for provisions in the cotton program regulations relative to cotton acreage planting requirements in order to be eligible to collect the government subsidy of 14.7 cents a pound, even fewer acres of cotton would have been planted in 1969.

In the Mississippi delta and in the irrigated areas of Texas and of States farther west, cotton returns far more per acre than competing crops. Some would increase their acreage of cotton if their payments were limited and their cotton allotments were increased. Producers in other sections, however, would reduce their acreage of cotton if cotton program regulations were changed somewhat.

Paragraphs (4) and (7) of the proposed amendment are germane to Agricultural Appropriation Act for 1970 in that they authorize the Secretary to provide regulations as he determines necessary to prevent the evasion of the limitation specified in paragraph (1).

Paragraph (5) is self explanatory. Any excess acreage planted to cotton in 1970 as a result of these provisions shall not be taken into account in establishing future cotton allotments.

Paragraph (6) is germane in that it repeals the so-called "snap-back" provisions in the 1965 Act insofar as they would apply to the 1970 crop year. As Secretary Hardin clearly pointed out, unless section 103(d)(12) is amended eliminating its application to the 1970 crop of cotton, the savings achieved by the application of paragraph (1)(a) $10,000 limitation on payments under specified farm commodity price support programs could be dissipated under the program provisions authorized by the present section 103(d)(12).

In summary this amendment in its entirety is germane to the Agricultural Appropriation Act for 1970 in that it is limited to the crop year 1970 and restricts the expenditures of funds appropriated for 1970 in an equitable manner, providing potential government savings in excess of $200 million. Yet it does not interfere with the attainment of the real goals of the programs financed by these appropriations.

At a time when important rural development, educational, health, housing and nutritional programs are being limited because of our inability to adequately finance them

it does not make sense to make farm program subsidy payments in excess of $10,000 to some 25,000 large farmers who, by any reasonable standards, already have high incomes and substantial equities in property.

In the absence of this amendment, in 1970 some 2000 giant farms, many of them corporations, will collect $150 million in subsidies. Five to 10 large corporations may each receive subsidies of $1 million or more. One large corporation received over $4 million in farm subsidies in 1967 and over $3 million in 1968.

Continuation of this farm program feature is indefensible at a time when government funds are urgently needed for many far more worthy domestic programs.

The payment ceiling proposed above is too high, in my judgment, but it is a start. For the longer term, it should be no higher than $10,000 per farm or $5,000 per program. The large payments under the sugar and wool programs serve no public purpose, and should also be limited. Annual savings approaching $500 million would result from the lower ceiling and from including wool and sugar.

PROPOSED AMENDMENT

Notwithstanding any other provision of law:

(1) None of the funds appropriated by this Act or any funds available to the Commodity Credit Corporation shall be used to make price support payments or acreage diversion payments which will result in a total of such payments to any producer in excess of $10,000 for each of the 1970 crops of upland cotton, extra long staple cotton, wheat, and feed grains.

(2) If the foregoing payment limitation reduces the payments which otherwise would be made to a producer of feed grains (which for the purposes hereof shall be considered as a single commodity) and wheat on any farm, the minimum acreage diversion requirements for such commodity on the farm or farms shall be reduced by the same percentage as the payment to the producer of such commodity on the farm are reduced by the limitation. The term "payment" includes payments-in-kind, wheat marketing certificates and export marketing certificates, but does not include loans or purchases.

(3) If the foregoing payment limitation reduces by 20 percent or more the payments which otherwise would be made to a producer of either upland or extra long staple cotton on any farm, (1) such producer, without affecting his status as a cooperator and without being subject to marketing quota penalties, may exceed the applicable cotton acreage allotment for the farm by not more than 20 percent of the payments are reduced by not less than 20 percent but not more than 30 percent, by not more than 30 percent if the payments are reduced by more than 30 percent but not more than 50 percent, and by not more than 50 percent if the payments are reduced by more than 50 percent, and (ii) if the producer elects to forego all such payments and other price support with respect to such cotton on the farm, such producer may exceed the farm allotment without limitation and market such additional cotton without marketing quota penalties.

(4) The Secretary may not permit the owner and operator of any farm, for which the foregoing cotton payment limitation reduces the payment that otherwise would be made, to sell or lease all or any part of the right to all or any part of such allotment, to any other owner or operator of a farm, unless he finds the lease or sale is not for the purpose of evading the foregoing payment limitation.

(5) Acreage planted to the 1970 crop of cotton in excess of the acreage allotment for the farm established under section 344 of the Agricultural Adjustment Act of 1938, as amended, shall not be taken into account in establishing future State, county and farm acreage allotments and shall not be considered as part of any acreage allotment.

(6) Section 103(d)(12) of the Agriculture Act of 1949, as amended, shall not be applicable to the 1970 crop of cotton.

(7) The Secretary of Agriculture shall provide such regulations as he determines necessary to effectuate the purposes of this section and to prevent evasion of the limitations contained in this section.

THE FUTURE OF THE COMMUNITY MENTAL HEALTH CENTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, on Friday, May 16, 1969, Mr. Mike Gorman of Washington, D.C., executive director, National Committee Against Mental Illness, delivered an address at the annual meeting of the Columbia County Mental Health Association at Bloomsburg, Pa., on the most important subject of mental health centers. Columbia County is one of three counties in the State which I have the honor of representing in this body. As chairman of the Appropriations Subcommittee having jurisdiction over such mental health centers, I take pleasure in quoting the text of Mr. Gorman's excellent address at this point in the RECORD.

The address follows:

THE FUTURE OF THE COMMUNITY MENTAL HEALTH CENTER

(Speech by Mike Gorman, Washington, D.C., executive director, National Committee Against Mental Illness, member, Joint Commission on Mental Health of Children, member, National Mental Health Advisory Council, U.S.P.H.S., fellow, American Psychiatric Associaton (honorary), and fellow, American Public Health Association)

It is very brave and gallant of you to have me back here again in Pennsylvania. In looking back through my voluminous Pennsylvania files, I discovered that I have appeared at 48 state and local mental health meetings in your Commonwealth during the past two decades. I have received a considerable degree of encouragement from my good friend Mike Johnson of the AFL–CIO, and I am seriously considering filing for Governorship in 1970.

I remember with distinct pleasure the Tenth Annual Meeting of Pennsylvania Mental Health in April of 1963 in Pittsburgh when I had the privilege of sharing the platform with Governor Shafer's distinguished predecessor, Governor Bill Scranton. In conveying some of the excitement of that meeting of 1,200 good and true citizens at the advent of the new era of community mental health, let me quote from my opening remarks:

"A little over two months ago, the President of the United States sent a special message on mental illness and mental retardation to the Congress. This message is of enormous significance, for it is the first such communication on these subjects ever transmitted by a Chief Executive to the legislative branch of our national government.

" 'Mental illness and mental retardation are among our most critical health problems', the President told the Congress.

" 'They occur more frequently, affect more people, require more prolonged treatment, cause more suffering by the families of the afflicted, waste more of our human resources and constitute more financial drain upon both the public treasury and the personal finances of the individual families than any other single condition.'

"Above and beyond these immediate steps, the President has proposed legislation providing matching federal funds for the construction and operation of comprehensive community mental health centers. As the President noted in his message:

" 'We need a new type of health facility, one which will return mental health care to the mainstream of American medicine and at the same time upgrade mental health services . . . Located in the patient's own environment and community, the center would make possible a better understanding of his needs, a more cordial atmosphere for his recovery and a continuum of treatment.' "

The United States Senate began hearings on the community mental health legislation early in April of 1963, and I shall always be grateful to Governor Scranton for the eloquent statement he submitted to the Senate Committee indicating Pennsylvania's strong backing of this revolutionary legislation. These are Governor Scranton's words in summarizing the extraordinary citizen response to the challenge of a new day for the mentally ill in this country:

"At no time in history has there been such a juxtaposition of forces making such dramatic and tremendous steps forward in the care of the mentally ill and mentally retarded. The knowledge and skills are at hand; citizen interest and support are at their highest—all that is needed is the means to mobilize these skills and this support to productive activity."

As I have said on a number of occasions in Congressional testimony and in talks in more than 20 states in this country over the past two years, the bright hopes of 1963 for a network of 2,000 community mental health centers by 1975 have been seriously imperiled by the failure of the federal government and most state governments to meet their obligations under the historic 1963 Act.

Turning to the Pennsylvania scene, I have waded through an enormous amount of material on your state which I receive as a member of the National Mental Health Advisory Council. In public addresses, I have hailed your 1966 Mental Health-Mental Retardation Law as one of the finest in the country; I have quoted, on many occasions, that part of Section 201 of your Law which expresses the deep commitment of the Commonwealth fo Pennsylvania:

"To assure within the State the availability and equitable provision of adequate mental health and mental retardation services for all persons who need them regardless of religion, race, color, national origin, settlement, residence, or economic or social status."

Pennsylvania still holds the lead among the larger states in the number of centers per population. As a result of a public mental health law passed by the Pennsylvania Legislature in 1966, community mental health services are now mandatory in all counties in the Commonwealth. Since the inception of the community mental health center, era, state government in Pennsylvania and local communities have combined in raising funds far in excess of the federal contribution for the support of these centers.

Since fiscal 1965, the State alone has put close to $40,000,000 into the support of a variety of community mental health services.

However, the Federal Government has allocated only $1,698,000 to Pennsylvania in fiscal 1970 in matching money for the construction of the centers—as against the $2,802,000 which it allocated in fiscal 1967. At this rate, it will take Pennsylvania until the year 2000 to build the 83 community mental health centers planned by the 4,000 citizens of the Commonwealth back in 1964.

On July 1st of this year, you will move

from the existing grant-in-aid program to the new state and local formula mandated by the 1966 law.

It is my understanding that, based upon a thorough study of existing county mental health-mental retardation plans, the Department of Public Welfare is asking the Legislature for 37 million dollars for the Community Mental Health and Mental Retardation program in the coming fiscal year. This is an expenditure of only $3.27 per capita—we spend ten times this amount each year for chewing gum alone.

In his initial budget presentation for the fiscal year starting July 1st, Governor Shafer proposed 18 million dollars in state funds for community mental health and mental retardation programs—an increase of only five million dollars over the current year. As Pennsylvania Mental Health pointed out, this would allow no monies for the in-patient and partial hospitalization services which are the foundation stones of the center program as envisioned in the 1963 Congressional legislation and the 1966 pioneering Pennsylvania law. Citizens in local mental health associations throughout this great Commonwealth protested this emasculation of the 1966 law, and they forced the Governor to take a second look.

On April 24th, I had the privilege of sharing the platform with Governor Shafer at the annual Pennsylvania Mental Health Spring Conference in Harrisburg. On that occasion, Governor Shafer announced that he was sending up a revised request for 34 million dollars for community mental health and mental retardation services. In congratulating the Governor for his foresight—or hindsight—in this matter, may I point out that it is a bitter piece of irony that this recommended sum of 34 million dollars for one year is seven million dollars more than *the entire investment* by the Federal Government since 1965 in the construction and staffing of mental health centers in Pennsylvania.

In pleading your cause, you have a magnificent story to tell to your Governor and your state legislators. For example, during the last decade you have reduced the number of patients in your 20 state mental hospitals by 10,000. This alone is a saving of several hundred million dollars to the Commonwealth in construction and operational costs which would have been mandated had you remained at the level of 40,000 state hospital patients. The tremendous reduction in patients at Philadelphia State Hospital under the magnificent leadership of Dr. Dan Blain, America's leading community psychiatrist, is almost miraculous—from 6,000 three years ago, to 3,800 today.

The Philadelphia mental health story is well known throughout the nation. Your six operating mental health centers in Philadelphia are seeing thousands of patients each year, and the statistics I have reviewed show sharp drops in admissions to state hospitals from the catchment areas served by these mental health centers. Furthermore, many patients discharged from Philadelphia State are being retained in the community because of strong back-up and after-care services provided by the six centers in the city.

But the Philadelphia story is replicated, to some degree, in most of the larger cities in the country. These cities have medical schools, trained personnel and a whole additional set of resources to call upon. What about the millions of citizens in this state who live in predominantly rural areas far removed from a medical school, a teaching hospital, or whatever? This is the real gut challenge we face in the coming years, and we are meeting it in only a handful of states. You have a long way to go to catch up with predominantly rural North Dakota, where strong state and local tax support has provided centers covering 98 percent of the people in the State, or to come within shouting distance of Kentucky, which is 45th in the nation in per capita income but has established 21 centers covering 92 percent of the population as a result of strong state financial support and local millage levies.

You have a strong precedent for this kind of local citizen and volunteer action in Beaver County out in the western part of the state, where there wasn't a single psychiatrist practicing 15 years ago. Today, that county is constructing a mental health center costing $1,735,000, 50 percent of which was raised in the community. I am sure there are comparable examples of which I am not aware.

One of my more pleasant duties as a member of the National Mental Health Advisory Council is to study and pass upon all applications for community mental health centers. In that capacity, I have watched with keen interest the development of plans for the Geisinger Community Mental Health Center which will serve the four counties of Columbia, Montour, Snyder and Union. As most of you know, we made the first construction award in 1966, followed by two subsequent construction awards for a total of approximately $530,000 in federal matching monies.

Since the total cost of construction is estimated at $1,750,000, it is obvious that considerable state and local financial resources will be devoted to this project. Your target date for opening, as I understand it, is 1971; at that time, you will begin to provide the short-term hospitalization and partial hospitalization now lacking and so desperately needed for mental patients.

In reading through your detailed plans, I am impressed with the scope of services which you intend to provide. Going beyond the basic five services required by law, you will extend your reach to emotionally disturbed children through pre-school child development centers, you will provide day care services for the mentally retarded, you envision a Sheltered Workshop and work evaluation program for both the mentally ill and mentally retarded, a Half-way House, and many others too numerous to list here.

I particularly like your emphasis on counseling services, and your insistence upon bringing all of the helping professions into the work of the center. For example, you propose to work with physicians, ministers and school teachers in developing family-oriented services for people whom they refer to the center. This is exceedingly important; The Joint Commission on Mental Illness, which made its historic report to President Kennedy in 1961, noted that the vast majority of people suffering from emotional disturbances go first to their minister or their family doctor. They are an enormous community resource. We must increase their already considerable skills in handling emotional problems.

Your projected center also indicates a thoughtful distribution of responsibilities among key agencies in the four counties. In other words, everyone who has an emotional problem does not have to go to Geisinger—the existing resources of many community facilities will be enhanced to handle people in their own communities. In this connection, it is most impressive that you have solicited suggestions for services from people in the community, and that you have a cooperative arrangement with the 12 commissioners of the four counties to see that services are equitably disbursed.

As an example, the Family Service Agency here in Columbia County will play a key role in providing out-patient psychiatric services to the good citizens of both this county and Montour. The Columbia County Mental Health Association deserves an enormous amount of credit for starting this operation on a shoestring in 1960 and then developing it to its present potential. I have looked through the material which you were kind enough to send me on the caseload of the Family Service Agency, and I am most impressed with its work, particularly with respect to emotionally disturbed children.

I cannot stress too often the soundness of your plan in achieving citizen and community *involvement* through the use of existing facilities and agencies which are known and warmly regarded by the patient in the community. For example, psychiatric emergencies are frequent and terrifying: In our larger cities, there is usually a massively over-loaded and understaffed psychiatric emergency unit in a county hospital to care for such conditions. If you were not mentally disturbed before you went into one of these units, you would certainly be if you got out alive. You are very wise, then, in spreading these emergency services throughout your catchment area, using the General Hospital here in Bloomsburg, the Evangelical Community Hospital in Lewisburg, and Berwick General Hospital.

In providing a full spectrum of services, ranging from prevention through hospitalization and rehabilitation, you are also tapping existing industrial and treatment resources in the four counties—Suncom Industries, Danville State Hospital, Selinsgrove State School, and so on.

Officials at the National Institute of Mental Health assure me that you have an excellent prototype for a successful community mental center in the newly-established center covering neighboring Luzerne and Wyoming Counties. That center, which received its first patients only a few months ago, is a remarkable example of a number of agencies pulling together toward one goal—the treatment of the patient in the heart of the community. The cooperating organizations include the Children's Service Center, the Council House of Luzerne County, the Children's Service Center of Wyoming Valley, the Wilkes-Barre General Hospital, Tyler Memorial Hospital, Pittston Hospital, Danville State Hospital, Retreat State Hospital, and a number of others. This is the essence of the 1963 community mental health legislation—to combine public hospitals, private hospitals and all types of health and welfare agencies in one coordinated attack upon mental illness.

In hailing the effectiveness of this center, the National Institute of Mental Health notes that "Its present success is attributable to passage of Pennsylvania's Community Mental Health Services Act".

Now, as Congressman Flood knows, I don't often criticize the Federal Government, but that sentence is both bureaucratic and inaccurate. The new Act does not go into effect until July 1st of this year, so how could it affect the development of the center? Furthermore, I know that it has probably taken the blood, sweat and tears of thousands of good citizens in Luzerne and Wyoming Counties to bring this extraordinary center into reality.

However, the foregoing observation leaves out the most essential ingredient, and he is here tonight. There would be no center today in Luzerne and Wyoming Counties but for the constant and prodding interest of Congressman Dan Flood, and I presume the same goes for your projected center in the four county area where we meet tonight. Furthermore, I know of many regional medical programs devoted to the attack on heart disease, cancer and stroke which would not have come into being here in Pennsylvania but for the dedicated work of this truly great Congressman.

Dan Flood, as you know, is chairman of the House Appropriations Subcommittee on Labor-Health, Education, and Welfare; his jurisdiction affects the welfare of practically every family in this country. Week in and week out, he presides over hearings on a massive 16 billion dollar budget. I wish many of you in this gathering here tonight could

attend some of the prolonged hearings which Congressman Flood conducts before he takes a bill to the floor of the House. These hearings don't make the headlines, but their subject matter is basic to the strengthening of this democracy—aid to elementary and secondary education, aid to higher education, medical research against the major killers and cripplers of our time, medical education, poverty, all the federal welfare programs, Medicare and Medicaid, construction of hospitals, regional medical programs, comprehensive health planing, scores of items affecting the working man, and many more too numerous to itemize here.

Next Wednesday, I will have the privilege of appearing again before Congressman Flood and his committee on next year's budget for the National Institute of Mental Health. I can't say the experience is a pure and unalloyed joy, but I do say in all candor and sincerity that those of us interested in the mental health of our people will receive a fair, sympathetic and complete hearing. For this, we are always grateful to your superb Congressman, Dan Flood.

Your impressive citizen effort here in Pennsylvania for increased coverage of mental illness in health insurance plans has electrified the nation. This was not done overnight; it was the culmination of more than a decade of effort by hundreds of citizen volunteers organized by Pennsylvania Mental Health. The National Conference on Health Insurance Coverage of Mental Illness held in Pittsburgh last year, which I was privileged to address, has been the most powerful catalyst in getting other state mental health associations—even Massachusetts—to pressure for coverage of mental illness equal to that given physical illness. The tremendous gains in the contracts of the United Steelworkers of America covering outpatient psychiatric care are a direct result of your efforts.

With the slow up in federal funding due to our so-called national fiscal emergency—the Pentagon is now down to a starvation budget of 80 billion dollars to preserve the peace—it is all the more vital that we explore all existing avenues of revenue to support the centers. The mandated reduction in federal staffing contributions—many of your centers are now down to 45 percent in federal matching monies and can look forward bleakly to a zero contribution two years from now—presents additional problems.

This is a strange country we live in: since 1957, we have guaranteed the states 90 percent in federal matching money for the construction of highways, but for human welfare services, such as centers for the mentally ill, we provide no contribution after 51 months. You said it all very well in an editorial in the November, 1968 PMH bulletin:

"The success of Pennsylvania's Community Mental Health Center Program calls for continuing expansion of insurance coverage to provide a stable and continuing source of income to these centers."

When we talk about increased services for the mentally ill, including decent salaries for those who tender to them, we run up against the persistent myth that state and local taxation has reached a confiscatory level and no further increases are possible. In previous talks here in Pennsylvania, I devoted a major part of my remarks to a careful documentation of the essential point that while state taxes have risen, there has been an even sharper rise in the real income of those who pay the taxes.

In 1967, four percent of our income went to state taxes, as compared to 3.7 percent in 1948. In other words, this is an "outrageous" rise of 3/10 of one percent in 19 years. Taxes are naturally up—we are an expanding country whose people are demanding more public services, but their salaries and incomes are up too, so you have what amounts to a stand-off.

Apart from the over-all argument about taxes, it is perfectly clear that mental health is getting a decreasing portion of the state tax dollar. For example, 10 years ago state mental hospital operating expenditures were about 3⅓ percent of total state budgets. Last year, state mental hospitals received only 2½ percent of the state tax dollar.

I suppose you venerate state government here in the Commonwealth, but I have just reviewed some telling figures indicating that you don't put your money where your heart is. I won't recite all of the statistics which demonstrate conclusively that although you are 18th in the country in per capita personal income, you are down near the bottom of the list in per capita expenditures to support state government. In 1966, the last year for which figures are available, you were 41st in this category, placing you far behind Alabama and Mississippi.

Zeroing in on the subject of today's oration, 1966 figures released by the American Psychiatric Association show that you spent 20 cents per person for community mental health, as against the national average of 75 cents per person in that year. You have undoubtedly made some improvement in this category in the past several years, but then so have the other states; for example, New York State currently spends over $3 per capita for community mental health programs.

Can we afford this leap into the future?

According to a recent issue of The Wall Street Journal, as a nation we achieved a Gross National Product of close to $900 billion last year. This is approximately double our Gross National Product of just a decade ago, and even when the GNP is adjusted for inflation and interpreted in 1958 prices, the current GNP is 50 percent higher than that of a decade ago.

Of equal significance is the fact that the per capita disposable income of individuals today—adjusted for inflationary increases since 1958—stands at approximately $2,500, a gain of 35 percent in *real* income in a decade. Total personal income of the American people is at a record before-tax rate of $700 billion, a fantastic $60 billion increase over the level just a year ago.

These figures are quickly translated into spending levels. For example, last year the American people spent $20 billion on recreation; $12 billion for alcohol and $7 billion for tobacco products.

Despite these various and persuasive evidences of increasing prosperity, those of us who worked closely with the Congress last year were told repeatedly that the American economy was in perilous condition, and therefore it was necessary to cut all such "luxury" expenditures as those for health, education and welfare. As a result, the budget for the National Institute of Mental Health was cut by close to $15 million, the budgets of the National Institutes of Health were reduced, Federal Aid to Education was slashed sharply, the Office of Economic Opportunity received its usual annual cut, and so on.

That very same Congress, however, significantly increased funds for highway construction. Since the passage of the original Federal Highway Act of 1956, providing that the federal government finance 90 percent of the cost of an enlarged interstate highway system, the highway program has been one of the sacred cows of the Congress. In 1956, the goal was 41,000 additional miles of interstate highway; the cost was estimated at $27 billion. In 1961, the cost estimate was raised to $41 billion; in 1965, to $47 billion, and in the Congresssional debate last year, the cost estimate escalated to $62 billion. Think of the lashings we in the health and welfare field would have received from the Congress if we had underestimated costs of a program by thirty-five billions of dollars!

To put it mildly, you are not averse to spending monies on highways. According to official U.S. Census Bureau figures for 1967, you spent 634 million dollars on highways in 1967 as compared to 227 million dollars for all mental health, general health, hospital and like expenditures.

Those of you who have been reading the papers lately are aware of the severe slashes in domestic programs recommended by the new Administration in Washington. The sharpest slashes—aggregating more than a billion dollars—are projected in the vital fields of health, medical research, mental health, education, the poverty programs, and the Job Corps.

I am aware of the rather heated debate going on currently in your good state about the need for more revenues to finance many of the human services I have been talking about. As your guest, I do not feel it proper for me to comment on the details of the various tax proposals being offered, but I hope I will not be misunderstood when, as a member of the other party, I offer my deepest gratitude and congratulations to Governor Shafer for the courageous manner in which he has faced up to a most difficult problem.

Now let me say a word about you people in the mental health field who want more money for psychiatric services, but who frequently are not exactly in the front lines when it comes to supporting increased taxes. As some of you may know, over the years I have been sharply critical of many state mental health associations which make grandiose proposals for additional services, but do not feel it incumbent upon themselves to propose a method for financing these services. I find such an attitude intolerable and unconscionable; it is my considered conviction that if you people in the field of mental health here in Pennsylvania do not support some mechanism for the obviously needed additional taxes, then your program should not receive one dime in increased expenditures. I make this statement particularly because, in looking through the last several PMH bulletins, I detect a certain timidity and lack of courage in facing up to the financial crisis in Pennsylvania.

I would like to close in exactly the same manner as I did almost six years ago to the day when I addressed the Tenth Annual Meeting of Pennsylvania Mental Health in Pittsburgh:

In his magnificent Inaugural Address in January, 1961, our late President John F. Kennedy told us that the road would not be easy:

"All this will not be finished in the first one hundred days. Nor will it be finished in the first one thousand days, nor in the life of this Administration, nor even perhaps in our lifetime on this planet. But let us begin."

Here in Pennsylvania and throughout this great land, *let us continue.*

DELAYING THE INEVITABLE TO PROLONG THE INTOLERABLE—TAX REFORM INSTEAD OF SURCHARGE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, a debate rages on extension of the 10-percent surcharge, which adds significant weight to burdens already borne by lower- and middle-income taxpayers. Yet we are requested to vote for a 1-year extension of that surcharge. I fail to find either logic or justice in sacrificing tax reform on the altar of the surcharge.

Another choice is immediately available to Congress in the form of sweeping, comprehensive tax reform, aimed at relieving burdens carried by

the majority of Americans. It is a fact that comprehensive tax reform would raise as much revenue for the Federal Government as the unpopular surcharge. All that is necessary is for Congress to slam shut the worst of the existing loopholes in our unbalanced tax system, and old and new evils disappear down the same drain. Few would weep. Many would cheer.

We have examined our tax structure and found it wanting. Certain basic evils are so well known already, that it is an exercise in futility to devote further debate to them. Time has been exhausted and eternity encroached upon by the debate. Depletion allowances, capital gains, and several other gaping loopholes can be closed. Even now the tax-writing committee of Congress is shaping a tax reform measure that almost all Americans would greet with hosannahs. Why then, do we tilt at the windmill of surcharge extension? Why do we delay the inevitable in order to prolong the life of the intolerable? Tax reform delayed, is in effect tax reform denied.

Daily those burdens imposed upon our taxpaying public grow. To inflation and almost unbearable taxation is added the recent inexcusable raise in our prime interest rate. Prime borrowers will pay 8½ percent. The average American seeking a mortgage, a car, or funds for his children's education will pay far more, as we all know. Tax reform is his only hope for relief, unless the prime interest rate hike is rolled back by Government action.

Mr. Speaker, all over the Nation a taxpayer's revolt is gathering force just as a tidal wave begins far out at sea. Local and county tax raises and school bond issues are falling by the electoral wayside like leaves in autumn. Local tax rebellions are cropping up everywhere. Such pustules on our body politic are warning signs of popular outcry which will shortly escalate to an overwhelming national legislative level. We cannot plead deafness to or ignorance of this groundswell. For months it has been distinctly audible in volume and undeniable in the logic and justice of its arguments.

If our choice is surcharge extension or tax reform, can there be any hesitation? Do we have any doubts? Why should we waste another moment on or sympathy for these few among us who daily raid the Treasury at expense of the many? Shall we weep for oil barons and their pitiful 27½-percent depletion allowance? Or for the head of a household trying to make ends meet and educate his children. Do we hang our heads in sorrow over poor executives and millionaires who utilize capital gains, stock options and foundations to thumb their noses at the Internal Revenue Service? Or do we act to aid an average working person who labors at two jobs to give his family basic things? Will we act to give more time to those few who earn millions and pay no tax at all? Or will we give tax relief to the working wife, single person, and older workers of our land?

A nation is as strong as its institutions and faith of the majority of its people in them. Our tax system now stands compromised, damned twice over by the compounding evil of the surcharge. Our people labor today under a groaning weight of unfair taxes. We have it in our power to swiftly alleviate their burden. I opt for tax reform, and to Gehenna with the surcharge.

CONGRESS MUST RECLAIM ITS LOST AUTHORITY OVER GOVERNMENT SPENDING

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, last week witnessed yet another series of stunning revelations on abuses of funds appropriated for Government spending. All other contract overruns pale before the $4 billion figure on Minuteman III. Were such a sum made available to the Government, many programs now in jeopardy would revive and continue. A basic truth stares us in the face, and we should as a legislative body, come to grips with it. As of this moment, Congress has the right to appropriate money for such programs, and that is where our power really stops. We may shriek in outrage and investigate, but the deed, nevertheless, is done.

It is obvious that many contracts, particularly in the defense area, do not bind anyone to perform in any proper manner. Massive sums are distributed in uncertain amounts. Product specifications are poorly defined. Performance requirements are, it seems, rarely fixed. Such behavior is almost never allowed in nongovernment contracts. Our free enterprise system would collapse under corporate bankruptcy if contracts were made this way. Why then, should the U.S. Government allow its contracts, involving billions, to be made and carried forth in such fashion?

We are confronted with the phenomenon of major changes made in military contracts by telephone. Other changes are made verbally. Still others are instituted by contractor initiative. Perhaps I am terribly old-fashioned, but I was reared in a school of business that demanded strict contractual terms and to-the-letter adherence to what was signed and agreed to.

I find this state of affairs bordering on nightmare status. All this has transpired to literally throw away billions, and to call it inexcusable and intolerable is to be charitable. Congress has it within its power to put an end to this shameful state of national affairs.

It is a fact that the legislative branch of Government has cumulatively stood by helplessly as its power and prerogatives seeped away to an ever-growing executive branch. Further, individual Government agencies are so massive as to defy legislative investigation and control. As their budgets skyrocket, their initiative and independent action increases, all at the expense of the money-appropriating body, the Congress. We must redress the balance, swiftly.

The President possesses an executive tool in financial operations that is immediately and totally responsive to his wishes, the Bureau of the Budget. Scrutinizing and criticizing departmental budgetary requests, it performs admirably its assigned function, and has done so since 1921. Congress can claim no such tool. Yet one such exists, if we will but grasp and put it to work. That tool is the General Accounting Office, which is our Government's accountant, and an excellent one at that, when called upon to perform such a task. Its recent report on military overspending in construction of facilities in Thailand is, but the most recent excellent result of its effective performance of assigned functions.

Congress must set up an automatic procedure whereby there shall be no chance of repetition of these fiscal atrocities which are causing such national dismay. In light of inevitable future massive budgets and major military projects involving longer periods of time and for greater sums of money, action on our part is imperative.

An extragovernmental agency could not delve into agencies and emerge with appropriate facts. A new congressional committee would infringe upon existing prerogatives, functions, and areas of the legislative branch. The President has wisely restored the Bureau of the Budget as prime overseer of defense spending on behalf of the executive branch. It is essential to note that the Bureau of the Budget remains primarily responsive to the executive branch. Congress remains bereft of a watchdog and investigative agency primarily responsive to its wishes on a full-time basis. One agency cannot serve two jealous masters, no matter how much good will is present.

My bill, H.R. 11493, the Government Contract Scrutiny Act, now claims 156 sponsors. A full disclosure measure in the interests of fiscal responsibility, it would restore legislative authority in this area. Acting automatically, it simply calls for GAO auditing and public report to Congress on all Government contracts which involve cost overruns of over 10 percent of contract price or late delivery. Perhaps a further arbitrary contract cost level or late delivery time may be required, but the principle of the bill contains the germ of our solution. Further it places every contractor and civil servant charged with negotiating, overseeing, and enforcing these contracts on notice that the "good old days" are over. There is no reason why every Government contract should not contain an agreed-upon sum and date of delivery. By giving GAO such authority under congressional mandate, we shall construct an ever-watchful, aware Federal accountant who cannot be prevented from discovering what is causing late deliveries or major cost overruns. No civil servant would dare sit on a contract, not enforce its terms, or conceal information in his possession on future contracts, such as has been the case in several of the recent outrages which have come to light. He would violate Federal law by such an act. Any money we spend on GAO to equip it for such an enlarged task will come back to the Nation a millionfold.

Congressional outrage and repugnant national reaction is growing, universal, and bipartisan. Hindsight is 20–20, so acrimonious placing of blame on a partisan basis is futile. We have it in our

power to prevent future outrages, balance governmental powers, checkrein individual agencies and restore fiscal responsibility. This is said and my measure is put forth in a completely bipartisan vein. It is neither an antimilitary or antibusiness proposal.

I welcome further cosponsors on my measure and shall continue to hold it open for those Members who wish to join me in it. My renewed thanks are extended to those Members of the House of all political and philosophical persuasions who have joined me.

CLAMPING OF LEGISLATIVE RESTRAINTS ON FOREIGN COMMITMENTS

Mr. PODELL. Mr. Speaker, it is disquieting indeed to note that American military forces engaged in joint maneuvers and training exercises with Spain, wherein American soldiers played the role of suppressors of domestic rebellion. It is my understanding that there have been at least two major exercises of this type in the last 2 years.

The main assumption of these exercises was that the "enemy" were anti-Franco Spaniards, rather than foreign invaders thundering across the border in a Korean-style act of aggression. It is also evident that these were exercises carried through by the initiative of our European military command. Their impact, however, is that America seems willing to help Franco put down internal resistance, which has surfaced in Spain with increasing frequency in the last several years. Even though our participation does not represent a political decision by our Government, the political impart of our participation is abundantly clear to all, seemingly.

Such fresh revelations come swiftly upon the heels of negotiations we have been carrying forth with Franco or renewal of the agreement which allows the United States to maintain a series of military installations there. Of questionable military value, these bases formed the basis of a neat attempt by Franco to blackmail our Nation into paying exorbitantly for his continued favor. A sordid act by Europe's most durable Fascist, entirely in keeping with past behavior and character. Hitler would have been immensely proud of his protege. A pat on the head would have been in order.

Although evils inherent in dealings and participation with this regime are obvious, the latest news is damning evidence that the procedure of executive agreement has been abused. Again Congress has been bypassed. Another basic prerogative it thought it possessed has been abrogated, and actions have been carried out without its express consent or agreement.

It seems that constitutionally defined powers of various branches of Government exist only to be trampled upon by the executive branch. What has happened to national, legislative, and civilian control of our foreign obligations? How could we have participated in acts which have the effect of silently advertising American accession to foreign policies most Americans abhor and which Congress has had no say on? How dare any military command commit American military forces without informing appropriate American civilian authorities? Why did the Department of State not know? Why was Congress not informed? Who was the military gentleman who made such commitments and chose not to inform civilian authorities? Do military commanders in the field now make foreign policy? Do they commit American troops without probing for authority or discovering what the political implications are? Do the wishes or national legislature of the American people carry no mandate?

This is not directed at the present administration, which is obviously blameless in this particular matter, as the dates of these events show. But this inexcusable happening points out in the clearest terms the congressional dilemma. What is happening to the separation of powers under the Constitution? Are American Presidents to utilize executive agreements to make policy and commit us overseas with major unforseeable consequences? We have the horror of the Vietnam war as exhibit "A" in the case against Executive orders which commit troops, make major foreign policy, and change history disastrously without congressional consent. Further, once the President makes an executive agreement and we are committed, it seems people on the spot often take as many liberties with resulting authority as executive agreements take with legislative prerogatives.

Our constitutional balance is in severe jeopardy. The Presidency is growing daily in power at expense of the legislative branch. Individual Government agencies and civil servants grow daily in independence and power at expense of the legislative branch. Everyone gains, often to the detriment of our national interest. Only the legislative branch loses necessary power and prerogatives intended to serve as balance weights. When shall it stop?

Congress must regain its constitutionally assigned power. The Executive must insure that commanders abroad dare not make such major decisions and commitments without consultation and informing of appropriate civilian authority, in both executive and legislative. The present administration has inherited what is obviously a cumulative problem, and I pray it will deal with it forthrightly. Most of all, Congress must reclaim its powers. All the laws are on the books, enshrined in our most basic document. Do we have backbones like chocolate eclairs?

As for the legislative branch, if we do not act to redress the existing imbalance, Congress will end up as a crippled appendage of government, with the power to vote money and little else.

THE EDUCATIONAL PRIORITY

(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, the word "priorities" has become an almost permanent part of the legislative lexicon of late, principally because of the crying needs of many worthy projects which have been cut short, because of the overwhelming financial burdens of the war in Vietnam.

Among the areas suffering from this "priority dilemma" is that of education. In this day and age, Mr. Speaker, it is to me almost unthinkable that we should have to drastically curtail the contributions of the Federal Government to the education of our greatest hope and most irreplaceable natural resource—our children.

Yet, Mr. Speaker, that is exactly what we are doing today.

Recently Mr. Boardman W. Moore, president of the National School Boards Association and a member of the Lafayette, Calif., Board of Education, referred to this unhappy problem before the House Committee on Appropriations Subcommittee on Labor and Health, Education, and Welfare.

I would like to submit his remarks in the CONGRESSIONAL RECORD for the benefit of all the Members:

STATEMENT ON BEHALF OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

(By Mr. Boardman W. Moore, president, National School Boards Association, member, Lafayette, Calif., Board of Education, on the Departments of Labor and Health, Education, and Welfare, appropriations for fiscal year 1970, before the Subcommittee on Labor and Health, Education, and Welfare Committee on Appropriations, U.S. House of Representatives, Tuesday, June 3, 1969)

Mr. Chairman, members of the Subcommittee, my name is Boardman W. Moore and I am President of the National School Boards Association and a member of the Lafayette, California Board of Education. Today, I testify on behalf of the National School Boards Association in support of increased Federal financial assistance for all levels of education.

The National School Boards Association is the only major education organization representing school board members. Approximately 84,000 of the nation's school trustees are members. These people, in turn, are responsible for the education of more than 95 percent of all the nation's public school children.

Currently marking its twenty-eighth year of service, NSBA is a federation of state school boards associations constituted to strengthen local lay control of education and to work for improvement of education. Most school board members, like yourselves, are elected public officials.

Association policy is determined at the NSBA annual convention by a Delegate Assembly made up of official representatives of the membership. A twenty-member board of directors and seven-member executive committee representing every geographic region of the nation translate policies and resolutions into on-going programs.

One of these resolutions adopted at this year's National School Boards Association's Convention reads as follows:

FULL FUNDING OF CURRENT PROGRAMS

The National School Boards Association urges that Congress and the President immediately assign higher priority for federal support of public education by fully funding authorized programs for federal aid to public education.

In support of this resolution, may I offer a few brief observations on several Federal educational programs.

The disadvantaged and title I of ESEA:

Core cities contain the highest concentrations of the poor and educationally deprived. There is a dire necessity for providing compensatory education for the children from these backgrounds. Programs aimed at upgrading these educational opportunities are both expensive and are in addition to the regular educational system. At the same time the tax base of these cities has been eroded. Medium and high income families have moved from the cities, more and more industry is decentralizing its operation. On top of this, the cost of providing necessary city services, often called municipal overburden, is rising. I must add that the educational needs of the disadvantaged are not limited to large cities. Title I of the Elementary and Secondary Education Act has provided some relief but this relief has been anything but adequate. The program was poorly funded at first, last year its appropriations were cut, and inflation has eaten up all of the intervening increases.

The National Advisory Council on the Education of Disadvantaged Children computed that Title I should be funded at $1.6 billion for it to equal the level of support the program received during its first year of operation. Yet, the budget request is only $1.2 billion.

As a result, successful programs have had to be dropped. For example, this year there will be no summer compensatory education program for disadvantaged children in Los Angeles and special in-service training for teachers of the disadvantaged had to be curtailed in St. Paul, Minnesota.

By and large, Title I programs have proven to be successful in big cities and small communities.

In West Bend, Wisconsin remedial reading programs in the summer of 1967 have resulted in a mean gain of five months in terms of reading comprehension. Similar programs during the regular school year showed mean gains from seven months, to one year nine months.

In Ann Arbor, Michigan children from preschool programs showed a marked gain in I.Q. and achievement when carefully controlled testing before the program began was measured with subsequent tests.

An evaluation of pre-school programs in Champaign, Illinois showed significant I.Q. gains in participating students.

Evaluations are more than raw scores computed by educators and statisticians, as a teacher in Coffeyville, Kansas said, "How can you tell another person about the glow on a child's face as he reads a page for the first time without a mistake, the joy of seeing a child's attitude change, the sharing of a confidence with a child, seeing a child find a friend for the first time, discovering a pupil is volunteering to read before his entire class, providing a place for a child to release his fears and frustrations, and seeing a smile on a child's face as he enters the special reading room."

Vocational education: We cannot afford to ignore the training needs of youth and adults with less than a high school education. Of the 26 million young people who enter the labor force within the next decade, three out of ten will be high school dropouts. Even those who finish high school will have a difficult time obtaining gainful employment unless they possess some salable skill. Today, only fourteen percent of our high school children are receiving occupational training. This means that over fifty percent of our students who leave school or graduate from high school each year and do not go on to college have had little or no preparation for the world of work.

Expansion of our vocational education program is essential and long overdue, particularly for our young people who do not complete college and thus need to be able to participate in vocational and technical education programs in order to prepare for productive roles in society. The problems they face in finding jobs are illustrated by the fact that the highest single group of unemployed in our nation is our youth—23 percent of the white males between 16 and 19 are unemployed. The unemployment rate is much higher among youths in disadvantaged and minority groups, both in rural areas and the urban ghetto, and may reach 35 percent.

Federal Impact Aid—P.L. 815 and 874: The National School Boards Association strongly endorses the concept of in lieu of tax payments to local school districts which have been impacted by the presence of a Federal installation or establishment.

Many school districts cannot operate without P.L. 874 assistance. On May 1 and 2, the Honolulu, Hawaii newspapers carried articles that a severe school fund crisis existed if P.L. 874 funds were cut and there was serious discussion of refusing all impacted aid assistance and abandoning thirteen public schools on military bases. The education of some 17,800 children would then be the responsibility of the Federal Government. Hawaii spends $630 per child annually educating federally-connected children and receives only about $325 from the Federal government.

Of late there have been comments about some inequities within these programs. If there are inequities, then carefully thought-out and corrective legislation should be enacted. Such legislation might be based on the study of impacted aid programs which the U.S. Office of Education has contracted to the Battelle Memorial Institute in Columbus, Ohio. In the interim, we oppose any across the board cuts which would injure all and correct none of the inequities.

Finally, most school districts make budget determinations in March or April each year for the ensuing September. The budgets, including estimated revenues and expenditures for the next school year, have already been approved. Next fall's teachers are hired by June 1. Proper planning and administration of local schools cannot be accomplished if school boards are continually forced to make adjustments because of the fluctuations of Federal appropriations. Lately these have taken place in the fall sometimes eight months after school budgets have been set and several months after school has begun. A severe cut in impacted aid at this late stage can only play havoc with school budgets and plans.

Higher education facilities: The National School Boards Association has within its auspices a Council of Community College Boards which is very concerned over the severe cuts in Federal construction assistance.

Community colleges and public technical institutes represent one of the fastest growing areas in higher education. Community colleges are tailor made for the job of extending and expanding education beyond high school. Their curricula is designed to meet community needs both with respect to accredited higher education programs and needed advance vocational and technical education programs. There are 1½ million degree credit students at these institutions and they represent one-third of all freshmen and sophomore students in institutions of higher education. Sixty-eight percent of all public junior colleges offer vocational technical education. According to U.S. Office of Education data, funds available for community college construction met only fifty-nine percent of the eligible requests in FY 1966; sixty-one percent in FY 1967; and, thirty-six percent in FY 1968. Only a fraction of the request for FY 1969 will be met.

The need is not limited to community college construction. When we compare minimum standards of a facility with enrollments, we find that this year there will be a gap of 135.9 million square feet of academic space or 23 square feet per full time pupil. It makes little sense for this program to be funded at four percent of its authorization.

Educational training—EDPA: An adequate well-trained teaching staff is absolutely necessary to insure the equality of educational opportunities for all children and to assure the success of the educational programs which are in operation.

It has been verified that of the outward characteristics of schools—facilities, programs, and teacher staff—teacher quality has the greatest effect upon pupil achievement especially where increased achievement is most needed, among the educationally disadvantaged.

Yet this year about 108,000 full time teachers who instruct an estimated 2.5 million pupils do not meet state or local certification standards. Very few properly certified teachers have had the additional training necessary to teach the disadvantaged and any business which has two million professional employees (the number of teachers in the United States) must have a properly financed system of instructing these persons on new developments, discoveries, and knowledge. In short, skills must be upgraded to meet the needs of the times.

Financing education: Public education is an enormous nationwide business. The only bigger business is national defense. There were 45 million children enrolled in our public elementary and secondary schools last fall—an increase of over one million children over the previous year. There are two million teachers in those schools earning an average of $7900 per year—an increase of nearly $600 over the previous year. Total expenditures for public schools will exceed $35 billion up from the previous year. The average expenditure per pupil in the school year 1968–69 will be approximately $696 as compared with $623 for the school year 1967–68.

With our nationwide concern for education and dependence upon it to solve economic and social problems, it seems ironic that the national commitment to support public education falls most heavily upon the local property owner and least upon a true measure of wealth—income. Property tax is a poor measure of ability to pay, and, in fact, is a confiscatory burden on some, such as the aged or those with fixed low incomes who do not have the ability to pay.

Even with the inequitable tax policy, American support of education is astounding. When comparing total educational expenditure with our gross national product, the percentage of support for education has increased 1.8 percent in 1943 to an estimated 6.9 percent in 1967.

The Federal contribution to public elementary and secondary education has not shown this same degree of increased support. In Fiscal Year 1966 only seven percent of the nationwide expenditures for public elementary and secondary schools came from the Federal government; in FY 1967 the figure rose to 7.1 percent; in FY 1968 to 7.3 percent; and in FY 1969, the Federal contribution dropped back to 7.1 percent.

Gentlemen, something is wrong with our priority system of allocating Federal funds when—

Demands are made on education to solve these nationwide social and economic problems and only seven percent of the support of public schools is furnished by the Federal government.

The U.S. Office of Education spends less than $4 billion a year for education and the Department of Defense spends $49 billion for defense exclusive of Special Support for Southeast Asia which is another $29 billion.

In spite of this existing imbalance, the FY 1970 budget request for the Department of Defense is increased by $2 billion and the U.S. Office of Education programs are cut $455 million.

Department of Health, Education, and Welfare spends $23 billion for programs for the aged and only $8 billion for children and youth.

It must be remembered that in measuring priorities there is an important economic difference between funds spent for education and most other spending programs. Education is an investment that more than pays for itself in increased productivity and income. This economic impact on our nation is demonstrated in the relationship between education and income. Those with less than an 8th grade education can expect to earn $189,000 in their lifetime; high school graduates $341,000; and those with five or more years of college $587,000.

The priority system wherein the Department of Health, Education, and Welfare and the U.S. Office of Education figures its budget is also confusing—

After Secretary Finch testified before the House Committee on Education and Labor in favor of merging a number of programs to make it easier for state and local school systems to obtain use of Federal assistance, the budget for most of these merged programs was dropped to zero.

The U.S. Office of Education budget request for Title III of ESEA—the Title which was designed in part to foster innovation in our schools was dropped from $165.8 million to $116.3 million; at the same time a budget request was made to increase the Cooperative Research Act by $25 million to develop experimental schools. The only difference between the two programs is that ESEA is administered through the states and the Cooperative Research Act is administered directly by the U.S. Commissioner of Education.

In conclusion, Gentlemen, I wish to stress one important point to my presentation. The programs described in this statement are illustrative of the general needs of education. The need, however, exists at all levels of education. The National School Boards Association wants the Federal government to increase its current commitment to U.S. Office of Education programs. Increases in one educational program must not be made at the expense of another. Our resolution calls for full funding, not substitute funding.

Thank you.

A CALM LOOK AT SEX EDUCATION

(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, today we hear more and more of the controversy about sex education in our schools. There is bitter argument over who is to instruct and what is to be discussed in the interest of teaching our children about reproduction and sex.

Mr. Speaker, Mrs. Meg Gwynne, of Alamo, Calif., sent me a most interesting letter on this subject and included a letter which was distributed to each member of a fifth grade class by their teacher following a study of heredity and sex education.

I would like to submit this letter from Mrs. Kirby to her students at Rancho Romero School in Alamo for inclusion in the CONGRESSIONAL RECORD so that all Members may share in one teacher's insights and wisdom:

JUNE 13, 1966.

Dear Boys and Girls:

We have treated our heredity unit from a scientific approach. However, marriage is not just reproduction, nor is reproduction just science. Therefore, I am adding a last note to our work. I hope you'll realize that I must write this because I care so very much about you. Keep my letter with the notebook. Add to the folder occasionally. If you start to think about these matters now, you will all be "practiced thinkers" by the time you need to worry about controlling biological drives.

First of all, your particular religious beliefs will help mold your opinions and guide your actions. Even if your family does not belong to a church group, you do respect human life. You want to be counted among the intelligent, reasoning, civilized members of the human race. Look around! Look carefully! Decide what you want from life. Decide what kind of a person you'd like to be.

Remember that while your biological inheritance determines a definite pattern of development, plus certain traits and processes, you also have ability to *think* and *make choices*.

People must eat, for example, but they don't have to satisfy that need by using dog-like table manners! Neither will you need to satisfy your adolescent sexual urges lustfully or immediately!

Last Friday I told you that the basic sex drive is selfish—normal, but selfish. Only after you have known many people, experienced many activities, read many kinds of books, and thought hours and hours of quiet thoughts will you be ready to *give* enough love to start a home of your own.

If you wait patiently, your own opportunity for giving and receiving real love will come. That kind of love will mean sharing all the aspects of life—a home, work, service to others, problems, fun, joy, plans, disappointments, children . . . and sex. This way of sex, though, is often called lovemaking, and in a good marriage it is truly an expression of love between the husband and wife. Physical loving is only one of several kinds of *communication* between lovers.

It is possible to know many biological facts and yet be a poor husband or wife. It is equally possible to know nothing about genes and chromosomes and yet be a warm, considerate, loving person. We can study reproduction in school, but I can't really tell you about the magic, the mystery, the wonder, the satisfaction, the joy of sharing life and "making love" with your own beloved. But, if you trust me enough to take my suggestions, I *can* help you grow up more easily, so that you, too, may someday experience this complete joy.

1. Start right now talking things over with your parents.

2. If you have a question, find out true facts. If you have a problem, get reliable help.

3. Be a good observer. Try to see what makes happy homes. Try to see what is real, not what is shown on television commercials!

4. Keep busy with many different kinds of activities—church, school, scouting, sports, reading, music, art, chores at home.

5. Stay with groups until you are in your late teens, avoid going steady!

6. Keep working on self-control in all areas of behavior.

7. Study! Set some realistic goals for your future and work to achieve them.

8. Try to develop your complete self—mental, spiritual, emotional. Be the best person you can be.

9. Maintain respect for all life, for human life, for your family and friends *and for yourself*.

10. Respect the right of personal privacy for others and for yourself.

You have been a wonderful group. I'm really ready to burst with pride over your new attitudes toward the miracles of life! Keep that attitude of wonder and thankfulness strong. And above all: Think first!

Good luck.

Sincerely,

Mrs. KIRBY.

TEACHING IN VIETNAM

(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, while much debate is being centered on the number of troops which will be withdrawn from South Vietnam and the time of the withdrawal, not too much thought has been given to the state of the Vietnamese people once our troops have left.

Many of our men in the Armed Forces have given considerable thought to that consideration. Among them, Mr. Speaker, is Sp4c. Leonard C. Foreman, son of Mrs. Jean S. Foreman of Richmond, Calif.

Specialist Foreman has been teaching English several times a week in a South Vietnamese school in his spare time. His mother forwarded a letter sent by a fellow teacher, Sister Beatrice, in which his efforts are described. I would like to include that letter in the RECORD for the benefit of all the Members:

BANMETHUST,
May 5, 1969.

DEAR MRS. FOREMAN: I have wished to be able to write to you for a long time but I only can realize my desire today.

Thank you a lot for sending me the book and the two frame works with the Christ and Mary. They are very beautiful.

Mr. Leonard Foreman often talks with me about you. How much I would like to make your acquaintance. I have known Mr. Leonard Foreman for almost ten months when he just arrived at Banmethust. He is one best friend of mine and he helps me a lot for teaching English to my students. He is a very good man and needless to say, I like him as I like my younger brother. Everyday I pray God to keep him safe until he will leave Vietnam. He comes to our school for teaching three times a week, two hours each time. As I have seen, he likes the students and these ones like him too.

I feel that, what he is doing in our country and in our school helps greatly to strengthen the friendship between our two countries. I also thank you for you have accepted the sacrifice to be separated from him and let him come to Vietnam. May God bless our common struggle and bring peace to us.

Good bye for now dear Mrs. Foreman and May God bless you.

SISTER BEATRICE.

THE REALITIES OF ABM

(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 recently received a letter from a constituent, Mr. Oliver A. Baer of El Cerrito, Calif., which includes a most cogent analysis of the realities of the threat of missile attack and defense from such an attack.

I should like to submit Mr. Baer's letter for the consideration of all the Members:

EL CERRITO, CALIF.,
May 21, 1969.

Mr. JEROME WALDIE,
House Office Building,
Washington, D.C.

DEAR MR. WALDIE: Thanks for your views on the ABM System, etc., but it seems that you and the other sensible congressmen,

publishers, columnists, etc., are still quite remiss in not informing the public of the biggest red herring of all being dragged in front of them—the idea that *any* attacker would use ICBMs against the United States.

Consider the following:

1. Because ICBMs can be tracked, the attacking sites can be immediately located and identified. This is sheer suicide for the attacker.

2. Much more effective attacking methods are available—and right now, rather than speculation as to what will or will not be available in 1975. Right now a fleet of 15 or 20 missile ships, disguised as tankers, freighters, or trawlers, could sail to 20 or 30 miles from all the major ports on both coasts and wipe them out in one attack; and maybe even get away in the confusion so that the attacking nation could not be identified.

3. Think of the expense, lead time, planning, and possible ineffective result that faces any potential attacker (China, e.g.) in the development of an ICBM system made for the express purpose of attacking the United States. And especially when they know that they would get wiped out in retaliation if they used it? Ridiculous.

It seems that our best bet is to start conducting a foreign policy of such a character that foreign nations will not want to shoot missiles of any kind at us.

Very truly yours,

OLIVER A. BAER.

MIAMI'S FEDERAL NARCOTICS FIGHTERS—PART II

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, on May 5, 1969, I reported on the contribution that the Miami field office of the Bureau of Narcotics and Dangerous Drugs was making as its share of the Government's effort to curb the traffic in narcotics and dangerous drugs, a major concern to our Nation. Today, I would like to note some of the achievements of the Bureau of Customs' office in the south Florida area in coping with the same problem.

The Customs Bureau is the oldest enforcement agency of the Federal Government. It began operations in what is now the State of Florida when it was still a territory.

Many Members have seen the recent press accounts of the seizure of 14½ pounds of cocaine and 2 ounces of heroin made at the Miami, Fla., International Airport by a Treasury customs officer. This large seizure of hard narcotics points up the kind of job being done by the Bureau of Customs in its attempts to stem the flow of narcotics into the United States. The two carriers of the cocaine and heroin were arrested, as were five other persons in this case.

I have been informed that in the 10-month period from July 1, 1968, to April 10, 1969, a total of over 69 pounds of hard narcotics were seized by Treasury customs officials at Miami. This is in addition to the 14½ pounds I have already mentioned. According to the information made available to me, most of these seizures were of cocaine, with only a few ounces of heroin, and most of it arrived in Miami from South America.

Additionally, over 189 pounds of marihuana were seized during this same 10-month period. All of the seizures—cocaine, heroin, and marihuana—were made by Treasury customs agents, inspectors, and port investigators.

From July 1, 1968, to April 30, 1969, there were 51 arrests made by the customs service in Miami in narcotic and and marihuana cases, plus 16 cases that were turned over to other enforcement agencies.

As evidence of the overall effectiveness of the efforts of the Bureau of Customs, it is noted that its personnel last year seized 70,210 pounds of marihuana—more than 35 tons—246 pounds of heroin, 115 pounds of other narcotics which includes 98 pounds of cocaine, approximately 4 million 5-grain units of dangerous drugs, and 191 pounds of hashish. Customs conducted a total of 9,374 narcotic smuggling investigations and made 4,343 arrests; obtained 1,316 convictions, and 1,164 defendants were released to other agencies, including State and local police, for prosecutions. The results for the current fiscal year are surpassing those of last year.

The House Government Operations Subcommittee on Legal and Monetary Affairs has oversight jurisdiction over Customs Bureau operations. As chairman of the subcommittee, which has been conducting a study of the Federal effort against organized crime, I have directed much attention to the very serious narcotics and drug abuse problem, as it stems from the operations of organized crime. The subcommittee has held hearings at which Customs Bureau related its operations against organized crime activities involved in the smuggling of narcotics, marihuana, and dangerous drugs. The alltime highs in seizures and arrests made by the Bureau reflect a tremendous increase in syndicated crime's activities in these areas.

In every task force that is set up, by the Organized Crime and Racketeering Section of the Department of Justice, Customs is included as an active participant. It is a part of the OCRS task force now operating in the Miami area.

As I have said before, we need to do everything possible to solve the dangerous drug problem, both from the standpoint of cutting off supply at the source and in educating potential users of the dangers involved. Legislation that is directed to these ends, to strengthen laws, to increase appropriations and the numbers of personnel engaged in the fight has had, and will continue to have, my full support.

CAN THEY HIT BACK?

(Mr. HUNGATE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, I include today an article from Punch, dated May 28, 1969, entitled "Can They Hit Back?":

CAN THEY HIT BACK?

Primarily intended for politicians, the Manual does not overlook other areas in which fruit, fish and four-letter words are now being thrown from the floor. Among recent headlines quoted in the Introduction are the following:

"Aldermen Face 'Barrage' of Garbage," "Headmaster Apologises at Gunpoint," "MP 'Comfortable' After Student Coshing," "Select Committee Bound and Gagged," "Scouts Drag Vicar From Pulpit."

Other reports are given in full. For example:

"THE GOLDEN SHOT

"While a judge was passing sentence at Lincoln Assizes yesterday his wig was set on fire by a flaming arrow from the defendant's fiancée. Officials jammed a bucket of water over the judge's head, which had to be freed during a short adjournment. Resuming, the judge remarked on the undesirable influence of TV Westerns, and said that the prisoner could appeal. There was no need for sympathisers to fire blazing arrows at the Court."

COMPLACENCY

"We have heard plenty," continues the preamble, "about the permissive society: but what of the submissive society?" A poll among 300 victims of audience attack showed that only one had been critical of insults or injuries received (a Sandhurst lecturer whose notes were booby-trapped). Typical of the general complacency was the case of the Ministry of Health inspector, tied up by a town meeting and pushed into a main drain. He told a passer-by twelve hours later: "They have a right to their opinion."

The main body of the Manual is in handy question and answer form.

Q. Has purely verbal expertise with hecklers had its day?

A. In the Gladstonian sense, yes. The clever answer from the platform is drowned out by cheers for the questioner, and the usual chant of "**** off!" But the speaker with a properly researched vocabulary of abuse can often slog it out "****" for "****" with the audience, and gain respect by using words they hadn't thought of.

Q. Are there recorded examples of this?

A. Not recorded, for obvious reasons; but reliably reported. When Baroness Strilsey told University of Essex barrackers that they were a bunch of ****-faced *******s not worth a **** who didn't know their ***** from their ***** she was able to continue her talk on Keats without further interruption.

Q. Where can such a vocabulary be researched?

A. For politicians, clergy or educationists too busy to mix with the swearing public the forthcoming COI Reference Pamphlet No. 287, "It's a Four-Letter World," is recommended.

MISSILES

Q. What is a reasonable degree of throwing for speakers to accept?

A. Several factors govern this, but an overall consideration, for political speakers, is the nearness of a General Election. Newly elected MPs tend to leave the platform after the opening shot from a mere pea-shooter. As a Parliament's life nears its end, however, they have been known to keep talking and smiling under prolonged onslaughts by glue, paint, chair-backs, floorboards and (in dockyard areas) rivets. Duration is usually governed by whether missiles actually enter the mouth.

Q. What precautions can be taken?

A. Ducking behind the chairman, or other member of the platform party, is an elementary one. The Conservative Party practice of having the Union Jack as a backcloth is also useful. Many meetings have been brought to order when speakers have shamed audiences by pointing out that stink-bombs are defiling the flag.

Q. Are physical defences recommended? If so in what form?

A. Yes. You can't beat dustbin lids. Alternatively, if hit, even by a soft tomato, a capsule of theatrical "blood" pressed to the affected part can prove a valuable moral deterrent. Audiences on the whole do not associate their actions with physical damage, and

an apparently free-flowing wound will often reverse their sympathies.

Q. Are threats of legal redress advisable?

A. They are difficult for a speaker to bring home without appearing to have been ruffled. Many speakers, regrettably, are over-anxious to avoid such appearance, sustaining an assumed composure even as the treacle and flour-bags strike, or their trousers are being torn down. However, there's an obvious risk that a man dripping paint, cow-dung and canteen stew can invite ridicule by quoting at length from relevant legislation.

Q. Should a member of a Select Committee, in public inquiry, suspend his speech simply because another member has been hit?

A. In our view, yes. But in the nature of speakers he is more likely to continue, probably with added relish.

Q. Is the cost of burned, stained, and slashed clothes recoverable by public men from the Inland Revenue?

A. It's a point worth putting to your income tax inspector.

RETALIATION

This, the meat of the Manual, is introduced by a twenty-page passage in which the rights and wrongs of retaliation are exhaustively debated. On the practical side, is the image of a public man damaged or enhanced by maintaining the sweet smile until its complete eclipse by fruit? Should he then make his exit with arms shielding the face, and running—or not grope his way into the wings without the formal speech of thanks for the invitation to speak? Can he expect support next polling day from a voter whom he has personally kicked, struck, or knocked cold with the water carafe?

On the moral side, has he a right to complain when they smash the microphone and wrap it round his neck? The audience, after all, have no microphones, and cannot be blamed for equalising the situation. And does not the speaker, in some cases, virtually become an agent provocateur by appearing on the platform at all? The section ends with a number of relevant quotations, which include: "The exhilaration of hearing one's own voice amply repays every indignity" (Mr. Enoch Powell); "I can take anything but custard in my face hair" (Sir Gerald Nabarro); and, "She takes some cleaning-up after a lively meeting, but at least she buys her own blouses" (Mr. Ted Castle).

The Manual concludes:

Q. Should stink-bombs be thrown back?

A. It depends on the speaker's fielding ability. Once exploded, their return is not practicable, and the same is usually true of tomatoes.

Q. Should the platform party bring its own stink-bombs?

A. No. Even the Prime Minister, who has been hit in the eye with one, is against this as a matter of policy.

Q. Why?

A. It could lead to being branded as an aggressor. Also, they can go off in a warm pocket.

Q. What forms of retaliation are open to speakers?

A. Mostly diversionary tactics. Mice are useful, and do not qualify as offensive weapons under the law.

Q. How are they employed?

"A. In two ways. To quell merely sporadic rioting they can be released in the front row of the audience, among the generously exposed female legs. The reaction to a prolonged period of screaming will be one of relieved calm. But if the meeting is in irrecoverable disarray they should be released on the platform, where lady members will faint, and the men can carry them off and not come back.

"Q. What about rioting during TV confrontations? Such a course would surely terminate the programme and disrupt viewing schedules?

"A. That is admittedly a risk no public man can take.

"Q. What action is recommended in TV programmes, by a public man shouted down with cries of "****", "****", "******", and even "******"?

"A. Walk with dignity off the set, avoiding loose cables, and leave further questions to be answered by the professional TV personality in charge, who will do it just as well if not better.

"Q. And this is the best you can suggest in the way of retaliation?

"A. Unfortunately, yes.

"Q. Release mice or quit?

"A. These are new problems. In the present state of knowledge it's the best we can do.

The pamphlet ends with a short Appendix defining Free Speech, quoting the Bill of Rights, and inconclusively debating the advantages of a Democratic System.

"THE BLACK REVOLUTION AND THE ECONOMIC FUTURE OF NEGROES IN THE UNITED STATES," A COMMENCEMENT ADDRESS BY ANDREW F. BRIMMER, MEMBER OF BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

(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 believe that many Members of Congress will read with interest a commencement address delivered by the Honorable Andrew F. Brimmer, member, Board of Governors of the Federal Reserve System, on the subject of "The Black Revolution and the Economic Future of Negroes in the United States."

Governor Brimmer's address was delivered at commencement exercises at Tennessee A. and I. University in Nashville, Tenn., on June 8, 1969.

The text of the address follows:

THE BLACK REVOLUTION AND THE ECONOMIC FUTURE OF NEGROES IN THE UNITED STATES

(Address by Andrew F. Brimmer*)

I was pleased and flattered to receive the invitation to address this graduating class in the 57th year of Tennessee A. and I. University. I accepted on the assumption that—despite the ferment surrounding the quest for change on the college campuses of our nation—it is not only still possible but essential to carry on a sane and unsentimental discussion of the prospects for progress in American society. Since my own perspective on this society is derived primarily from the experience of an economist, I will focus on the outlook for the economy over the next decade. And since Negroes constitute the vast majority of this graduating class and of this University, I will place particular stress on the unfolding opportunities for equal participation which our expanding economy can be expected to provide.

But before turning to that task, let me hasten to carry out those duties which any commencement speaker is expected to perform: on this occasion—marking for most of you the completion of your formal educational experience and the beginning of life in the world beyond the campus—I commend all of you for your accomplishments to date. Partly because of the enormous strides in college enrollment made in recent years, we tend to forget that Negro college graduates are still much more rare than the Negro's share of our total population would suggest. We tend to forget that, among Negroes age 21 and over, less than one-in-twenty has four years or more of college education—compared with more than one-in-ten for the population as a whole. I am aware of—and I fully appreciate—the considerable sacrifices which you and your families have made along the road to this ceremony. I must also reassure you (because you obviously already know) that the world beyond the campus is not only exciting and challenging—but it desperately needs the help of all the bright minds and vigorous bodies it can get. So let me join in welcoming you to this exhilarating venture.

However, in these times of trouble in our country—and in the world at large—it would be an insult for a commencement speaker to dwell on empty generalities. Since I have come to praise you and not to insult you, I will refrain from any further obeisance to ritual or rhetoric. Instead, let me return to the central theme of these remarks.

I am certain that I do not need to remind this audience of the turmoil currently sweeping our society. I am sure that you would agree with me that we are not simply being plagued by a rash of bitter and violent disorders without cause, meaning or goals. Rather, we are witnesses to—and in many instances warriors in—a campaign aimed at a fundamental reformation of American society. Some call it a revolution. Moreover, I know that it is not necessary for me to emphasize that at the core of the drive to reform our society (no matter what other elements may be stressed from time-to-time) is the pervasive and agonizing question of race. Thus, no matter what other adjectives we may use to characterize the vigorous quest for change, we must also describe it as a black revolution—a basic upheaval about the role of race in this country.

I could easily consume all of the allotted time by simply reciting the catalogue of ills which underlie the patina of racial equality and which render the United States a racist society. But you know this catalogue. Whatever index of social and economic conditions we choose (education, employment, housing, health, etc.) tells the same story; the legacy of racial discrimination and segregation is real, and the scars it has inflicted on all our citizens are deep and enduring. But undoubtedly the most corrosive burden has been borne by the American Negro for more than three hundred years. So, I could easily devote all of my remarks to a passionate condemnation of the conditions which foster racial strife in this country. I could easily dwell on the mosaic of urban disorganization and decay—equally inlaid with poverty, segregation and racial conflict.

If I were to adopt either course, I would certainly be in step with the typical speaker before any predominantly black audience today. However, I have chosen to travel a different route. But, so that I will not be misunderstood, let me say that it should be obvious to anyone that I am unalterably opposed to any kind of racial discrimination or segregation in whatever form it may appear. I have heard no convincing reasons as to why we must continue to suffer the steady deterioration of our cities or tolerate the persistence of poverty in the most prosperous land in the world. So I fully appreciate the need—and support strongly the efforts—to press on with these unfinished tasks.

I have chosen a somewhat different approach in these comments because I believe we should pause from time-to-time to take stock of the distance we have already covered and to survey the terrain ahead. Only by such periodic checks can we be sure to stick to our main route and avoid digress-

*Member, Board of Governors of the Federal Reserve System. I am indebted to Mr. Henry Terrell and Miss Mary Ann Graves of the Board's staff for assistance in the preparation of these remarks.

ing into byways and blind passages which can lead only to disappointment and frustration. In this stock-taking, first I review the extent of economic progress the Negro has actually made in recent years. This is followed by an appraisal of the economic outlook over the next decade. Finally, I try to flag several of the deceptively inviting digressions which are luring some of our most promising young people with false hopes of progress through separate development along racial lines. My main theme can be summarized briefly:

So far in the decade of the 1960's, Negroes have benefited relatively more than the population as a whole from the vigorous expansion of the national economy. However, increased occupational mobility and significant strides in education have also played vital roles.

Reflecting these favorable trends, the income differentials between black and whites have narrowed appreciably in the last few years, with the greatest relative gains by Negroes being among those with the highest levels of education. Simultaneously, however, within the Negro community, two different classes are becoming increasingly evident as the best prepared are moving ahead rapidly while the least prepared are lagging behind.

Looking ahead over the next decade, the Negro community as a whole can be expected to improve its economic position to a greater extent than the population generally. Again, while expansion of the national economy is expected to be the mainspring of this improvement, continued advances in education will also play a major part.

Unfortunately, at exactly the time when education and technical competence are becoming increasingly critical for Negroes—as for other Americans—the notion is spreading that black students need not concern themselves with most of the content of a traditional college curriculum. Instead, it is being held—in even some of the very best institutions—that the most relevant educational expriences for black students are those which will equip them to return to the urban ghettos and work exclusively for the improvement of the black community. In my judgment, it is a serious error for college faculties to allow such notions to go unchallenged. But, what is even more tragic, on numerous campuses Negro students—mainly in response to their own demands—are being permitted—and in some cases encouraged—to enroll in sheltered workshops in the guise of "black studies" and "Afro-American" programs. Thus, on the mistaken assumption that they are being relevant and responsive, many of our college faculties are creating facilities which may cripple young people rather than strengthen their ability to compete in an economy of expanding opportunities.

RECENT ECONOMIC PROGRESS IN THE BLACK COMMUNITY

During the decade of the 1960's, Negroes have made sizable economic gains—although they still lag well behind the population as a whole. This progress is evident whether defined in terms of employment, changing occupational characteristics, education or income.

For example, between 1960 and 1967, nonwhite employment (more than 90 percent of which is made up of Negroes) rose more rapidly than in the country at large. In 1960, nonwhites held 7 million (or 10.5 percent) of the more than 66 million civilian jobs then in existence. By 1967, total civilian employment exceeded 74 million, and nonwhite employment had risen to 8 million. Thus, while total employment increased by 11½ percent, that for nonwhites rose by 14 percent. Over these seven years, the rise in the number of jobs held by nonwhites accounted for 12.6 percent of the expansion in total employment.

The occupational distribution of employed Negroes has also changed somewhat during the current decade. Their gains have been particularly striking in professional and technical fields, in clerical work, in semiskilled factory jobs, and in nonhousehold service tasks. Skilled craftsmen occupations among nonwhites have also risen somewhat faster than their total employment. In contrast, the number of nonwhites engaged as managers, officials and proprietors have expanded more slowly than total nonwhite employment. To a considerable extent, the occupational upgrading among nonwhites has paralleled an absolute decline in their employment as private household workers, as farmers and farm workers, and as nonfarm laborers. In general—and what is much more important—in those occupations where total employment is growing most rapidly, the rate of growth of nonwhite employment has been even faster; and in those occupations where total employment is declining, nonwhites are showing an even swifter decline.

Nevertheless, nonwhites are still heavily concentrated in low-skilled, low-paying occupations. To some extent, this partly reflects educational deficiencies and the absence of skills of a sizable proportion of the Negro population. On the other hand, it is also partly due to racial discrimination and limited access to job opportunities. This is clearly indicated by a recent estimate prepared by the Bureau of Labor Statistics (BLS) of what the occupational structure for white and nonwhite men would be if "... at each given education level Negroes had the same opportunity for employment as white workers." If this greater occupational equality were to exist, the largest relative percentage gains for nonwhites would occur among craftsmen (the proportion of which would just about double) and among managers and proprietors (where a three-fold increase might be registered). The relative proportion of service workers would be cut by one-half, and the percentage of nonfarm laborers would decline by two-thirds. Little change would be expected to occur in the proportion of nonwhite men employed in professional and technical occupations.

TRENDS IN PERSONAL INCOME

Reflecting these favorable trends in employment and occupations, the personal income of nonwhites has risen substantially in both absolute and relative terms. In 1959, the median income of nonwhite families was $2,917; by 1967, this had risen to $5,141—a gain of 76 per cent. For all families, median income climbed from $5,417 in 1959 to $7,974 in 1967, an increase of 47 per cent. For white families, the corresponding figures were $5,643 in 1959 and $8,274 in 1967, also a rise of 47 per cent. Over these years, the ratio of nonwhite to white median family income rose from 52 per cent to 62 per cent with a particularly sharp rise occurring after 1965 (when the ratio was 55 per cent).

In fact, the last few years have brought noticeable improvement in the income position of Negroes looked at apart from other nonwhites. For example, in 1965 the median family income of Negroes stood at 54 per cent of that for white families. By 1967, the median family income of Negroes amounted to $4,939, and that for white families was $8,318. Thus, the ratio had risen to 59 per cent. So, in three years, Negroes had managed to narrow the gap by 5 percentage points—or by roughly 11 per cent.

The improvement in income was spread rather evenly throughout all regions of the country. The narrowest gap between white and Negro family incomes was found in the North Central region. In these states the median income for Negroes in 1967 amounted to $6,540, compared with $8,414 for whites—a ratio of 78 per cent; in 1965 the ratio was 74 per cent. In the South, the median income for white families in 1967 stood at $7,448 and that for Negroes at $3,992—for a Negro-white ratio of 54 per cent, compared with 49 per cent in 1965. In passing, it might be noted that not only do median incomes of both white and Negro families in the South lag behind the incomes of both groups, respectively, in the rest of the nation, but the greatest disparity between Negro and white family incomes among regions is also found in the South.

Undoubtedly, one of the prime factors underlying the improvement in the income position of the Negro community in the nation as a whole is the continued progress being made in education. For example, in 1967 the median years of school completed by nonwhite men (who were 18 years of age and over and who were in the labor force) stood at 10.2 years; for white men the corresponding number was 12.3 years, a difference of 1.9 years. However, in 1957, the median years of schooling for nonwhite men were 8.0 years, and for white men the figure was 11.5 years, a gap of 3.5 years. In fact, by 1962, the gap was still 3.1 years, so progress has been particularly rapid within the current decade when the differential has been cut by almost one-half. Among nonwhite women, educational progress has been even more marked. In 1967, the median years of school completed by nonwhite women in the labor force were 11.5 years, compared with 12.4 years for white women—a difference of only 0.9 years. In 1957, the corresponding figures were 8.9 years for nonwhite females and 12.2 years for white females, a gap of 2.3 years. In 1962, the measures stood at 10.5 years for nonwhite women and at 12.3 years for white women, a difference of 1.8 years. Thus, within this decade the educational attainment of nonwhite women has converged even more sharply than that of nonwhite men on their respective counterparts. In citing these trends, I am not implying that the quality of the education obtained by whites and nonwhites is equally good. We know that the opposite is generally true. Nevertheless, improvements in education have made a difference in the relative income gains won by nonwhites.

Just how much difference improvements in education can make can be traced in the changes in the median incomes of Negro and white men, classified by years of schooling completed, who were living in large cities in 1959 and 1967. The figures (from the Bureau of the Census) are as follows:

Years of schooling	Median income, Negro men			Median income, white men		
	1959	1967	Percentage increase	1959	1967	Percentage increase
Elementary: 8 years or less	$3,428	$4,215	23	$5,139	$6,454	10
High school:						
1 to 3 years	4,059	5,086	25	5,788	7,495	17
4 years	4,323	5,642	31	6,265	8,188	20
College:						
1 year or more	5,022	7,025	40	7,686	10,499	20
4 years or more	(1)	7,556	(1)	8,486	11,536	21

[1] Not available.

Several conclusions can be drawn from these data. Between 1959 and 1967, the higher the level of education, the more rapid was the rise in median income for both Negro and white men. However, the relative increases for Negroes were 1½ to 2 times as large as

those achieved by white men. In 1959, Negro men with 8 years or less of schooling had a median income equal to about 70 per cent of that for Negro men who had 1 year or more of college; by 1967, the ratio had fallen to 60 per cent. For white men in the same circumstances, the income ratio declined from 67 per cent to 61 per cent. In 1967, men with only an elementary school education had median incomes just over half those earned by those in their respective races who had completed 4 years or more of college. During the decade of the 1960's white men with high school educations pulled away somewhat, in relative income terms, from those who went only to grade school, and they just about maintained unchanged the gap between themselves and white men who went to college. Among Negro men, those with high school educations also pulled away, in relative income terms, from Negro men who went only to elementary school; however, the gap between their incomes and the incomes of Negro men who went to college widened further, as the ratio declined from 86 per cent to 80 per cent.

Thus, in general, these data clearly demonstrate that income for whites and Negroes has been rising most rapidly for those with college educations. Among Negroes, the gains—in both absolute and relative terms—have been the greatest at the highest levels of education.

In fact, there appears to have emerged a general tendency for income differentials within the Negro community to widen in recent years. In contrast, within the white community, income differentials seem to have remained unchanged or narrowed slightly. These tendencies can be traced in the Bureau of the Census data showing the percentage share of aggregate income received by each fifth of families, ranked by income and by the color of the family head. The figures for selected years are as follows:

Families	1959	1962	1965	1967
White (percent):				
Lowest 5th	5.5	5.5	5.6	5.8
Second 5th	12.6	12.4	12.5	12.5
Middle 5th	17.8	17.6	17.5	17.5
Fourth 5th	23.4	23.5	23.4	23.5
Highest 5th	40.8	41.1	40.8	40.7
Top 5 percent	16.1	16.0	15.5	14.9
Nonwhite (percent):				
Lowest 5th	3.9	4.2	4.6	4.4
Second 5th	9.6	10.4	10.7	10.4
Middle 5th	16.5	16.6	16.5	16.4
Fourth 5th	25.1	24.4	24.7	24.1
Highest 5th	44.9	44.2	43.5	44.7
Top 5 percent	16.4	16.3	15.5	17.5

In examining these data, the first thing to note is that the distribution of income is by no means equal in either the white or nonwhite community. If it were, each fifth of the families would receive 20 per cent of the aggregate income in each year. In reality, however, only those families around and just above the middle of the distribution come close to receiving approximately this proportion of the total income. The families constituting the lowest fifth receive between 4 per cent and 6 per cent of the income, while those in the highest fifth receive over 40 per cent of the total. This general pattern of income distribution holds for both white and nonwhite families.

But looking beyond these overall characteristics, it will also be observed that, within the nonwhite community, the distribution of income is considerably more unequal. Among nonwhites, from the lowest through the middle fifth, for each of the years shown, the proportion of aggregate money income received by the families in each category is below that for the white community. The opposite is true for nonwhite families above the middle fifth; their share is greater than that received by white families in the same category. The same tendency is evident when the top 5 per cent of the families with the highest incomes in both groups are compared.

Moreover, in the last few years, incomes within the nonwhite community have apparently become even more unequally distributed. The shares of income received by those households at or below the middle fifth of families have been eroded slightly, while the shares received by the highest fifth and by the top 5 per cent have edged up somewhat. In the white community, the opposite tendencies are evident.

Again, these figures seem to underline a conviction held by an increasing number of observers: a basic schism has developed in the black community, and it may be widening year-by-year. Whatever explanation one may offer to explain it, in my opinion, the differential impact of educational progress within the Negro community must be accorded considerable weight.

ECONOMIC OUTLOOK FOR THE AMERICAN NEGRO

At this point, we can take up the second task sketched above: an assessment of the economic prospects for the American Negro over the next decade. In trying to look ahead, however, I must emphasize that I fully recognize the hazards of attempting to forecast economic activity.

To make such a forecast is not my principal objective. Rather, my chief purpose is to appraise the implications for Negroes of a number of economic trends which are already clearly visible. For example, we have a good indication of the most likely trends in population and labor force participation over the next decade. Moreover, given a few reasonable assumptions about the overall rate of economic growth, we can be fairly certain of the trends in the level and occupational distribution of employment, and the level and distribution of personal income between the white and black communities.

POPULATION TRENDS

Our firmest estimates are for the population. The Negro will continue to be a larger proportion of the population, reaching a total of approximately 32.5 million in 1980. This would represent an increase of 10.5 million, or 48 per cent, from 1968. The total population has been projected by the Bureau of the Census at about 243 million in 1980, a gain of 45 million, or 23 per cent over 1968. Thus, the Negro population is expected to account for nearly one-quarter of the net increase in the Nation's population during the period 1968–1980, lifting the Negro proportion from 11 per cent of the total in 1968 to 13.4 per cent in 1980. These projections assume lower fertility than currently. However, the rate of decrease in fertility is expected to occur mainly among the white population. The result is a divergence in the rate of population growth for the two groups.

OUTLOOK FOR THE LABOR FORCE

For the present discussion, the proportion of the population which is working or seeking work holds the most interest. During the next decade, the labor force participation rate for nonwhites is expected to remain essentially unchanged at approximately 60 per cent. On this assumption, about 12.2 million nonwhites would be in the labor force in 1980, compared with 9.1 million in 1968. This represents an expansion of roughly one-third, compared with about one-quarter between 1956 and 1968. Since the total labor force in 1980 might be in the neighborhood of 101 million, nonwhites would constitute 12 per cent of the work force by the end of the next decade compared with 11.0 per cent in 1968.

This large growth in the total labor force and the even faster increase for Negroes will be accompanied by several dramatic changes in composition. For instance, over 23.7 million members of the labor force are expected to be under 25 years of age in 1980, a significantly higher proportion than in 1968. Thus, although more and more young people will undoubtedly want to work in order to continue in school in the next decade, the influx into the full-time work force of teen-agers clearly will be substantial. Moreover, an increasing proportion of these teen-agers will be nonwhites. This prospect will pose a continuous challenge to the Nation to provide appropriate employment opportunities at decent wages. But it will also put a heavy burden on Negro youths to acquire marketable skills. As we know, the impact of unemployment among teen-agers—and especially among nonwhite teen-agers—has been particularly severe. For example, while the unemployment rate of the total labor force was down to 3.6 per cent in 1968, it was still 12.6 per cent for all teen-agers and 24.9 per cent for nonwhite youth. There will also be sharp increases in the number of adult women in the labor force. By 1980, it is estimated that there will be about 7 million more women working or looking for work than in 1968, a large proportion of whom will be searching for full-time work.

TRENDS IN OUTPUT AND INCOME, 1968–80

By 1980 the United States will have a $1.4 trillion economy if it grows in real terms at an average annual rate of 4 per cent. This would represent an increase of 50 per cent in the real output of goods and services in the 1970's. Expressed in per capita terms, Gross National Product (GNP) would be about $5,650 in 1980 against $4,274 last year—thus, rising by about one-third during this period.

For our purpose we would like to know what the growth of output implies for Negroes. However, we have no direct way to identify their share of GNP. On the other hand, we do have a fairly good measure of aggregate money income earned by Negroes as defined by the Bureau of the Census. This series does distinguish between income recipients according to color. In 1967, aggregate money income as measured by this series amounted to $487 billion. Of this amount, $451 billion was earned by the white populatoin, and $35.7 billion was received by nonwhites, representing 7.3 per cent of the total. In 1956 the income of the nonwhite population amounted to $14 billion or 5.7 per cent of the total. During recent years the share of aggregate money income received by nonwhites has been increasing. If we assume that the same annual increase in the proportion received by nonwhites during the period 1956–1967 continues during the next decade, nonwhites would receive about 8.8 per cent of aggregate money income in 1980. If present overall trends continue, aggregate money income might amount to $843 billion in 1980, expressed in 1968 prices. The division might be $769 billion accruing to the white population and $74 billion accruing to nonwhites.

Thus, during the 1970's, sizable gains will undoubtedly be registered in the aggregate money income of nonwhites as well as for whites. But the relative improvement for nonwhites would probably be substantially greater. This can be seen most clearly when the income figures are expressed in per captia terms. In 1967 aggregate money income per head was $2,460; it was $2,590 for whites and $1,510 for nonwhites. By 1980 the total may rise to $3,465 per capita. The corresponding figures for whites and nonwhites may be about $3,648 and $2,277, respectively. Consequently, for whites aggregate money income might increase by 40 per cent; but for nonwhites, the gain in per capita terms might be as much as 50 per cent.

OCCUPATIONAL CHANGES AND THE DEMAND FOR SKILLS

Behind this outlook for employment and income are significant prospective changes in the economy's demand for skills. These

forthcoming changes will have serious implications for Negroes. For example, if nonwhites continue to gain in the 1970's at the pace recorded during the last decade, their occupational distribution in 1980 will be substantially different from what it is today. While nonwhites might constitute about 12 percent of the total labor force in 1980, they may hold over 10 per cent of the professional and technical jobs compared with just under 6 per cent in 1967. They may have also raised their share of the managerial, official and proprietory occupations from 2.8 per cent in 1967 to nearly 4 per cent in 1980. Sizable gains probably would also have been recorded in the clerical, sales and craftsmen occupations. They might continue to provide about the same proportion of farm workers and laborers, while a noticeable decline may have occurred in the proportion of service jobs held by them.

These changes would also have a striking impact on the distribution of occupations within the nonwhite community. For instance, professional and technical workers in 1975 might constitute about 12 per cent of the nonwhite labor force compared with 7.4 per cent in 1967. The ratio probably will have risen further by 1980. While this proportion in 1975 would still be below the 15 per cent expected for whites in the same year, the relative shift is unmistakable. The managerial group might account for about 3 per cent of the nonwhite labor force in 1975 compared with 2.6 per cent in 1967. Here also the percentage can be expected to climb further by 1980. A substantially higher proportion of the nonwhite labor force probably also would be employed in the clerical and sales fields. As already indicated, most of the relative shift will be away from the blue-collar and unskilled occupations. The expected decline among nonfarm laborers is especially striking where the percentage of the nonwhite labor force so engaged may shrink from 11 per cent in 1967 to less than 10 per cent by 1975—and to an even smaller proportion by 1980.

Associated with—and partly responsible for—these improvements in the occupational distribution of the nonwhite populations is the expectation of substantial further progress in their educational achievement. If the trend of the increase in the median years of schooling for both whites and nonwhites recorded during the period 1952 to 1967 continues during the decade of the 1970's, the gap between the two will have been narrowed considerably. On this assumption, by 1980, nonwhite women on the average may have completed about 12.1 years of schooling compared with 12.6 years for white women. This would mean that the educational differential would have shrunk from 0.9 years in 1967 to only 0.5 years in favor of white women. Among nonwhite men, the median years of schooling may have risen to 11.4 years by 1980, compared with 12.8 years for white men, further narrowing the gap to about 1.4 years compared with a gap of 1.9 years in 1967. Moreover, substantial improvement can also be expected in the quality of education received by Negroes over the next decade.

COLLEGE EDUCATION AND THE ECONOMIC PROGRESS OF THE BLACK COMMUNITY

Sadly, however, as I observed at the outset, just at the time when the outlook for greater participation by Negroes in the national economy is improving considerably, a number of digressions are appearing which may lead astray some of our most promising young people.

We can encounter on an increasing number of college campuses a myopic view which holds that black students really do not need to concern themselves with a good part of the curriculum offered by a typical undergraduate college. Instead, it is being argued by many students and faculty members that courses and programs should be recast to concentrate on subjects such as urban problems, the eradication of racism, the enhancement of the blackman's cultural image, and the widening of knowledge of his heritage among members of a predominantly white society. Parallel to—and reinforcing—this view is a spreading tendency among many black students to isolate themselves into separate enclaves and to minimize contact with whites. In my personal judgment, these developments are not only short-sighted; they are inimical both to Negro students themselves and to the Negro community at large.

In expressing this criticism, I am not unaware of the need for a thorough reform of much of the curriculum offered by even our best institutions. Through serving on several college governing boards and advisory committees, I see a good deal of campus life.[1] I have spent a fair proportion of my professional life in college teaching; [2] and—through lectures and seminars—I still participate frequently in the intellectual environment of the campus. Through numerous discussions with students, faculty members, and college administrators, I am convinced that in most institutions numerous courses and programs are seriously out-of-date. But I am also convinced that in most colleges and universities—undoubtedly spurred to a considerable degree by persistent pressure for change on the part of students and junior faculty members—the process of modernization is underway, and it can be expected to accelerate.

What concerns me most are the consequences which some of the campus innovations imply for black students and for the Negro community as a whole. In particular, I am greatly disturbed by the proliferation of programs variously described as "black studies" or "Afro-American studies" and by the growing tendency of numerous Negro students to concentrate in such areas or to substitute such courses for more traditional subjects in undergraduate programs (especially in the social sciences and humanities). So far only a few colleges apparently have established degree programs in these fields, but a sizable number of institutions do accept them as appropriate for minor or secondary concentration.

In my personal judgment, Negro students should be extremely cautious about devoting their college careers to a concentration on "black studies" or "Afro-American studies." I can well understand the bitterness and frustration they may feel about the lack of awareness of the major contributions which black people have made not only to American society but in the world at large. I can also appreciate their eagerness to equip themselves to work effectively in the improvement of the urban environment in which most of them will live once they leave college. Nevertheless, they should have no illusions about the extent to which they are likely to acquire in "black studies" programs the mental discipline, technical skills, and rigorous training in problem-solving that they will so desperately need in their future careers.

Rather black students—along with all other students—must accept the fact that there is no real alternative to thorough grounding in the technical underpinnings of the subject they may choose as a major. And whatever may be their field of concentration, they really must learn to read and to write and to speak effectively—and they just have to achieve some degree of understanding in mathematics and the other so-called hard sciences. In addition, they certainly will need some acquaintance with the social sciences—especially with the subject matter of economics, sociology and political science.

Unfortunately, one encounters far too few faculty members on college campuses these days who are willing to face black students and insist that they take a meaningful and realistic view of the requirements of a college education. Instead, more and more of the key faculty members in many institutions—and often they are among the most sensitive and responsive—seem to be accepting (in some cases completely and in others with only slight modifications) whatever "demands" for program and other changes black students may propose. Rarely does one see faculty members (in whose hands a college curriculum must rest) coming forth to tell black students that some of their proposals and views are simply nonsense—as some of them certainly are! One gets the distinct impression that, on the predominantly white college campus, faculty and administrators are showing considerable panic in their relations with black students. In the typical case, there are few—if any—Negroes on the campus with college or professional training who can offer advice and counsel, and thus provide a somewhat more considered perspective on the environment of the American Negro today and the outlook for the years ahead.

Thus, many college faculties, perhaps unconsciously, are accepting the untested views of numerous black students (only occasionally tempered by the benefit of an off-campus review) about the character and content of a college education that has meaning for American Negroes. In the process, they may be helping to create a series of sheltered workshops in which black students languish during a considerable part of their college careers and then leave the campus ill-equipped to perform in a world which is placing an increasingly heavy premium on technical skills and a vigorous intellect. Thus, on the mistaken assumption that they are being relevant and responsive, many of our college faculties are creating facilities which may cripple young people—rather than strengthen their ability to compete in an economy of expanding opportunities.

In my opinion, if they really want to be helpful to many young people who truly need their assistance and guidance, colleges should devote themselves to attracting more students from low income areas—both urban and rural—a step which will clearly require a considerable expansion in their scholarships and other forms of financial assistance. And once they are on campus, they should be provided with special counseling and other remedial assistance to enable them to overcome the handicaps imposed by inferior high schools and to master even the toughest parts of the college curriculum. Moreover, under no circumstance should the colleges provide them with college-supported segregated housing either on or off campus—as unfortunately some institutions are currently doing. After all, the opportunity to broaden one's own horizon is one of the chief benefits of a college experience.

I have concentrated in this part of these remarks on the problems arising on the predominantly white campuses—because there the issues are most acute. But they also exist on predominantly black campuses as well. We hear from time-to-time about the resentment and rejection many black students on such campuses have shown toward the few white students who have enrolled in recent years. I find such practices especially dismaying; one would have thought that people who have suffered themselves from the corrosive effects of racial discrimination and segregation would be the last to inflict such pain on others.

CONCLUDING REMARKS

In my judgment, the foregoing analysis strongly suggests that, if the rate of improvement registered during the last decade continues, the Negro in the 1970's will

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[1] My present service includes: Overseer, Harvard University (Massachusetts); Trustee, Tuskegee Institute (Alabama); Carlton College (Minnesota); and Howard University (Washington, D.C.); Member, Advisory Committee, Graduate School of Business, Atlanta University (Georgia).

[2] I have taught at Harvard, Michigan State, and the University of Pennsylvania.

strengthen substantially his relative position in the American economy. His employment situation will be much stronger, and his real income will be considerably higher. The opportunities to share as a full participant in an expanding economy also will have widened noticeably.

On the other hand, these possible gains are by no means assured. Thus, a far greater effort—on the part of Negroes as well as on the part of government and the private sector generally—will be required if the promises are to be fulfilled. For Negroes, and especially for Negro youth, this greater effort must be concentrated on the improvement of technical competence, the acquisition of marketable skills and the enhancement of their ability to compete in an economy of expanding opportunity.

UNIVERSITY LEADERS COMMENT ON PROPOSED FEDERAL LEGISLATION DEALING WITH STUDENT UNREST

(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, the House Committee on Education and Labor is presently considering various legislative proposals to deal with the problem of campus disorder.

Several weeks ago, the distinguished gentleman from New York (Mr. REID), and I, as members of the Special Subcommittee on Education, which has jurisdiction over higher education legislation, wrote a letter to a number of leaders in American higher education, including several university presidents, to ask their views on a number of legislative proposals which had at that time been brought before our subcommittee. Among these proposals, for example, was one to establish a Federal Mediation and Conciliation Service for colleges and universities.

The gentleman from New York (Mr. REID) and I invited the higher education leaders to comment not only on this and other proposals which had at that time been introduced but also to give us the benefit of any comments they might have on the relationship between the Federal Government and higher education generally.

Although the bill now under consideration in the House Education and Labor Committee, H.R. 11941, had not been proposed at the time of the letter sent by the gentleman from New York (Mr. REID) and me, and indeed was first introduced only a week ago today, I believe that a number of the comments of the higher education leaders in their responses were relevant to the bill now before our committee.

Mr. Speaker, I believe I should make clear that the persons to whom the letter was sent by the gentleman from New York (Mr. REID) and me were those who formulated a statement at a meeting held in Chicago on April 4–5, 1969, under the auspices of the American Council on Education. That statement was entitled "A Declaration on Campus Unrest," and I insert it at this point in the RECORD:

A DECLARATION ON CAMPUS UNREST

This statement was formulated by a group of educational administrators, trustees, and foundation officers who met April 4–5, 1969 in Chicago under Council auspices. Those present were three Council officers—President Logan Wilson, Vice-President Kenneth D. Roose, and David C. Nichols II, assistant to President Wilson—and the following:

Louis T. Benezet, president, Claremont Graduate Center; Landrum R. Bolling, president, Earlham College; Herman R. Branson, president, Central State University; Robert D. Clark, president, San Jose State College; Fairfax M. Cone, trustee, University of Chicago; Thomas H. Eliot, chancellor, Washington University; Robben W. Fleming, president, University of Michigan; David D. Henry, president, University of Illinois; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; James M. Hester, president, New York University; Ralph Hetzel, trustee, Pennsylvania State University; Roger W. Heyns, chancellor, University of California, Berkeley; Joseph F. Kauffman, president, Rhode Island College; William R. Keast, president, Wayne State University; Malcolm Moos, president, University of Minnesota; Mrs. Henry Owen, trustee, Washington State University; Harvey Picker, trustee, Colgate University; Alan Pifer, president, Carnegie Corporation of New York; Wesley Posvar, chancellor, University of Pittsburgh; Nathan M. Pusey, president, Harvard University; John Ritchie, dean, Law School, Northwestern University; John S. Toll, president, State University of New York at Stony Brook; Edmund A. Stephan, trustee, University of Notre Dame; F. Champion Ward, vice-president, The Ford Foundation; Herman B. Wells, chancellor, Indiana University; Charles E. Young, chancellor, University of California, Los Angeles; and Edwin Young, chancellor, University of Wisconsin, Madison Campus.

The statement was subsequently approved by the Council's Board of Directors, comprised of the following individuals:

Mason W. Gross, president of Rutgers—The State University, chairman; Anne G. Pannell, president of Sweet Briar College, vice-chairman; Gustave O. Arlt, president of the Council of Graduate Schools in the U.S., secretary; Fred Harvey Harrington, president, University of Wisconsin; Grayson Kirk, president emeritus, Columbia University; Frederic W. Ness, president, Fresno State College; Alan Simpson, president, Vassar College; Thomas A. Spragens, president, Centre College of Kentucky; Sharvy G. Umbeck, president, Knox College; Kingman Brewster, Jr., president, Yale University; G. Homer Durham, president, Arizona State University; Samuel B. Gould, chancellor, State University of New York at Albany; Darrell Holmes, president, Colorado State College; Kenneth S. Pitzer, president Stanford University; Edgar F. Shannon, Jr., president, University of Virginia; Joseph P. Cosand, president, Junior College District, District of St. Louis; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; Roger W. Heyns, chancellor, University of California, Berkeley; Martha E. Peterson, president, Barnard College; Calvin H. Plimpton, president, Amherst College; and Willis M. Tate, president, Southern Methodist University.

A DECLARATION ON CAMPUS UNREST

The unprecedented, comprehensive, and often unpredictable changes that are taking place in this age both disturb and alarm large segments of our society. Most of the changes and attendant alarms affect the operations of our institutions of higher learning. They are also related to the values, concerns, and behavior of our young people. In coming to grips with the compelling issues, all who would think seriously about them must recognize that present-day society—in America and in many foreign lands—is in serious trouble on many fronts. We see around us racial conflict, continued poverty, and malnutrition midst unparalleled prosperity and seemingly unlimited promise. We are confronted by pollution of our environment, decay of our cities, the continuation of wars and the threat of war, and everywhere a vague but widespread discontent with the general quality of life.

These problems affect all of society, not the university alone or the young alone. We must all be concerned to deal intelligently and responsibly with these problems that are neither the exclusive discovery, nor the sole responsibility of the young. Yet the depth of feeling among young people in many countries today about the issues, their general dissatisfaction with the slow-moving ways of society, and the extreme behavior of a small minority of students are evidence of the profound crisis that involves our entire society and, specifically, the university community.

The university itself has often become the immediate target of student discontent, sometimes couched as legitimate complaints about the deficiencies of the universities, sometimes devised as a softening-up exercise for assault on the wider society.

How to deal with campus crises arising from the widespread protests has become a major public issue and the cause of confused and angry debate. That there should be deep anxiety about the course of the conflict and its possible outcome is understandable. No social, racial, or age group that perceives itself and its values to be seriously threatened will fail to strike back. Increasingly there are backlash temptations to enact strong, often ill-considered, and largely futile measures to cope with a youth rebellion that none of us fully comprehends, not even the youth themselves.

Certain balanced judgments are proper to make, however, as we search for understanding and solutions:

1. It is important for the public to understand that, despite the nationwide publicity given to student disorders, the great majority of American campuses have remained peaceful. On campuses where conspicuous disorders have occurred, educational programs generally have gone along their normal ways. Most students and faculty have continued to carry on their regular work. In the main, good teaching and good research, as traditionally defined, have been uninterrupted.

2. On the undisturbed campuses and among the majority of orderly students, however, there are widely shared discontents which extremists are at times able to manipulate to destructive ends. Moreover, even in the absence of violence, there has developed among some of the young a cult of irrationality and incivility which severely strains attempts to maintain sensible and decent human communication. Within this cult there is a minute group of destroyers who have abandoned hope in today's society, in today's university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of this group and are moving to deal with its destructive tactics. The necessity to deal with extremists, however, is placing an extraordinary burden upon the whole educational enterprise and upon those who man it. Consequently, universities are having to divert their energies and resources from central educational tasks in order to deal with student unrest in its various forms.

3. The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of those students, faculty, and administrators who have serious interest in constructive changes in society and in the university. They have broadened the curriculum and improved teaching. They have moved toward a more open and participating pattern for university governance. And they have begun to

make the work of universities more meaningful in dealing with the problems of society. Those efforts must continue. Reform and self-renewal in higher education are ongoing imperatives.

4. Meanwhile the speed and scale of social change have imposed many kinds of demands upon educational institutions for which their programs, their capabilities, and their funding are not always adequate. Moreover, universities are increasingly asked to perform functions for society, particularly in reshaping the behavior, values, and lifestyles of the young, on which the family and other social institutions have already had major influence—or lack of influence. Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions. Many of society's demands require new resources and fresh approaches to old and new problems.

5. Recognizing the right of and even the necessity for constructive dissent—and allowing for inevitable arguments over what is in fact constructive—certain axioms must be accepted as basic to the operation of any university:

a. Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others. This elementary reality is increasingly becoming understood by all components of the university community. Student and faculty groups, including the American Association of University Professors and the National Student Association, have recently joined in efforts to improve disciplinary procedures and to formulate clear and realistic codes for dealing with misconduct, and more particularly with violence and disruption. Also, by involving students and faculty effectively in the governance of the university, it can be demonstrated that there are better ways of getting views considered and decisions made than by disruption.

b. The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all, within or without the university, who would obstruct the right of scholars to investigate, teachers to teach, or students to learn. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

c. Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special, punitive legislation will almost certainly be counter-productive. Meanwhile, students and faculty whose consciences demand that they express dissent through law violation must be prepared to accept the due processes and the penalties of the law. They should not be encouraged to expect amnesty from the effects of the law. Such an expectation would be the ultimate use of the *in loco parentis* concept against which many young activists passionately protest. Nor should they expect amnesty from academic discipline, which is the most effective sanction in disruptive incidents.

6. The education community needs to undertake a far more comprehensive effort than ever before attempted to study the underlying bases of youthful discontent and alienation and the broad social problems to which they are related. As social critic, the university must help society understand and solve such problems.

7. All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community. The survival of the university and its long-term contribution to society depend upon the ability of the institutions to make their everyday life reflect that spirit and pattern.

Now, Mr. Speaker, because I believe that a number of the letters which I have been discussing contain comments that will be of interest to all Members concerned with the relationship between the Federal Government and higher education, I insert these letters at this point in the RECORD:

AMERICAN COUNCIL ON EDUCATION,
Washington, D.C., May 21, 1969.

Hon. JOHN BRADEMAS,
U.S. House of Representatives,
Washington, D.C.

DEAR JOHN: This is in response to your request as to the positioning of the American Council on Education on the question of establishing a Federal Mediation Service for colleges and universities.

We have consulted with a cross section of college administrators across the country and have found virtually unanimous opposition not only to the specific bill (H.R. 10570), but also to the concept of a Federal Mediation Service. I should add that those administrators include not only presidents of our most beleaguered institutions but also those who have had experience in mediation and arbitration. I am enclosing a copy of a speech by Arthur Ross, who was chairman of the Faculty Emergency Committee at Berkeley during the University of California tribulations in 1965, was later with the Labor Department during the Johnson Administration, and is now vice-president at the University of Michigan. His speech is the best summary I can find of the attitudes expressed by our institutions.

In the light of our careful survey of institutional opinion we have no choice but to oppose efforts to establish a Federal Mediation Service.

You have asked why we have not appeared to testify before the subcommittee, and I am not sure my response will appear adequate. When the hearings first began, they were exploratory in nature on the broad topic of campus unrest. In discussions with Mrs. Green and Mr. Hogan, I stated that I thought we could be most useful by helping to identify witnesses who, from their positions on the firing line, could best assist the Committee in understanding the complexities of the issues. I thought this would be far more constructive than for us to make pronouncements from our bureaucratic chairs in Washington on what is going on at the front. As you review the hearings over the past, you will recognize that almost all of your witnesses have come from institutions that are members of the Council. The only difference is that they have presented the situation as they see it on their own campuses rather than following an official ACE line. In situations as fluid as the campus unrest problem this still seems to me the most constructive way we could have proceeded.

I assumed, obviously erroneously, that higher education's opposition to a Federal Mediation Service would be apparent in the testimony of witnesses appearing before you. As a result of your question, however, I realize that on this specific issue, as opposed to the general inquiry into campus unrest, we probably should have asked for an opportunity to testify officially. If it is felt that it would be valuable for us to do so, we would be happy to appear, and, if at all possible, we would ask Mr. Ross to serve as our spokesman.

Sincerely yours,

JOHN F. MORSE,
Director.

UNIVERSITY OF VIRGINIA,
May 26, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: I write in response to your letter of 13 May 1969 requesting my views on H.R. 10570 and H.R. 10136, bills now before the Special Sub-Committee on Education of the House Education Labor Committee.

The first of these bills would create a Federal Higher Education Mediation and Conciliation Service. I am very doubtful that the establishment of such a service by the Federal government would be wise. The recent disruptions on campuses throughout the country are surely a cause for national concern. On the other hand, I believe that the resolution of the problems which have caused the disturbances and, also, the control of the disturbances will be handled best at the local level. It would be extremely difficult for a central agency to mediate in view of the wide variation among institutions with regard to the issues which underlie the disruptions.

With regard to the second bill, which would provide for termination of assistance to universities where disorders occur, the language of the proposed bill seems extremely vague regarding the designation of institutions where financial assistance would be suspended. It is not at all clear what corrective measures on the part of an institution would be accepted as "appropriate" or how much time an institution could assume to be available for corrective measures.

A more important reason why I should oppose the bills under consideration is that I believe that the existing body of law provides adequate avenues for a university or college to bring disruptions under control. During recent weeks, it has been gratifying to note a growing tendency for university administrators to use court injunctions in their efforts to maintain order on their campuses.

I hope that these comments may be useful to you and your colleagues in your deliberations over these very important issues.

Sincerely yours,

EDGAR F. SHANNON, Jr.,
President.

UNIVERSITY OF ILLINOIS,
May 22, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

GENTLEMEN: Thank you for your letter of May 13 in which you ask for my views concerning the provisions of H.R. 10136 and H.R. 10570.

I am opposed to the adoption of both bills and welcome the opportunity to give you my reactions concerning them.

H.R. 10136, requiring "the suspension of Federal financial assistance to colleges and universities which are experiencing compus disorders and fail to take appropriate corrective measures forthwith" would induce an improper involvement of the Federal Government in the management of colleges and universities. It would vest in the Commissioner of Education the authority to define what is a "disruption." Furthermore, while we know that there are degrees of disorder and disruption, the bill makes no provision for varying degrees of penalty. The bill also vests in a Federal official the power to determine what are "corrective measures." Finally, to penalize all students for the acts

of a few, as would result from the application of the provisions of this bill, would be provocative rather than preventive of disorder. In general, H.R. 10136 is based upon the premise that administrative officers are derelict in their duty and require external force of the kind proposed. No authoritative inquiry into campus disorders can justify any such conclusion insofar as the greater number of institutions are concerned.

Section 2 of H.R. 10136, providing for termination of Federal assistance to any member of the teaching staff who has participated in a "violent demonstration, riot," etc., is less objectionable than Section 1. However, I believe that most universities have statutory provision for dealing with teaching staff who participate in such activites and are in a position to define appropriate penalties. If the Congress should adopt this bill, the responsibility for determining the facts in a case would be best vested in the Courts rather than in the Commissioner of Education. The resultant penalty would then be dependent upon a Court conviction.

H.R. 10570 would provide for a Federal Higher Education Mediation and Conciliation Service. In my view, the creation of such a servce would be an open invitation to dissident students to be disruptive so that the provisions of the bill could be invoked. In short, this bill would strengthen the position of dissidents rather than strengthen the capability of the universities to deal with student affairs.

The very concept of medation is based upon common equities and equal authority. The establishment of a mediation service would in fact, enhance student power in a way that would make the task of university law enforcement much more difficult.

Sincerely,

DAVID D. HENRY,
President.

WAYNE STATE UNIVERSITY,
Detroit, Mich., May 27, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS AND CONGRESSMAN REID: Thank you for your letter of 15 May asking my opinion on the two bills, H.R. 10570 and H.R. 10136. H.R. 10136 is a fair representative of many of the bills introduced in the last year. H.R. 10570 is a new view, and it is to that one that I wish principally to speak. My feelings on H.R. 10136 and the others of its kind will no doubt be made clear in my discussion of H.R. 10570.

The passage of H.R. 10570, a bill to create a Federal Higher Education Mediation and Conciliation Service, would impose an adversary context in university affairs, which necessitates the setting of one segment of a community against the other in publicly drawn sides. Once such an adversary line is drawn, one side will have to indicate its gain by demonstrating a loss sustained by the other side. This is foreign to universities in America. Such a polarity, clearly drawn and publicly aired, would do irreparable damage to the integrity of the community, that is, to the American university, perhaps forever.

In an adversary, or bargaining, context, the essential freedoms of a university can be no more than items of greater or lesser value in a trade-off situation. By reducing academic freedoms to the dimension of things that can be traded, their integrity is substantially diminished, if not destroyed, and we have, therefore, both a shattered community and a shattered set of values.

The only justification for the federal government, or for any external, non-academic body, to intervene in the internal affairs of a university is if one university is set against another with the aim of one to try to do damage to the other. Clearly this is not the case.

To try to organize, even in abstract concept, the segments of a university community—faculty, students, administration, support staff—into a system of trade-union or labor-management models negates the *raison d'etre* of the university at its most fundamental level. The pursuit of knowledge, the airing and testing of diverse opinion, the examination of old and the quest for new views of society are all essential and legitimate activities of a university in America. But, under a set of mediation regulations these cannot be factors since they are value matters and not "practical" matters, and a mediation board would be called on to decide which knowledge is best, or "right" to pursue, which opinions and how diverse should be aired and tested, and which views of society, either new or old, should be examined.

Disorders on university campuses are world-wide. If they were limited to certain regions of the United States the idea of a conspiracy could be entertained, investigated, and probably substantiated. This is not the case in 1969, nor has it ever been, in my opinion. A disorder on a campus is, much more often than otherwise, a manifestation of a universal misease. The disorder is a symptom of a problem, although of course it is frequently a specific problem which requires a specific solution, but that is fleeting. A campus disorder is symptomatic of problems of society, not of a university. No university is perfect—perfectly relevant, perfectly funded, perfectly staffed, perfectly managed—and the cause of disorder on each university campus varies from campus to campus, but over them all is a cause that is to be found outside and not inside the university. To pass legislation that has the effect of restricting this or that aspect of university activity because it violates this or that segment of this or that federal agency's guidelines is inappropriate and is therefore purely punitive.

A world-wide tension over the re-ordering of long-held social values is basically the cause of campus—and city—disorders. Serious questions are being asked by serious-minded young people about things as big as our national priorities and the allocation of federal resources. I received a letter very recently from one Michigan congressman who said, in part:

". . . there is no strategic justification for sending $30 billion a year and our best young men to Vietnam when we have a more serious need for these resources here at home. We need to question anew the rationale for so much of our budget going for military purposes while it falls short of our needs for human development in our own country."

On American campuses today, and for the past few years, there are and have been many young men and women attuned to even a hint of social injustice and they are, like their elders, impatient because the social system seems not to be solving or eliminating these inequities quickly enough. Unlike many of their elders, they have developed a taste for direct action since their experience is that it works where nothing else ever has.

To give time, people, and money ($1 million each year for this mediation board) to external regulation of intra-university affairs is to hide one's national head in the sand. It is to avoid coming to grips with the real issues, and it is to obscure a real disease by treating a mere symptom.

I believe that Congresswoman Green is trying to act in the best interests of American universities by trying to relieve them of the burden of grappling with some of these terribly difficult problems and, at the same time, trying to protect them from the imposition of restrictive and strangling punishments for disobedience of federal laws. I commend Mrs. Green for cutting through much of the heated rhetoric that has arisen over disorders on American university campuses, but I feel that a Federal Higher Education Mediation and Conciliation Service is not going to help solve the true problems that occasion these disorders.

Thank you very much for giving me an opportunity to express my opinions. I hope they will be of help to you in your deliberations.

Yours very truly,

WILLIAM R. KEAST.
President.

EARLHAM COLLEGE,
Richmond, Ind., May 19, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: I am grateful for your sending me copies of the bill to create a Federal Higher Education Mediation and Conciliation Service (HR 10570) and a copy of a bill terminating assistance to universities where disorders occur (HR 10136). I would like to express my feelings on both of these subjects.

The idea of a Federal Higher Education Mediation and Conciliation Service fills me with a sense of absolute horror. I understand the fine motives which prompt it, but I am absolutely convinced that rather than reducing the amount of dissension and disruptions on college campuses it will substantially increase the likelihood of such disruptions. I feel that such a proposal will give major encouragement to dissident students or faculty members to push disputes to the final limits and would in fact weaken the powers of the administration to deal with these problems. On every campus there will likely be a few faculty members and some students who delight in playing the role of campus lawyer. By creating this mediation service I see disputes that could be resolved swiftly being dragged out for many months or years.

The one million dollars per year which it is proposed to spend on this service could much more profitably be applied to any number of pressing needs in the field of higher education.

As to HR 10136, a bill to suspend federal financial assistance to colleges where disorders occur, let me say again that I am highly in sympathy with the intentions of this bill: to discourage campus disorders. However, here again I think the remedy may compound problems rather than solve them. One of the major difficulties in applying such legislation has to do with the problem of interpreting the phrase "at which . . . the administrative officials of such institution fail to take fair corrective measures forthwith." How is the Commissioner of Education to determine what are "appropriate corrective measures?" Every college disruption episode seems to take a different course, to arise out of different immediate problems and to pose differing kinds of administrative challenges. Some measures will work one place, but not work another. Some measures are appropriate in one set of circumstances, but not in another. I see chaos compounded by the adoption of this well-intended but unrealistic bill.

I have a number of views on the whole question of student disorders which I would be pleased to have a chance to lay before the Congress, but to do this I would want to appear to give testimony in person or to submit a considered document. If there is any interest in my contributing such comments, please let me know.

Sincerely,

LANDRUM R. BOLLING.

CARNEGIE CORPORATION OF NEW YORK,
May 19, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMEN BRADEMAS AND REID: Thank you for your letter of May 13 in which you ask for my reactions to two specific proposals before the Education Subcommittee.

Before commenting on them, I should like to express my own feelings about student unrest. Much of it stems from problems in society at large. Some of it, however, comes from legitimate concerns of students that programs, policies, and governance in higher education are inadequate and hidebound. None of these grievances, however justified, can be an excuse for violence or interference with the rights of others. The small minority who engage in these activities do not speak for most students, but I do think that a majority of our college youth (including the most able students) are profoundly concerned about the state of their country and their educational institutions. The overriding question is how to make constructive progress in line with the concerns of this majority without pushing them and their faculty allies into the ranks of the militants through unwise measures for the very necessary control of violence. This is a complex and difficult matter. The problem and the solution will be different on each campus, and no panacea is likely to be effective. Each campus must work out its own salvation. In my view, any legislative action at the state or federal level should be concerned with positive and constructive ways to help individual institutions to cope with their own stresses and strains. H.R. 10136 is the worst kind of legislation. It is unenforceable (how can the Commissioner of Education decide or prove in each case whether or not the corrective measures taken by administrative officers are "appropriate"?). It would penalize all students and faculty, not the minority who are causing the disorders; and by thus crippling the university, it would play into the hands of the SDS and their allies who want to tear down the institutions. This repressive measure would do more to stir up unrest on the part of moderate students and faculty than any approach I can imagine.

On the other hand, Mrs. Green's bill, H.R. 10570, is obviously an attempt to find a constructive role for the federal government. I am afraid, however, that it would not accomplish its goals. It runs counter to the traditions of institutional autonomy, even though calling on the mediation service would have to be voluntary on the part of some party to a dispute. I cannot believe that such a federal agency would be called upon by any legitimate group. As an agency of the "establishment", it would be suspect in the eyes of students in particular. Trustees, administrators, and faculty would see the use of a federal agency as a denial of their rights and prerogatives to manage their own affairs. Moreover, the bill proposes to treat the symptoms rather than the cause. The proposed Service could deal only with immediate issues, not the more fundamental matters involved. The latter have to do with the capacity of colleges and universities to change their ways in the face of rapid social changes in the country and in the world.

You asked what specific suggestions I might have. Let me try one. My suggestion assumes that student unrest, however disturbing to the public, is best regarded as an institutional matter and should be dealt with on that level. It also assumes that intelligent change is necessary on many campuses. It might be very helpful, therefore, for the federal government to provide funds (only very modest sums would be needed) for institutional self-studies on the subject of governance and student unrest. I would envision a fund administered by the Office of Education with as little red tape as possible. On a few campuses now, trustees, administrators, faculty members, students, and community representatives are coming together for a thorough, open, and honest examination of ways to make colleges responsive to social change. If modest funds were available outside the tight university budgets to pay for such meetings, preferably at an off-campus site and with background papers prepared in advance, many more institutions would conduct self-studies with careful planning and preparation. These examinations might go a long way both toward restructuring the governance of institutions, as desired by the majority, and toward providing appropriate control of those who might still be a small dissident minority. Such an idea would, it seems to me, place the federal government in the position of taking a positive rather than a negative step toward the resolution of our campus difficulties. I am very fearful of the results of repressive measures.

I think you can regard this letter as representing the collective judgment of Carnegie Corporation's staff, as a number of my colleagues assisted me in the drafting of it.

Sincerely yours,

ALAN PIFER.

RHODE ISLAND COLLEGE,
Providence, R.I., May 23, 1969.

Hon. JOHN BRADEMAS,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: I am responding to your letter of May 13 in which you and Congressman Reid requested my views on two proposed bills: H.R. 10570, to create a Federal Higher Education Mediation and Conciliation Service and H.R. 10136, a bill terminating assistance to universities where disorders occur.

(1) I am opposed to the proposal for a Federal Mediation Service, although I realize that its proponents mean to be helpful. I believe that such a proposal, if enacted, would add to our difficulties, however.

My reasons briefly stated are as follows: First of all we are witnessing all too many instances of the erosion of institutional self-governance. The proposed Mediation Service could and would be used by those forces seeking to undermine the fading authority available to college administrators today. Secondly, I believe the proposal is naive in that the committed radical and revolutionary groups such as SDS have no interest in mediation but in harassment and disruption. One of the charges of the New Left is that our Federal government is corrupt and illegitimate and that colleges and universities, by their link with the Federal government, also become partners in this corruption and illegitimacy. In fact, almost all of the disorders on our major campuses have had as their targets policies and programs related to the Federal government. Thus, issues have included the War in Vietnam, defense-related research, ROTC, the draft, etc. How could a Federal Mediation Service intrude in a campus torn by such issues in which the Federal government and its policies is held to be the "enemy."

(2) I am completely opposed to the concept involved in H.R. 10136. It seems to imply a policy of punishing the victim. I have never been in sympathy with the philosophy that holds the victim responsible for the acts of the criminal whether it be leaving one's car unlocked or failing to put bars on one's windows in a home. If you were to follow the philosophy implied in this bill, you would deny assistance to those cities which suffer riots and other disasters.

There are ample laws presently available to deal with the kind of behavior to which this proposed law applies. The problem is one of enforcement, and this problem is not unique to college campuses.

It would seem to me that there are two things which Congress and the Federal government could do to contribute to the amelioration of the present campus strife. The first of these would be to disengage from the unpopular involvement we have in Vietnam, reform the Selective Service System and try to change the mood of the country through more imaginative approaches to poverty, unemployment and such social welfare issues.

The second would be a more vigorous involvement of Federal law enforcement agencies in helping to expose and prosecute those individuals and groups purposely engaged in organizing disruption and violence on our campuses.

I thank you for your interest in seeking my views and I trust that the above will be of some help to you in your deliberations.

Sincerely yours,

JOSEPH F. KAUFMANN,
President.

THE FORD FOUNDATION,
New York, N.Y., May 16, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR MR. BRADEMAS: This is in reply to the letter I received today from you and Congressman Reid asking for my comments on two Bills now under consideration by the Special Education Subcommittee of the House Education and Labor Committee. I am grateful for the opportunity to comment on a matter of very great concern to all who are interested in the good health of our universities and colleges.

As it happens, my own views as to the long-haul correction of the present disarray appeared recently in the *Washington Post*, and I enclose a copy of that article, entitled "Stitching Up Our Colleges."

In the short run, it seems to me to be most important to avoid actions which will impair the self-healing process of the universities themselves. I am afraid that a conciliation service may have the effect of pitting "interest groups" against each other and turning differences which should be settled on campus by improved deliberation and strengthened institutional loyalties into rehersals for off-campus adversary proceedings.

I fear, also, that the cutting-off of funds will put "backbone" into the demolitionists among the students, while reducing both the options of administrators and the sense of institutional responsibility of faculty, administrators, trustees, alumni, and serious students. I remain hopeful that the universities and colleges will increasingly police themselves in these matters and that it will not be necessary to impair their capacity for self-government so drastically as the proposed Bill H.R. 10136 would appear to do. As I read the text of that Bill, for example, the President, Faculty, and Trustees of the University of Chicago would not have believed that they had the option to "wait out" and thereby isolate disruptive students but, fearing a loss of government funds, might have called in the police. This could have "radicalized" the moderates and made internal punishment of the offenders far more difficult.

This is a brief treatment of a very thorny matter. I hope it may of of some help to you and the Special Subcommittee. Thank you again for the opportunity to comment.

Sincerely yours,

F. CHAMPION WARD.

STATE UNIVERSITY OF
NEW YORK, AT STONY BROOK,
Stony Brook, N.Y., May 27, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
Congress of the United States,
House of Representatives
Washington D.C.

DEAR CONGRESSMAN BRADEMAS AND CONGRESSMAN REID: I thank you for your letter

of May 13, inviting my comment on proposed legislation which you have conveyed to me, HR 10570 and HR 10136.

I have read both bills with care and solicited the opinion of persons on this campus with a particular interest in such legislation. I should like, with all due respect to the legislators who proposed the legislation, to state my strong opposition to both bills.

As to a Federal Higher Education Mediation and Conciliation Service, I recognize that it is the purpose of Mrs. Green, whose extraordinary labors on behalf of higher education we should all wish to commend, to offer a workable alternative to other proposed legislation directed against student unrest. I do not believe, however, that mediation and conciliation by an agency external to the campus would really be effective. The reason has mainly to do with the nature of the university community and the extraordinary differences between faculty and students on the one hand and management and trade unions on the other.

I believe that the cooperation of institutions of higher education and the civil authorities, is essential to preserve reason and civility on campus. It seems to me imperative, however, if we are to avoid progressive estrangement between campus and community and avoid increasing violence on campuses, that we recognize one principle particularly. This is that the discretion to solicit external assistance to deal with violations of the law and to develop new deterrents to lawlessness on campus, should, to the maximum extent feasible, be reserved to the leaders of the university. The legislation proposed would make it more difficult to get the support of students and faculty for steps necessary to discourage campus unrest; hence Federal legislation of this kind is actually counter-productive. I cannot emphasize this point too strongly.

The same considerations, it seems to me, weigh even more forcibly against the adoption of HR 10136 since the degree of the intervention into the affairs of the campus which it contemplates is so much more formidable.

It goes without saying that none of the foregoing is intended to condone defiance of the law or the use of violence on campus. My central point is that I do not believe that the proposed legislation which you have sent me would achieve its manifest purpose. I am grateful to you for soliciting my views about this legislation. Your interest in this institution is very much appreciated.

Sincerely,

JOHN S. TOLL,
President.

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
Los Angeles, Calif., June 2, 1969.

Hon. JOHN BRADEMAS,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: I am responding to your inquiry of May 13, 1969, regarding the proposals to which H.R. 10136 and H.R. 10570 address themselves.

In my opinion neither measure would be of assistance at the present time might even exacerbate university difficulties. H.R. 10136 makes no reference or provision for due process and would be difficult of enforcement since "appropriate corrective measures" is too subjective a criterion to be useful.

H.R. 10570 suggests that settlement of issues between students, teachers and boards of control "may be advanced" by the establishment of a mediation and conciliation service. I, too, am doubtful, as apparently are the authors of the Bill, that such a service would be of assistance. In my experience opportunities for mediation and conciliation still exist within the institutions. It is the reluctance of student groups to utilize the existing channels which has prolonged attempts at conciliation. The introduction of an agency of the Federal Government at the request of one party to the discussion could be a further complicating factor in an already delicate balance of interest and power. Boards of control have, it seems to me, under existing arrangements, sufficient power to invite outside assistance should this be needed. The existence of a Federal agency would be used, I fear, as a threat over one or more parties to the dispute rather than as a facilitating agent.

The Federal Government can be of greatest assistance to the universities at this time by sustaining them in their efforts to offer enlarged educational opportunities to disadvantaged youth of all racial groups. Appropriate modifications of ROTC would also be of assistance and de-emphasizing classified research in connection with university activities. All these measures would effectively demonstrate to university students that they do not need to disrupt the university in order to call public attention to the need for rapid change in government and university policies in these areas.

Yours cordially,

CHARLES E. YOUNG,
Chancellor.

NOTRE DAME, IND.,
May 26, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.:

Appreciate Congresswoman Green's efforts for higher education, but find little support among my colleagues for suggested mediation service.

Regards.

FATHER TED HESBURGH.

WASHINGTON UNIVERSITY,
St. Louis, Mo., May 19, 1969.

Hon. JOHN BRADEMAS,
House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN: Thank you for your letter of May 13, asking for my comments on H.R. 10570 and H.R. 10136.

I am afraid that Mrs. Green's bill would do more harm than good. As a practical matter, it probably wouldn't do much of anything; when, as is usually the case with the SDS and often with the black students, the issues are said to be "nonnegotiable" there is nothing much to mediate! Also, theoretically, the services of the government could be invoked as a means of keeping an issue alive and preventing a settlement, and thus prolong the troubles on a campus. My basic objection to the bill, however, is the analogy that it implies, between the relationships on a campus and the relationships of management and labor in industry. Every union member has a job to do, and is paid to do it; each student's job is to learn, and he pays for the opportunity to do it (or gets a scholarship!) The SDS and others are trying to get us to accept the notion that students are an interest group, warring with administration and sometimes with faculty. I think students should be, and fortunately mostly are, young learners in an intellectual community, to which they have come because of the skill and knowledge of their teachers. In principle, therefore, I feel that the Green Bill tends to play into the hands of the comparatively few dissidents whose conception of a university differs so sharply from my own.

As for the other bill, I would suppose that the SDS would be supporting it tooth and nail. If their objective is, as it seems to be, to destroy higher education in America, this is a good way to do it—or at least to cause grave harm to the many universities which receive Federal assistance in one form or another. All the SDS would have to do would be to hasten from campus to campus, causing substantial disruption. The administration might then take "appropriate corrective measures forthwith," whatever that may mean, only to have the revolutionaries disrupt the place again the following week—and so on and so on. I think that this is an open invitation to disruption.

I am sure that the authors don't mean it to be. I am well aware that these bills are introduced because of a real and deep concern about the disorders that have shaken a number of campuses. But I know of no proposed legislation that would effectively promote the maintenance of an atmosphere of free and rational discourse that is essential to the life of a college or a university.

I don't know about the special problems that confront some of the predominantly black institutions, but as for the rest, it seems to me that the integrity of the campus can be preserved *if* there is a sufficient awareness, within the faculty, of the nature of the extremists' attack on the institution. Legislation that is repressive in aspect could make more difficult the task that many administrators face, which is to obtain full faculty support based on real faculty awareness of the situation.

I made a speech on this subject the other night, and have to make another this week. I will try to write an outline of it this time, and will take the liberty of sending you a copy.

Sincerely yours,

THOMAS H. ELIOT,
Chancellor.

WASHINGTON UNIVERSITY,
St. Louis, Mo., May 23, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: Here is the outline of the speech, about which I wrote you the other day.

With best wishes,

Sincerely yours,

THOMAS H. ELIOT,
Chancellor.

ADDRESS BY THOMAS H. ELIOT, CHANCELLOR, WASHINGTON UNIVERSITY, ST. LOUIS COUNTY BAR ASSOCIATION, MAY 22, 1969

In this morning's mail was a letter from a lady in California, whom I have never met and who did not go to Washington University, telling me that she had planned to leave some money to our medical school but was now changing her will because she would not leave any money to any college or university. Also in the mail was a round-up of pending legislation in the Congress, relating to student unrest. Twenty-three Congressmen, in the United States House of Representatives, have proposed bills to provide that all Federal aid, for research or construction or anything else, would be cut off from any institution which experiences any disruption and fails to take appropriate corrective measures—whatever that may mean.

Clearly, student unrest is a matter of national concern. I don't want to try to explain the attitudes and feelings of so many of the younger generation; there are all kinds of possible explanations, and I don't think anyone yet has the complete answer. I want to talk, instead, about the campus disorders that have been so widely publicized by press and television, and have caused an amiable lady to change her will and a lot of well-meaning Congressmen to propose legislation that could only do more harm than good.

I should say here that I'm talking about the kind of university that I'm familiar with, and not about predominantly Negro colleges which have problems of their own. Sometimes these cause situations similar

to those at other colleges; sometimes they are unique.

Nor am I dealing particularly with the activities and attitudes of black students on preponderately white campuses. These students are a special group, with their own important needs and aspirations. Mostly they have "done their own thing" separate and apart from the SDS and the many reform-minded students on our campuses. Again, however, sometimes their actions raise the same questions as the actions of other students, in terms of administrative and faculty response.

With these limitations on my subject, let me proceed.

It seems to me that public criticism of universities today is based on three assumptions.

First, college students are no good, or, at least, college students with beards and long hair are no good whatever.

Second, college administrators are spineless.

Third, the government should step in and straighten out the situation.

Let me take up these assumptions, one by one.

First, there are several million college students in America today. Many of them are just typical college kids. Some of them are serious, some lighthearted, all of them earnestly or otherwise trying to get a degree or a husband or get started on a career.

Many of them, including many who are very able and conscientious students, are highly critical of the society in which we all live. They are part of a worldwide discontent. They are in rebellion, more or less—rebellion against their parents, rebellion against their colleges, rebellion against society. Pretty nearly all parents realize the existence of the first of these rebellions. The third is the most important one, the rebellion against society: it is because of their discontent with society that they are particularly critical of that society of which they are most intimately a part, namely the college or university which they attend.

A minority of today's students, but I think a fairly substantial minority, are not only discontented about the wrongs that they perceive, but are sufficiently concerned so that they want terribly to do something about them. They are bubbling with ideas for improvement and reform—sometimes good ideas and sometimes very silly ideas, but at least, ideas. They are not revolutionary. They do not want to destroy. They want reform. They are young, and many of them may be really very naive—but they are in earnest.

Finally, there is the tiny minority of students who are simply out to destroy. They care nothing for reform. They care about issues only as issues are useful means for gaining support for themselves in their effort to destroy. They seem to exist on pretty nearly every campus. Their numbers are always small. At Washington University, I expect I could count this group on the fingers of both hands, possibly on the fingers of one hand; at Harvard, I doubt if the nihilists number as many as a hundred. They are, however, dedicated to their destructive cause, and they can be extremely effective if, through the development of a popular stance on particular issues, they can manipulate the thinking of the quite large number of reform-minded students.

The first job for maintaining, on any campus, the tradition of free and rational discourse that is essential to higher education, is to keep the handful of destroyers from gaining the support of any large numbers of naive of reform-minded students.

And the second task is to convince the faculty that the destroyers are just that—people deliberately committed to the destruction of the institution and all its values. A professor seldom sees these few students in action. He sees them in class, where they often perform very well indeed. He thinks of them as bright young men and women with interesting ideas. He sympathizes with their alleged desire to reform things. Very seldom are professors subjected to the confrontation and abuse that have become the daily fare of many administrators. Hence, I think, it is not really surprising that many faculties have thus far failed to make the clear distinction that I have just been drawing. But the chance for a restoration of calmness and reasonably good order on many college campuses rests considerably on their making that clear distinction at an early date.

The second assumption is that administrators are, practically by definition, spineless. This, I submit, is nonsense. A college president who calls the police is never called spineless; but really, it takes no more spine to call the police than it does to refrain from calling the police. If there is a violent disruption and you call the police, you are washing your hands for the moment of the responsibility for ending the disruption. That doesn't take any spine. But you do have to stiffen your backbone just the same because you know that you are going to be vehemently denounced by many students and professors for having called the police. If, instead, you refuse to call the police, you know darned well that you are going to have to stand up to almost unbearable abuse by hundreds or thousands of alumni, political leaders, editorial writers, anonymous telephone callers and self-appointed experts who know nothing whatever about how to run universities.

Either way, you've got to have guts. But really it isn't a question of backbone or guts at all. It is a matter of judgment.

No sensible university president is going to second-guess another university president. Circumstances are always different, from campus to campus. If I had been the head of Columbia last year, or the head of Harvard this year, I don't know when I would have called the police, or whether I ever would have. My own policy is to be ready to call the police when, in my judgment, police protection is necessary to prevent substantial injury. It is a matter of judgment—the chancellor's or president's judgment as to when, if ever, that moment has arrived.

A weighty factor in that judgment is the president's assessment of the results to be obtained. If violent police action is going to result in throwing the great body of moderate, idealistic, reforming students into the arms of the destructive extremists, then it may not be worth it. If, in addition, it is going to arouse virtually all of the faculty in support of the extremists, then, again, it may not be worth it. Remember that since before Columbia, a year ago, the most desired goal of the nihilist extremists has been to cause a confrontation that would result in a police bust. They have believed, with good reason, that this would be more disruptive than anything they could accomplish by themselves.

And so, the president has to make a choice of evils. When he decides which is worse—the results of not calling the police or the results of calling the police—he decides on the basis of his judgment. He thinks with his brain. You can't think with your backbone.

So much for the so-called spineless administrators. One reason for calling them spineless, perhaps, is because too often, there seems to be very slow and very light discipline meted out, even when the offenses committed by students have been grave. I suppose that the critics of the administrators don't realize that on many campuses, for many years, discipline is not handled by the administrators, but by the faculty. In modern times, indeed, it is often handled by boards or committees composed of both professors and students. I agree that the discipline has sometimes seemed much too light. The cure for that, as I have indicated, lies in the growing awareness of the professors that everything which they really value in the academic life is being endangered by serious campus disruption.

Finally, there is the assumption that somehow the government can step in and make everything all right again. My own fear is that repressive governmental action is likely to make things worse rather than better.

Remember what the administrator's critical job is. It is to keep the substantial number of reform-minded students from making common cause with the destroyers. It is to keep the faculty from making common cause with the destroyers. What I fear about repressive legislation, and the attempted intrusion of the government into the internal affairs of universities, is that such action could unify the whole campus community in a vehemently radical stance. In the resistance to outside repression, the extremists will have the best chance to become the real leaders of the campus. I am not for a moment opposing the enforcement of the law, but I am suggesting that new punitive legislation is likely to make things much worse, rather than any better.

The universities of the country are doing their job. At most of them, my own included, there have been demonstrations about one matter or another, without the university's business being interrupted, without any classes being cancelled, any research projects postponed, any damage done to the educational process.

The key people in that process are the students. From my own experience, I would say that there is great hope for the future in the kind of students that are now going to our good colleges and universities. Especially there is hope for the future in the concerned reform-minded students, who are able to learn and to care at the same time. We do have an imperfect world, to put it mildly. We do need able and concerned young people to try to put it right. We do need to help them to grow up as educated men and women, without losing their idealism and their concern. That, I think, is right now the most important thing that our colleges and universities can do and are doing; and if *we* care—if the university administrators and the professors care, and I think we do—then we can accomplish this vital and indeed noble task. We can do this if, without condoning violence, we recognize the need for improvement in our own institutions and welcome proposals for constructive change. We can do this if we have the judgment—not the spine, but the judgment—to prevent the few destructive extremists from winning the hearts and minds of their fellow students.

UNIVERSITY OF MINNESOTA,
Minneapolis, Minn., May 26, 1969.

Representative JOHN BRADEMAS,
Representative OGDEN R. REID,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVES BRADEMAS AND REID: Thank you for writing to request my opinion about the two bills now under consideration by Congress on campus unrest. I have discussed both bills with members of my staff and we agree that they would not be useful legislation.

H.R. 10136 which calls for the suspension of financial assistance to institutions at which a major disorder has occurred and in which "no appropriate corrective action has taken place" opens a series of difficult questions with which both institutions and Congress cannot deal. There is no agreement nationally as to what constitutes appropriate corrective action and institutions are experimenting with various approaches. In some situations, immediate police action may be absolutely essential—in other situations, it is tragically unwise. In some cases, negoti-

ations with students are vital—in other cases negotiations lead to complete capitulation. No one is prepared at the moment to support one course of action for all situations. Furthermore, the denial of aid punishes the institution as a whole and, in particular, the students who have had no part in the disruption. The suspension of aid may well decrease the ability of the University to solve its problems and for this reason actually increase the possibility of disruption.

H.R. 10570, which sets up a Federal Education Mediation and Coordination Service, is not feasible, in our judgment. While we support the general concept of conciliation, we believe this concept can best be carried out within the institution. In addition, the fact that a minority of faculty or students could initiate action under this bill may well hinder the progress of negotiations already underway on the campus at a critical time. To the extent that outside mediation is needed we would prefer to see efforts arranged through one of our national associations, if possible, such as the National Association of Land Grant Universities or the American Council of Education. This allows the continued involvement of the Federal Government at the level of assistance to higher education rather than supervision.

I hope these comments are helpful to you in your discussions of these bills. If I can be of further assistance, please contact me.

Sincerely,

MALCOLM MOOS,
President.

THE UNIVERSITY OF WISCONSIN,
Madison, Wis., June 3, 1969.

Hon. JOHN BRADEMAS,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE BRADEMAS: We have given thoughtful study to the two proposals you sent us May 13—H.R. 10136 and H.R. 10570—and while we appreciate that both are prompted by the desire of their authors to aid educational institutions in their effort to solve the problems of campus disorders, we do not believe that Representative Green's proposal, H.R. 10570, will provide much help on this problem, and we are convinced that H.R. 10136 would exacerbate the situation on campuses across the country.

In fact, H.R. 10136 would be called an enabling act for the rebels who want to close down our institutions of higher education. It carries no penalties for them—only penalties for the institutions they attack. It is so loosely drawn that a professor, trying to carry on his class in the face of obstructive tactics—and thereby participating in a disorder—could lose any federal assistance he held.

However, even making the bill more precise would not diminish the handicap it could be to the Regents, administrators, faculties, and students who are seeking to operate institutions within the policy stated in Section 1(a) of Mrs. Green's Bill.

The problem we see in Mrs. Green's Bill, H.R. 10570, is its injection of another party into situations already complicated by the many forces at odds on our campuses. The students are not of one mind when violence or disruption occurs on a campus—there usually are at least three positions stoutly defended by student government. The same holds for the faculty, for the board of control, and for concerned groups not empowered by the Bill to call upon the proposed mediation service—the administration, the alumni, and in the case of public institutions, the Governor, the Legislature, and the citizens of the State. One of the least publicized but one of the greatest evils of student unrest is the amount of distraction from more productive pursuits it causes as various concerned groups demand attention to their points of view. The injection of a federal agency into this situation—even a mediation agency—cannot but multiply these distractions. Frankly, those of us with active campuses seldom have finished with the various investigations, rule-making, and recriminations growing out of one situation before we are plunged into another on a different issue with different groupings of participants.

There is a tactic commonly employed by disrupters on our campuses which H.R. 10570 would make more effective. This is the making of demands on officials or groups who are without the power to grant them: demand that the faculty sell the institution's Chase Manhattan stock; demand that the regents install a pass-fail system which the faculty has studied and rejected; demand that the administration retain an instructor a department has voted to drop.

While such tactics can lead to disruptions, no amount of conciliation between the parties involved can settle them—the demands must be referred to the groups or individuals with the power to act on them.

Mediation could be effective in the settlement of disputes between concern parties who have a desire for settlement. However, our own experience is that when there is desire to settle, we can work out settlement without the help of an outside mediator.

Cordially,

FRED HARVEY HARRINGTON,
President.

CENTRAL STATE UNIVERSITY,
Wilberforce, Ohio, June 3, 1969.

Hon. JOHN BRADEMAS,
Rayburn House Office Building,
Washington, D.C.

DEAR SIR: I appreciate the opportunity to comment briefly on the bills H.R. 10136 and H.R. 10570. The laudable aims of these two bills are recognized. My comments are as follows:

H.R. 10136:

This bill could ruin some schools desperately dependent upon Federal assistance. It might be less debilitating to the financially strong schools. The greatest danger is that a school might be forced to close which would be a most unfortunate loss to our society. Most schools have already strengthened their provisions for dealing with disruption. Our own regulations are enclosed.

H.R. 10570:

This bill might have the unfortunate effect of further polarizing the schools into battling, hostile factions. The university should be a unit and all the forces should be mobilized to aid and encourage unity. A formal mediation procedure ossifies an antagonism that is basically unfortunate.

Very truly yours,

HERMAN R. BRANSON,
President.

PICKER CORP.,
White Plains, N.Y., May 23, 1969.

JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: Thank you for asking my opinion about the proposals now before your Subcommittee. The problem of student unrest has been taking a large part of my time and attention. I was a member of the Conference which the American Academy of Arts & Sciences convened for this purpose. An issue of Daedalus will soon appear on this subject. I was also one of the fifteen members of the American Council on Education committee to study campus unrest, the reaction to it, and what steps the university might take. Our report was recently issued by the ACE Board of Governors. As a trustee of two universities and a member of the National Science Board, the turmoil at the universities have repeatedly come to my attention. Most recently the trustees of Colgate requested me to represent them at the final negotiations with the group of students from the Association of Black Collegians, whose protests had been recounted in the newspapers.

My contacts with college administration and faculty, as well as my direct involvement in these problems, have convinced me that there are no simple answers to the problem. Legislation probably is needed. However, even the finest legislation will have drawbacks, and many of the bills suggested might prove markedly detrimental. You ask me specifically about H.R. 10570 and H.R. 10136. Although, having the highest regard for Mrs. Green and knowing of her wise and deep knowledge of the field of education, her bill concerns me in that it may produce exactly the reaction we are trying to avoid. Many student disruptions may be intensified and prolonged because of the added recognition and publicity which the students will feel can be gained by having a Federal mediator or conciliator involved. The effect is not unlike that which many believe is already being produced by television and newspaper reporting of campus disturbances.

Undoubtedly H.R. 10136 would be supported by many college administrators on the theory that it allows them to retain the power and decision as to what shall be done in case of disruption. Because it would have their support, it may be a workable solution.

However, the phrase "appropriate corrective measures forthwith" seems to me to be so vague that I would be concerned that decisions would depend more on the personal prejudices of the judge than on the objective standards of a real rule of law which you gentlemen are desirous of producing.

Nonetheless, my belief now is that many colleges cannot set their house in order. Someone else must. My personal reaction is that we shall have to ask you to help to hasten the transition through which we are going. From medieval times onward there has been a large element of "sanctuary" in the colleges and universities. Even today members of the college communities feel that they, like the students at places such as Oxford and Cambridge, should not be subject to the normal civil law.

On the other hand, in recent years, we have seen the members of the academic community feel that their special position has not always provided them with all the freedom and opportunities that they would have were they outside of that community; and so, they have asked for the civil law to be applicable to them in only those cases where it is to their advantage to have it applied. Much of this arose from the move toward civil rights.

It is no longer possible with our present ideas to withhold all the benefits of the freedom provided by no rules other than civil law from students and faculty. However, it is no longer desirable to allow them their former "understood" exemption from the civil law. Therefore, I would urge, if new legislation is to be made, it contain the following:

1. No person is exempt from any civil law because he is a member of a university.

2. The civil courts and civil police forces are expected to take prompt action to enforce civil laws on campus especially in the event of university disturbances. Thus, they would automatically react to campus disturbances exactly as they would to any other disturbance within the United States.

3. Neither the students nor the faculty shall be subject to jeopardy by their institution's regulations which are more severe than the civil law.

4. If experience dictates, appropriate state and municipal authorities are directed to form riot control units capable of handling disruptive processes with the least possible force and bloodshed. (It appears that neither the National Guard nor most State or local

police are adequately competent to handle these disruptions effectively, yet with minimal force. It is my assumption that this is because they are being called upon to do a task for which they have not been specifically trained and indoctrinated.

5. As a corollary of the above, the Federal government will provide at least one-third of the training costs for any such special riot control contingents.

I know I have gone further than your question asking specifically about H.R. 10136 and H.R. 10570. However, the opportunity to utilize to the fullest your inquiry could not be resisted. I would be delighted to be of any further help which you believe possible.

Sincerely yours,

HARVEY PICKER.

WASHINGTON STATE UNIVERSITY,
Pullman, Wash., May 21, 1969.

Hon. JOHN BRADEMAS,
Rayburn House Office Building,
Washington, D.C.

MY DEAR MR. BRADEMAS: Thank you for inviting me to express my opinion on the bill to create a Federal Higher Education Mediation and Conciliation Service, and on the bill terminating assistance to universities where disorders occur.

I look with strong disfavor on both bills. The setting up of a Mediation and Conciliation Service to step in to a campus disruption where communication is badly needed between the administration, the faculty and the students would seem most inappropriate. This is not akin to the signing of a labor contract where once a conciliation agreement is signed, the matter is settled. This is an ongoing problem where a continuing effort must be made by the administration to establish a better rapport on campus, greater understanding and easier communication between the various elements that make up the university community. An outside Service stepping in could make this effort much more difficult.

The bill to terminate assistance to universities where disorders occur would remove federal support if such institutions fail to take *appropriate* corrective measures forthwith. What is an "appropriate corrective measure?" A court injunction may halt the disruption temporarily but it may be completely ineffective in preventing further violent demonstrations. The problem of a president in deciding what an appropriate measure to select is that he must face the immediate crisis, but in doing so he must anticipate what the immediate "appropriate measure" will lead to the following week and in the weeks to come. Will it worsen race relations on a permanent basis? Will it alienate a large body of students who will look upon their fellows as martyrs? What would appear at first glance to have been a highly appropriate measure for a president to take may prove to have been questionable in the long run. Under such circumstances, the punitive removal of federal assistance would appear to be highly undesirable. College and university presidents have learned in many cases that what they thought were appropriate measures have been ineffective. I believe that now, under siege, they are turning to sterner solutions. But let us not penalize them financially through their institutions for a solution which did not produce the hoped for result.

Sincerely,

MRS. HENRY B. OWEN.

THE UNIVERSITY OF CHICAGO, THE DIVISION OF THE SOCIAL SCIENCES,
Chicago, Ill., May 7, 1969.

Congressman JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR JOHN: I have your note of May 1st and appreciate your sending me HR 10570 together with Mrs. Green's remarks in the Record of April 24th.

Incidentally, as I think you know, I am Chairman of the Advisory Editorial Board of the College and University Reports published by Commerce Clearing House and, at my suggestion, HR 10570 was sent to all subscribers as CCH Special 91–7 in order to encouarge reactions from various institutions if they were so minded.

On a kind of a preliminary basis a number of questions occur to me. All of us, I think, can understand and sympathize with Mrs. Green's concern that, "I think it should be made abundantly clear that I do not encourage federal interference in the internal policies of our institutions of higher education." If you review the circumstances of the most prominent disruptions, i.e., university academic and accommodation arrangements with ROTC—Harvard, Dartmouth, etc.; university academic and accommodation arrangements as to classified research—Stanford; and university faculty appointment and curriculum procedures, particularly as related to black studies—Harvard, City College New York, or, on a more generalized basis the University of Chicago, you are discussing internal policies.

Mediation in labor disputes, as the Ross paper points out, presupposes the existence of two parties, i.e., the employer and the labor union, each of whom are entities capable of contract. As a matter of fact, the federal labor policy endeavors to encourage this situation by procedures leading to the certification of a recognized bargaining agent. I am not at all sure that this parallel exists, or would be viewed as desirable, in student-university relations. Lacking this assumption, the mediation premise may be neither applicable nor effective.

Hope to see you soon.

Sincerely,

JULIAN H. LEVI.

THE UNIVERSITY OF MICHIGAN,
Ann Arbor, May 26, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
U.S. House of Representatives,
Rayburn House Office Building,
Washington, D.C.

GENTLEMEN: Your letter of May 13 to President Fleming, concerning the study of problems of student unrest, arrived after Mr. Fleming had left the United States for a brief period to carry out some assignments in the Middle East.

President Fleming's views on the proposed Federal Higher Education Mediation and Conciliation Service have been set forth in a letter to Chairman Green, dated April 21. I am enclosing a copy of that letter.

You have also asked for comments concerning the bill which would terminate assistance to universities where disorders occur. While we have been fortunate enough to avoid disorders at The University of Michigan, we strongly oppose this approach for the reason that it could severely damage an entire institution, and handicap literally thousands of students, because of misbehavior on the part of only a few. Furthermore, considering the fact that many hundreds of institutions would be affected, we do not think that the Commissioner of Education, as a practical matter, would be in a position to make an accurate judgment as to whether administrative officials had taken appropriate corrective measures, and whether disorders were likely to recur.

Sincerely yours,

ARTHUR M. ROSS.

THE UNIVERSITY OF MICHIGAN,
Ann Arbor, April 21, 1969.

HON. EDITH GREEN,
Chairman, Special Subcommittee on Education, Rayburn House Office Building,
Washington, D.C.

DEAR MRS. GREEN: Russell Trackrey has asked me to respond to your inquiry about the proposed Federal Mediation and Conciliation Service in Higher Education. He has indicated that I am Chairman of an NASULGC Committee on Student-Faculty-Administrative Relationships, and I am referring the matter to the members of that Committee. Since this will take some time, I am responding in my individual capacity. I do not know whether my colleagues would concur with me.

So that you will know the background from which I speak, may I say something about my familiarity with the field of conciliation and mediation. I have held a faculty appointment in the universities of Wisconsin, Illinois and Michigan for twenty-two years. During that period I have been Director of an Industrial Relations Center, Director of an Institute of Labor and Industrial Relations, Professor of Labor Law, Chancellor, and President of one or the other of the institutions named. During all of this period I have also arbitrated and/or mediated hundreds of labor cases. I am and have been on the panel of the Federal Mediation and Conciliation Service, and the American Arbitration Association. I have heard cases all over the United States and in almost every conceivable industry. I have been President of the National Academy of Arbitrators, which is the professional association of arbitrators. I have consulted with innumerable companies and unions. I have written widely in the field of industrial relations, and lectured and studied in various of the Western European countries. I still retain membership on the Atomic Energy Commission's Labor-Management Panel, and membership on the UAW's Public Review Board (to review grievances of union members against the union). I have been Chairman or a member of several Presidentially-appointed Emergency Boards under the Taft-Hartley Act.

I say all of this only to make the point that I am thoroughly familiar with the mediation process and thoroughly committed to it. I have, as the President of a great University, no fear of outside mediators. I can see at least two advantages that might flow from the availability of a Federal Mediation and Conciliation Service in Higher Education. One is that insofar as some of us are unduly sensitive about what would be called in industry our "management prerogatives," outside mediators might be helpful in reassuring us that control of our institutions will not be lost simply because authority is shared in various ways. Certainly this is the history of mediation in the field of labor-management relations. The other is that an outside agency might in some cases offer frustrated students help in opening up channels of communication within the institution, and it might also reassure the public that rational discourse was taking place even though distasteful things were happening on campus.

Having said this, and having indicated my favorable attitude toward mediation as a process, I must nevertheless say that I have serious reservations about whether the Federal Mediation and Conciliation Service in Higher Education will help in resolving the problems which bother your committee. I say this for the following reasons:

1. Many current campus disturbances resolve around black students. In the past year or two I have explored with black students and black adults the possibilities of mediation in helping to resolve their problems. They tend to be hostile to the idea. Their theory, which is not without merit, is that mediation simply means compromising their claim to full citizenship in a society which professes to offer them equality, but does not in fact do so. There is every likelihood that the black population will reject the mediation concept.

2. Unlike labor disputes, campus disorders are often characterized by a lack of any leadership which is capable of bargaining. SDS, for instance, takes pride in a kind of rotating bureaucracy which is dependent, at any moment in time, on a vote of all persons

who happen to be involved. Mediation is not very effective when there is no leadership which has the power to control its members.

3. Most universities can deal, with some degree of success, with disputes which do not involve physical force or seizure of property. In the face of such tactics an industry might very well simply close down until economic pressure forced workers who seized a plant to engage in a rational discussion. A university cannot so easily close down, and in any event those who are participating in the illegal act often constitute only a very small number of the total student body. Typically those who engage in such extreme tactics are not interested in mediation and in fact label their demands nonnegotiable. Mediation is successful only when both parties genuinely want an agreement, and in the case of the extremist tactics which bother your committee it is, sad to say, an error to assume that rational discourse or agreement is wanted.

4. Timing, in connection with the establishment of such a service, would be a real problem. Trained personnel, unless borrowed from the labor field, are not readily available. Many academic people who know the labor field, and who also know universities, might be retained on an *ad hoc* basis, but would be unlikely to accept full-time appointments. I have trouble envisioning a service available in less than a year from now. Moreover, the extremist tactics which so exaggerate the whole problem, are typically spontaneous and have to be dealt with rather quickly, often before such a service could be of value.

One final comment. Despite my reservations about the usefulness of a Federal Mediation and Conciliation Service in Higher Education, if there is real support for it I should like to propose changes in language in certain sections of the act which would make it more realistic in its application to the academic world. I believe I can do this from the standpoint of one who knows both the world of mediation and the university.

I am conscious of the urgent desire of your committee to be helpful to the academic world in its hour of travail, and I do not like to be critical without trying also to be helpful. If I can, as an individual, or jointly with others from the university world, be of help to you in further considering this or other legislation, I shall be glad to do so.

Sincerely,

R. W. FLEMING.

INDUSTRIAL JURISPRUDENCE AND THE CAMPUS

(By Arthur M. Ross)

In requesting me to to speak on this topic, the managers of the conference appear to be assuming that arbitration experience provides useful training for handling student unrest.

It is not difficult to understand why the proposition might appear plausible. A good case in point is the distinguished President Emeritus of the Academy, Dr. Robben W. Fleming, who now serves as the chief executive officer at the University of Michigan. Dr. Fleming was planning to be with us at the Broadmoor today, but has been deterred by a series of recent developments. These include a budget recommendation even more inadequate than usual, requiring an urgent summit meeting with Governor Milliken; a threat of coercive tactics by student radicals who oppose language requirements for the B.A. degree; a rent strike in Ann Arbor being conducted by another student group; a presentation of Greek tragedy performed by a New York theatre company, including two scenes played entirely in the nude; and a resolution by the State Senate to investigate what is going on at college and university campuses. Individually these developments are not too alarming, but collectively they inflated the presidential workload to such an extent that Dr. Fleming asked me to convey his regrets and apologies.

A number of other Academy members have assumed administrative responsibilities in higher education. Arbitrator Archibald Cox, himself abstaining from the fray, has authoritatively chronicled the trauma on Morningside Heights. Arbitrator Ron Haughton was imported from Detroit to mediate the struggle on the campus of San Francisco State College, where members of the Northern California chapter feared to tread. Arbitrator John McConnell has been President of the University of New Hampshire for the better part of a decade, but his extensive arbitration experience seems to have been wasted, for not a single newsworthy sit-in, strike, seizure or other confrontation has occurred at that institution.

In some ways the arbitrator's suitability for top positions in higher education is quite evident. His rabbity countenance, furtive expression and apologetic manner provide ideal camouflage for the commander in chief of a complex organization whose warring factions are united only on total rejection of his authority. For ceremonial dinners which occupy most of his evenings, he has the useful talent of appearing awake while actually asleep, shielding his eyes with his hand as if engaged in profound thought. If he has ever served on a railroad emergency board, he is prepared to survive committee meetings so inordinately protracted, repetitious and stupifying as to drive any normal man into the waiting arms of a straitjacket. Clearly the arbitrator's background is *relevant*, to use a word itself charged with extraordinary relevance.

Perhaps the case could rest here, but it may be instructive to explore the matter somewhat more deeply. The reason is that, however good or bad the analogy between labor problems and student problems, a comparative analysis can be helpful in understanding both. I will discuss various aspects of student relations from this standpoint.*

WORKERS AND STUDENTS COMPARED

To begin with, consider the similarities and dissimilarities between the industrial situation and the campus situation. Although there are some comparable features, the differences are considerably more impressive. While the analogy is superficially attractive, it is apt to be mischievous and misleading if taken too seriously.

The employees of an establishment or industry are a fairly stable group unless the turnover rate be unusually high. Students, in contrast, come and go with bewildering rapidity, except for a few perpetual graduate students; so that a generation of students must be reckoned as three or four years rather than thirty or forty.

Workers grow older, have children, move to the suburbs and settle deeper into their grooves or ruts. As society grows more affluent, workers have an increasingly conservative posture. Students, on the other hand, come to the university in the most rootless and tumultuous phase of their lives. Typically they have outgrown the families of their childhood but have not yet established the families of their adulthood. The more promising the student, the more his ideas and values are in ferment. A student body, in consequence, is a self-renewing whirlpool of energy, idealism, confusion and discontent. If the industrial worker is a blue-collar conservative, the student is a turtle-necked radical.

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*The question of student participation in decision making is obviously related to student unrest. This question is so large and complicated in its own right that it was impractical to deal with it. Suffice it to say that students can participate legitimately and constructively in the government of the academic community.

LABOR ISSUES AND CAMPUS ISSUES

Labor-management problems are generally conventional and predictable, being rooted in identifiable economic interests. The subject matter of student protest, on the other hand, is variable and unpredictable. Some issues are capable of being handled by the university as it is, e.g. visitation rules in student residences, language requirements in the literary school, courses in African history. Others would require a basic change in the character of the institution: For example, a demand that the univesity admit all black applicants, or devote itself mainly to direct social action in the urban crisis. Still other issues, such as Vietnam or selective service, are entirely beyond the power of the university. Where student protest has become institutionalized as an established part of the scene, it will float from crisis to crisis in a kind of moving disequilibrum.

Most union members are glad to play a passive and acquiescent role if the union leaders deliver sufficient bacon with sufficient frequency. The student activist, on the other hand, demands authentic personal involvement. Direct participation is more important than results. The activist has little patience with organizatioanl discipline; he does not want leaders to fight his battles; his view of conflict is existential rather than instrumental.

Thus there is no vested student leadership with whom university administrators can deal in the way that employers deal with established union officials. On an activist campus one sees a fleeting progression of evanescent Societies, Committees, Councils and "Movements," with a rapidly changing cast of characters. The existence of a few aging veterans in the national SDS, such as Mark Rudd and Tom Hayden, does not change this situation in any significant way. Under these circumstances, student relations do not lend themselves to the stable, oligarchical and bureaucratic equilibrium which is characteristic of so-called "mature" labor-management relations.

Finally, there are crucial differences in the structure of disputes in industry and on the campus. Normally the industrial dispute has two parties, an employer and a union. This structural simplicity, combined with familiar business motives and predictable reactions, accounts for the fact that most labor contracts are negotiated without strikes and most strikes lead to a well-defined settlement.

There are exceptional cases, it is true, where the bargaining situation is more complicated. Perhaps the union is unable to control the rank and file membership, so that there are three "parties" rather than two; perhaps there are factional rivalries inside the same union, or between unions in the same industry; perhaps various industry groups in a multi-employer situation have conflicting interests. It is significant that in all these cases, settlements are more difficult to make and more unstable once achieved.

In contrast with the simple structure of most industrial disputes, let us examine the anatomy of the so-called Free Speech controversy at Berkeley during 1964–65. I select this one to illustrate a campus-wide issue of crisis proportions for the reason that I know it best, having been Chairman of the Berkeley faculty's Emergency Executive Committee.

Directly involved were four sets of participants—the Administration, the Regents, the faculty and the students, each with important sub-groups. There were severe problems of jurisdiction and communication between campus and state-wide levels of administration. The Regents were badly split on the basis of political party as well as geographical region, age and ideology. The Berkeley faculty, in its natural state, was greatly

fragmented, as is generally the case in large universities; but the faculty was able to achieve substantial unity for the better part of a year. As for the students, I can describe them best as a family of concentric circles. The outer ring consisted of apathetic or unsympathetic students. Next came the sympathizers, a large group indeed when the Free Speech Movement was in its heyday. They did not belong to organizations and participated only at the huge mass meetings; but they could feel identification, excitement and vicarious purpose. Closer in was a more active element with civil rights experience in San Francisco, Oakland or the Deep South; and even closer were the members of political or social-action groups ranging from Young Republicans to the DuBois Club, but heavily weighted on the left. At the center, of course, was the FSM Steering Committee, headed by Savio and other leading figures, but even this was hardly a unified command. For if they could trust no one over thirty, neither could they trust anyone under thirty, not even each other.

The strategic possibilities and limitations in this situation seemed quite evident. First, it was important to have discussions with the protest leaders, but impractical to negotiate in the formal sense. Second, it was essential to establish defensible policies on "free speech" and student political activity, but unlikely that the Savio group would be satisfied, since they had embraced protest as a way of life. Third, the real negotiations must be centered on the Regents, the purpose being to establish conditions under which academic order could be restored. The faculty and most students must feel that acceptable policies had been adopted, and the destructive group must be isolated. The strategy was successful enough, and the Free Speech crisis simmered down in the Spring of 1965. But almost immediately came a sharp escalation of the Vietnam War, so that the calm between storms was short-lived indeed.

DOES ONE "BARGAIN" WITH STUDENTS?

Next, are the concepts and procedures of collective bargaining applicable in relations between a university and its students? Is there anything analogous to a bargaining relationship as we know the terms in its industrial context?

Workers are represented by bargaining agents, who enjoy the right of exclusive representation for any bargaining unit on the basis of majority rule. Who bargains for the students on a campus? It might be supposed that the official student body organizations, e.g. the Student Government Council at The University of Michigan, could serve as exclusive representative, but this is most unlikely. The concerns of activist students are too diverse, and their desire for direct involvement too powerful. At a reasonably active campus today, you will find perhaps half a dozen protest issues being pushed by an equal number of student organizations. They will profess to represent students in general but their actual constituencies are vague and ill-defined. The black students may constitute an exception, as a well-defined sub-group having a common outlook and internal discipline and claiming to represent themselves rather than students as a whole.

In labor relations, the process of negotiation results in a collective bargaining agreement. The essence of the bargaining agreement is its bilateral character. While the employer guarantees stipulated conditions of work for a specified period, the union underwrites that the employees will accept these conditions. As a result of this bilateral commitment, it is assumed that industrial relations will be stabilized, and industrial peace maintained, for the duration of the contract.

Academic administrators obviously do make "agreements" in the sense of promising to follow a certain course of action or policy, and of course they ought to keep their promises. Missing, however, is the bilateralism of the collective bargaining agreement. Student protestors, even the officers of recognized student organizations, are not in a position to commit other students, other organizations, or students and organizations yet to come. This is the reason why written agreements are not of much significance. Suppose the students sign an agreement. Nothing prevents other students from brushing it aside on the ground that the signatures were not really representative.

Some of the undertakings between a university and the official student government do have a contractual character, permitting them to be set forth as bilateral agreements. The same is true of relations with student newspapers and other continuing entities with definable rights and interests. The more difficult issues of student protest, however, fall outside these orbits.

If collective agreements are not directly transferable to the campus, how about grievance procedures? Reading the history of American education, one is impressed by the extent of paternalism, absolutism and capriciousness in the treatment of students. The current emphasis on fairness, respect and consideration is well nigh revolutionary. Today the attitudes of professors and administrators tend to be somewhat polarized at both extremes; for if some remain authoritarian, others have become apologetic, overindulgent and sentimental toward those whom they call "the kids"—and even 26 year old graduate students with wives and beards are called "the kids."

Undoubtedly most students, professors and administrators have a balance view, recognizing that rights go along with responsibilities and that if much is given, much should be expected. Still, so many decisions affecting individual students have to be made on a large campus that inevitably some of them are going to be unfair. This is doubly certain when computers are linked with humans in the decision process. If you have fought your unequal struggle with computers of telephone companies, department stores and book clubs, you will understand why students are apprehensive about the wondrous possibilities of "management science."

Individual students, therefore, should have avenues of complaint and appeal. Academic grievance procedures do not have to be as elaborate and complicated as those to which we are accustomed in industry, however. Difficult questions of contractual interpretation are not involved. The student thinks he is being treated arbitrarily and that the result does not make sense. What he wants most of all is that somebody look sympathetically at his individual problem and that corrective action be possible if the complaint does have merit.

Under the present circumstances, therefore, one level of appeal should suffice, and procedures can be informal and flexible. Probably it does not matter too much if the *ombudsman* is a senior faculty member, an Assistant Dean, a mature graduate student or some combination of these elements. The important thing is that the student be recognized as an individual and that his complaint be dealt with.

It can be expected that the faculty, who make most of the decisions which affect students directly, will resist any review of their actions much as policemen resist a Police Review Board of civilians. A faculty member is entitled to a presumption of regularity, because it is difficult for a third party to review an academic decision on its results. In a reviewing capacity I would want to satisfy myself that the decision was made carefully, rationally and fair-mindedly. If these requirements were satisfied, it would be difficult and perhaps unsound to make an exhaustive review of the merits.

I turn now to rules of student conduct and disciplinary procedures, concerning which there has been great controversy in recent years. Actually there are several disciplinary systems on a large campus. Violations of dormitory rules are handled by the housing group, cases of cheating are dealt with by the faculty, and other individual offenses such as stealing, intoxication, etc., by the deans. These traditional behavior problems are not too difficult so long as the institution moves quickly enough to shed itself of the *in loco parentis* function where it is no longer tenable.

Violations of law should be dealt with by the civil authorities. Clearly the university campus is not a privileged sanctuary where laws can be violated with immunity.

The bulk of the controversy over student conduct has centered on deliberate challenges to administrative authority and on coercive or disruptive tactics. There have been numerous attempts to negotiate detailed rules and regulations in this area, and on the whole they have not been very successful. If activist students themselves are pulled into the negotiations, the rule-making process itself can become a dangerous area of the conflict. If students are represented by so-called moderates, the activists will disown them and endeavor to undercut them. Anyhow, in today's atmosphere there is virtually no likelihood that students can be persuaded to join with their elders in writing effective rules to restrain the behavior of other students.

Despite all the talk about student-faculty groups writing the rules, or student judicial bodies enforcing the rules, the truth is that in this truly controversial area of discipline, administrators often have to proceed without much direct assistance. To have the support of the academic community is essential; but to expect students and faculty members to do the work may not be practical.

Is it desirable to have an elaborate set of rules governing protest activity? This can lead to endless disputation over trivial details, and imaginative attempts to test the rules at their margins. In the field of industrial discipline, we have seen that a simple "just cause" approach is a satisfactory basis for the regulation of conduct. Likewise, where student protest activity is concerned, perhaps it will suffice to characterize the central purposes of the university; describe the kind of environment which is essential; list the principal activities and functions which carry out the institutional purposes; and make it plain that substantial interference or disruption will not be tolerated.

When severe disciplinary penalties such as expulsion are being considered, students are entitled to receive due process and the law will protect that right. It is not necessary to simulate the courts of criminal justice, but a student should have notice of the charges, should be confronted with the evidence against him, and should have an opportunity to defend himself.

There are many ways in which the judicial function can be performed. It can be assigned to a student judiciary, to student-faculty courts, to a faculty committee, or to the deans and faculties of the major academic units on the campus. Faculty hearing officers can be used, and their findings and recommendations can be reviewed by administrative officers. As already noted, however, it is unlikely that students will be willing to judge other students. Extremely controversial cases can cause deep splits in the faculty, and faculty members will not devote a great deal of time to this kind of service. Moreover, a series of deliberate confrontations, marked by coercive and disruptive tactics, may lead to a crisis of such proportions that it can be handled only by the top administrators of the institution in consultation with the governing board.

If it is difficult to generalize concerning judicial procedures, it is quite impossible to

make categorical statements about the ultimate sanction of calling in the police. To determine whether this dreadful expedient must be employed is the most exacting test of administrative judgment.

DEALING WITH STUDENT PROTEST

While the formal concepts and procedures of industrial relations have only limited validity on the campus, this is only part of the story. Some of the insights which are developed in the study and practice of industrial relations are quite indispensable in handling student conflict. Obviously arbitrators and mediators do not have a monopoly of these insights, since the great majority of successful university administrators do their work without benefit of industrial disputes experience. There are interesting elements in common, however.

I can make this point by describing some of the tactical and philosophical requisites for dealing with the type of student protest which most seriously threatens the stability of the university campus today.

1. As I have noted, many students are in a period of rapid personal change, as they experiment with various styles of life. It is important that they have a chance to find themselves before it is taken for granted that they are hard-core anarchists. This calls for unusual patience and a willingness to let issues remain unresolved so long as the campus environment remains viable. It is like dealing with the inexperienced leadership of a newly organized union. To insist that they be reasonable and businesslike is to rob them of important learning experiences.

2. Student protesters are inclined to talk big, make reckless threats, and paint themselves into a corner. They frequently need help of the type which mediators provide in labor disputes. They may need to know how the university will react if the threats are carried out, and how the scenario will unfold from one scene to another. They may need to be shown how to crawl off the limb if they desire. Perhaps the students will not listen, or will be completely rigid, but this should not be taken for granted in advance. If employers and labor leaders often need to be protected against their own awkward strategies, how much more is this true of students who wish to be regarded as adults but are not yet very mature?

3. A prime requisite is not to be afraid of students, no matter how menacing their vocabulary, no matter how curious their decor. Many academic dignitaries have lived their lives amidst exaggerated politeness and deference. In the face of hostility and disrespect they splutter impotently, lose their capacity to think and are apt to commit the most egregious mistakes. Student protesters should know that the administrators are not frightened, are willing to talk with them, and are capable of outwitting them if necessary. If you have dealth with the International Brotherhood of Teamsters, for example, or the Seafarers International Union, you are not likely to be overrawed by the SDS crowd or the Black Students Union on your campus.

4. The kind of skeptical detachment which develops in arbitration practice is also most helpful to the university administrator. The faculty must be accorded full respect without going overboard for the "community of scholars" mystique. The whole enterprise centers on the intellectual life of the faculty, yet they are entirely capable or narrow and conservative professionalism. If it is essential not to regard students as alien enemies because they infuriate alumni and legislators, it is equally essential not to grovel before students on the ground that they are "telling it like it is" and exposing the corruption of society.

5. Despite the importance of tactical sophistication, university administrators must try to do the right thing. This is not as silly as it sounds because even if one knows what is right, there is always the danger of getting boxed in so that the right thing cannot be done without losing face or yielding to force. This poses the familiar requirement of keeping one's options open and retaining fluidity of action.

6. Even when administrators do the right thing, there may well be a small but resourceful group of hostile, destructive students (or students plus non-students) to cope with. In this situation there are two absolute necessities. The first is to have the support of most faculty members. The second is to isolate the hard-core group from the rest of the students to the maximum extent. This is why instant police action and mass expulsion of disrupters is not so practical as it often appears to editorial writers and politicians.

Of course there are circumstances when the police must be called, and of course the university must be prepared to expel incorrigible students. But these measures will not really succeed unless the academic community as a whole is willing to accept them. This means that if a campus is badly split and has a weak sense of community, the administration may find it difficult or impossible to restore academic order when challenged by destructive forces. The tragic situation at San Francisco State is a case in point.

7. It would be easy for university administrators to yield to outside pressures, particularly when some of the complaints have merit, but what does this accomplish if it merely alienates the internal community? Likewise, it is easy to let the level of conflict on a campus escalate, but extremely difficult to deescalate. Institutionalized conflict provides an environment in which the most obsessed and self-centered of the students, faculty members, politicians and editorial writers come together at the front of the stage. Although they fight each other, they are really kindred spirits, like the generals of opposing armies. Together they can initiate a long night of tiresomeness for everyone else.

Thus the crucial task of the academic administrator is to maintain a strong sense of community while cultivating mutual understanding between the university and its outside constituencies. There is nothing so fragile as the sense of community; nothing so difficult to repair once it is shattered; but nothing so indispensable to the educational process.

MOTION PICTURE ASSOCIATION OF AMERICA, INC.,
New York, N.Y., May 26, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

GENTLEMEN: Your letter of May 13 about bills being presently considered in the House Education and Labor Committee, has just been forwarded on to me by the University. I appreciate the opportunity to comment on the bills as well as upon other ways in which the Federal Government might be helpful in meeting the special problems faced by the universities.

Basically, my judgment is that the most important thing to be done by the Federal Government is to continue and expand financial support of higher education throughout the country. The most crucial need of educational institutions is to have the means to increase enrollment and educational opportunities for young people.

Much of the contemporary campus tumult is caused by the inability of the colleges and universities to meet the educational needs and ambitions of young people. And much of our inability to do so comes from a shortage of financial and educational resources.

Certainly colleges and universities have grave shortcomings. No one knows this better than those who are running them. But most of the shortcomings are ones which must be solved by the institutions themselves, given the kind of financial support and continuing faith of the nation.

I am personally convinced that most of the colleges and universities will find th means of coping effectively with the disturbances and disruptions on their campuses. The greatest contribution that can be made by the Federal Government is a reaffirmation of its belief that American colleges and universities can solve their own problems of discipline and order, and to back up that affirmation with continued moral and financial support.

Most colleges and universities are moving promptly to adjust their organizational structure and their techniques of internal government to meet the new and different situation in which they find themselves.

At first, many institutions were obviously unprepared for what happened and the shock of the unusual made it difficult to respond quickly.

Universities too must take care that in reestablishing order and comity, they do not endanger the freedoms of teaching and learning on which our educational life has been nourished.

My own University, Pennsylvania State, has had periods of tumult recently but the conduct of classes and the educational process has not been significantly interrupted. This is true on our University Park campus of 25,000 students, and of the several Commonwealth campuses throughout the state where more than 12,000 students are in full time enrollment.

Extensive involvement of students in the academic governing bodies of the University has been proceeding rapidly. A new experimental Office for Student Discussion has been set up on the advice of Mr. Theodore Kheel, known for his work in the field of labor-management mediation. It is too soon to judge the effectiveness of this office but the first indications look favorable.

This and other devices which may be set up at other colleges and universities can provide effective machinery for communication between students, faculty, administration and trustees. Each institution will find its best answer. Such an approach, by the responsible people at each school, I strongly believe, is far better than the intervention of state or Federal governments.

I believe most urgently that we should avoid any devices, either by government or individual institutions, which encourage the polarization of the university communities into organized or unionized groups dealing with each other as if engaged in collective bargaining.

If a special mediation service were set up by the Federal Government it could offer strong incentives for various groups on campuses, students and others, to organize themselves specifically for the purpose of drawing in Federal intervention. Strikes and other devices of labor-management bargaining could well be encouraged by the existence of a mediation service that would enable campus elements to go over the heads of university administrations.

I have personally had some considerable experience in labor-management relations and I think highly of the effective work of the Federal Mediation Service. I doubt, however, that it can effectively be utilized in the field of higher education.

In the light of these considerations I would strongly urge Congress not to pass legislation setting up special arrangements for Federal intervention for campus disputes.

Various proposals which have been made for withdrawal of Federal support in cases where educational institutions appear not to have acted effectively in dealing with campus disorders, would in my judgment place a new and very powerful club in the hands of those

who do seek to disrupt colleges and universities. The threat of withdrawal of Federal funds could force faculty and educational administrators to yield to pressures they would otherwise appropriately resist.

For your information, I have been a member of the Board of Trustees of Pennsylvania State University since 1953. I am a member of the Executive Committee of the Board and Chairman of its Committee on Instruction.

I hope these comments will be helpful to you in your consideration of impending legislation.

Sincerely,

RALPH HETZEL.

MADISON, WIS.,
May 26, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN REID,
Subcommittee on Education, House of Representatives, Washington, D.C.:

Although I have been a mediator in labor disputes I strongly oppose the proposed Federal mediation service for higher education, bill H.R. 10570. The constant intrusion of third parties could add greatly to the confusion and difficulties that now exist. A scheme to provide information about issues and their resolution on the various campuses might be very useful.

EDWIN YOUNG,
Chancellor, University of Wisconsin.

CLAREMONT, CALIF.,
May 22, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.:

Believe Federal mediation service for campus unrest would be serious mistake, leading to formal power alignment between students and administration with faculty in between. Constructive participation of students in universities governments should and can come thru firm patient and optimistic leadership.

LEWIS T. BENEZET,
President, Claremont University Center.

ARIZONA STATE UNIVERSITY,
Temple, Ariz., May 19, 1969.

Hon. JOHN BRADEMAS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: This will acknowledge receipt of your letter of May 13, 1969.

The two matters outlined therein, on which your special subcommittee is presently holding hearings, are receiving the attention of the National Association of State Universities and Land-Grant Colleges.

Since national policy is involved, and since Arizona State University is an active member of that Association, I should like to be associated with the general positions which will undoubtedly be presented before this subcommittee by the Association.

Sincerely yours,

G. HOMER DURHAM,
President.

NORTHWESTERN UNIVERSITY
SCHOOL OF LAW,
Chicago, Ill., May 23, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR SIR: I am replying to your letter of May 13 from Congressman Reid and yourself with reference to H.R. 10136 and H.R. 10570. I am opposed to both bills.

I have no objection to a bill directing the withdrawal of Federal financial assistance to college and university students engaged in disruptive practices, but it seems to me a mistake to invest the Commissioner of Education with authority to suspend Federal financial assistance to an institution of higher education which fails, in the judgment of the Commissioner, to take "appropriate corrective measures." In my judgment, this delegation of authority is much too broad.

I am opposed to H.R. 10570 because I believe that it intrudes Federal mediation into an area which would much better be left to the states if there is to be mediation by a government agency at all and because I think Federal mediation would be ineffective as a practical matter.

Sincerely,

JOHN RITCHIE,
Dean.

STANFORD UNIVERSITY,
Stanford, Calif., May 27, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMEN BRADEMAS AND REID: Thank you for the invitation that you extended to me to express my views on two proposals now before the Special Subcommittee on Education. Your efforts to consult with educational institutions in finding ways to help us cope with student unrest are appreciated.

Much attention has been given to the proposals you presented. My belief is that the first bill, proposing a Federal Higher Education Mediation and Conciliation Service, would offer little real help in our dealings with students. The bulk of students are responsive to reasonable arguments; the few militants cannot be dissuaded short of complete capitulation. With our present procedures and communications, I think we can work with the moderate students. In dealing with the militants, we have had this spring to rely upon internal and external sanctions that have the approval of the majority of the campus community.

The bill terminating assistance to universities where disorders occur would be a tragic mistake, in my judgment. The institution as a whole would be penalized for the excesses of a few, which is precisely what the minority wishes. Like the federal government, universities are not structured for swift administrative action, for campus authority is divided for protection from political interference. While one group may immediately perceive a danger, that danger is not always as quickly apparent to others, and we must patiently pave the way for broadly endorsed sanctions as a result. To demand prompt, unilateral action before this process takes place would be to polarize positions, throw support to the militants, and interfere with the good work that the vast majority of faculty and students are quietly pursuing while others are demonstrating.

I believe that American universities are acquiring the procedures and skills with which to handle campus disruptions, who slowly to suit some, but with an increasing effectiveness. I hope that the Congress will not adopt punitive legislation that can erase our gains and damage an educational system that is still making vital contributions to the national well being.

With best wishes.

Yours very sincerely,

K. S. PITZER.

COLORADO STATE COLLEGE,
Greely, Colo., May 20, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
Rayburn House Office Building,
Washington, D.C.

GENTLEMEN: This is in response to your request for a reaction to two bills. My reactions are more or less off the top of my head, but here they are for what they may be worth to you.

Upon hearing about the bill creating a Federal Higher Education Mediation and Conciliation Service, my first reaction was negative. As I now read the bill and understand its intent, I think it is worth your careful study, including hearings. I am not cognizant of all the issues. I do fear that the mere existence of such a service may cause more need for conciliation than would be the case without it.

I really would be interested in understanding more of the implications of the proposal.

In regard to the bill terminating assistance to universities where disorders occur, may I say that I can't get too excited about it in practical terms because we do not intend to permit any kind of nonsense on this campus. I believe we should be very careful about the possibility of the law's becoming a vehicle to be used by those wishing to cut down institutions of higher education.

I have a campus perspective on these things. The situation is under control on our campus; we do not feel the same pressures that you feel. We do deplore the outrageous activities on some campuses, and understand that each situation is unique. Certain campuses can be chosen and when they are chosen, life for the president and the administration becomes extremely complex.

I am satisfied that the hearing procedures which your committee uses will bring about a full picture of the problems confronting us, and that your subsequent actions will be wise.

Sincerely,

DARRELL HOLMES,
President.

COLUMBIA UNIVERSITY,
New York, N.Y., May 26, 1969.

Hon. JOHN BRADEMAS,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: Absence from my office has held up my reply to your interesting letter of May thirteenth. I apologize for the unavoidable delay and I hope that my comments, even though late in arriving, may be of some use to you in considering the vexing problems with which these two bills are concerned.

Let me turn, first of all, to the Kuykendall bill (H.R. 10136). I can understand fully the sentiments which have inspired it. It is difficult to contemplate without indignation the turmoil into which our colleges and universities have been wilfully thrown by a small minority of radical students impelled far more by a desire for disruption and destruction than by any yearning for intramural reform except insofar as that reform might help to "politicalize" the institution and transform it into an instrumentality of social revolution. By these infamous tactics the vast majority of our students have had their studies disrupted, in some cases to such an extent that the institution has been obliged virtually to cease its normal teaching and research operations. These serious students, who are in the great majority everywhere, need to have their rights protected.

Unfortunately, a college or university is not well equipped to deal promptly and effectively with such violent disruptions through its own resources. Its long-standing, basic philosophy is that of the assumed primacy of rational discourse on all matters. When this principle is openly disregarded the institution is confronted, therefore, with the alternative of capitulation or of calling upon outside forces to restore order. If it capitulates, its whole structure of authority is seriously eroded for the future. If it calls in the police, the emotional shock to the academic community has a radicalizing effect on many moderate students and faculty—which is precisely the result sought by the troublemakers.

My own choice between these alternatives is well-known and I need not elaborate it here. Suffice it to say, that my only regret is that a variety of circumstances, substantially beyond my control, made it impossible

for me last year to call upon outside aid as quickly as I wished.

The problem before us is whether college and university authorities would be aided, in their efforts to maintain or restore order, by a federal law which would withdraw federal financial aid from the institution if it failed to take "appropriate corrective measures", and would withdraw fellowships and research grants from all members of the teaching staff who had taken part in the disruptive activities.

As much as I am in emotional sympathy with those who are outraged by the indecisiveness of some faculties and academic administrators and by the open support given to the radicals by some faculty members, I do not believe that this proposed legislation would be either desirable or effective.

First of all, I doubt if this proposed law could be administered effectively or equitably. For example, what would be the extent of a "substantial disruption" sufficient to cause the invocation of the law? Any illegal occupancy of a building, or even a "sit-in", could be so regarded since it does disrupt to some extent the normal operations of the institution. Would it be necessary, on the contrary, for an institution to close down most or all of its operations before the disruption would be regarded as "substantial"?

Second, the proposed governmental sanctions, in the event of "substantial disruption", would become operative only if the institutional administrators had failed "to take appropriate corrective measures". What measures would be regarded as "appropriate"? Would this requirement be satisfied if the authorities restored peace by yielding to the demands of the radicals and warned that any repetition of the tactics would bring about drastic disciplinary action? Alternatively, would the term, "appropriate", be satisfied only if the administration called in the police and subsequently suspended or expelled all student participants?

This bill, in other words, is so lacking in precision that its effective application would, in my judgment, be almost impossible. Its use, under these circumstances, might exacerbate rather than calm a troubled situation.

There remains the larger question of whether the withdrawal of federal aid is an appropriate or effective means by which the forces of society can be mobilized in the interests of greater order and peace on campus. My own conclusion is that it is not. Our academic administrators are already so harassed by their peace-keeping and other duties that the threat of the withdrawal of federal aid—which would have a crippling effect on many of our leading institutions—would complicate, rather than help, them in their struggle. Suppose, for example, that at University X disruption of a major kind has occurred. The administration has called in the police but this police action has caused such internal division that many students remain on strike and many professors refuse to meet their classes. Clearly extreme corrective measures have been used, but unsuccessfully so if the criterion is the restoration of campus peace. How could such an administration be helped by the additional prospect that, because of the continuing turmoil, federal aid, say for the construction of a badly-needed library or laboratory, might now be withdrawn? Moreover, how could any such administrator give the proposed Commissioner "reasonable assurance" that no similar disorders will recur?

In other words, while I have no shred of sympathy for the troublemakers, whether faculty or students, I do not believe that any advantage would be gained, in the interests of law and order, by penalizing the institution if it failed to solve its difficulties quickly and effectively, and in such fashion that any recurrence of trouble was improbable. I do believe that the colleges and universities should be given the authority, in their discretion, to terminate, or to request the termination of, any federal grant to disruptive students or faculty, but this is not a part of the bill in question.

Now let me comment briefly on Representative Green's bill (H.R. 10570). I see no objection to such a proposed federal Mediation and Conciliation Service. It might be useful in certain situations, but I doubt if it would provide a major contribution to the restoration of normal campus life. Our radical students devise "phony" issues, or they deliberately inflate minor problems, for the purpose of attracting a wider base of gullible student and faculty support. They seek confrontation, not negotiation, and it is a part of their tactics to proclaim that all their demands are non-negotiable. Hence, they would attempt at all costs to discredit such a Service and to prevent its use. Therefore, the principal utility of the Service would be that of a device to alienate the moderate students from the radicals. As such, it might be useful but I would not have any high hopes for it.

At this point I ought to add one qualification. What I have been saying applies primarily to the SDS and their ilk. If a Conciliation and Mediation Service were available, it might be useful in helping to solve some of the problems raised by the black students because they are seeking specific goals within the framework of the existing institution. Many of their proclaimed goals are unrealistic and educationally questionable, but they are negotiable, and a federal Service might be useful in preventing or reducing the resort by the blacks to violence to gain their ends.

I am sorry to write at such length but these problems are terribly complicated. The worst that could happen would be the supine capitulation of our universities to these radical demands. Despite the record to date, I do not believe that this is likely to happen because the vast majority of our people realize that a university must not become an institutional protagonist for any political or social doctrine, and they are not fooled by the charges of the radicals that our universities are merely tools of the "establishment", whatever that term may mean. I feel deeply that it is the duty of a university to serve, as best it can and in its own way, the society that has made it possible. It can do so only if it remains a home of liberal learning, hospitable to the scholarly analysis of all ideas and doctrines but the protagonist of none.

With warm personal regard to you and to Congressman Reid, to whom I am sending a similar letter, I am

Sincerely,

GRAYSON KIRK.

NEW YORK UNIVERSITY,
New York, N.Y., May 23, 1969.

Hon. JOHN BRADEMAS,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: I am pleased to respond to your recent request for my views on bills which would (1) create a Federal Higher Education Mediation and Conciliation Service and (2) terminate assistance to universities where disorders occur.

The concern of the public and the Congress with respect to recent disruptions on campus is understandable, and the desire to assist the colleges and universities in their effort to end violence is laudable. Friends of higher education—whether private citizens or public officials—should be mindful, however, that university self-governance, including academic discipline, has heretofore been sufficient to assure an appropriate environment for the educational process. Moreover, the great majority of institutions have proved adaptable to change and capable of sustaining the educational environment throughout this troubled period. I believe you would agree that colleges and universities have been able to cope with most of the problems presented to them today under their ordinary rules and practices of governance.

In responding to the phenomenon of violence and lawlessness care should be taken to avoid actions which may prove to be provocative rather than protective, or which may serve as precedent for later invasion of the academic freedom essential to the vitality of American higher education and proper service to the nation. I urge that the principle established by the Congress in Section 804 (A) of the Higher Education Act proscribing Federal "direction, supervision or control" over university administrations not be hastily or lightly cast aside. Experience has shown that hard-won concepts of freedom, once abandoned, are not easily reestablished.

Violence and lawlessness have indeed presented a new and most difficult challenge to our colleges and universities and those associated with them. Nevertheless, if higher education as we have known it is to survive, this challenge must be met primarily by those of us who are most familiar with the circumstances on our campuses today. My colleagues and I must assume responsibility for mobilizing faculty and student support for our institutions—and for initiating changes, where these are desirable, by democratic processes. I am confident that we are developing the means to succeed in this task.

Having presented my general views, I will now address myself to the specific bills on which you seek comment:

1. The bill which would create a Federal Higher Education Mediation and Conciliation Service would have the unintended effect of fragmenting the components of a single community of students, faculty and administration, and would inject an outside agency to preside over adversary or bargaining proceedings. New York University and most of her sister institutions have responsive mechanisms, many with student participation, to entertain proposals or grievances. Ironically, the proposed Service could well serve as an instrument for abuse by the small minority of students who reject the premises underlying a democratic society.

2. The bill which would terminate assistance to universities where disorders occur would operate against the institution under attack and the innocent majority of students and faculty in the university community. The Federal government would have an incongruous supporting role in the attempt by the disruptive minority to force the suspension of activities by the university and, conceivably, to pressure institutions into taking positions solely to maintan order on campus to prevent a cutoff of Federal aid.

For the reasons stated, I object to both of the measures which you have brought to my attention.

Sincerely yours,

JAMES M. HESTER.

BARNARD COLLEGE,
COLUMBIA UNIVERSITY,
New York, N.Y., May 21, 1969.

Hon. JOHN BRADEMAS,
Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REID AND CONGRESSMAN BRADEMAS: I appreciate your writing for my reactions to questions before the Special Education Subcommittee. I particularly appreciate your letter because I know your records of intelligent support of education.

It is my opinion at present that further laws will not do much good in controlling student unrest. I think we have enough laws and have really the mechanism for enforcement. Our problem is that many of us who are now faced with enforcement have not had

that kind of experience. We have had to learn quickly what law enforcement agencies and the courts can and cannot do. We have learned in the hardest way possible, by experience, and we have gained this experience in times of crises.

We are also faced with another question. That is the question of the differences between education and law. I personally believe there is a big difference and that trustees, faculty and administrators of colleges first have to discriminate between those who can and want to be educated, and those who clearly do not want to be and are not open to teaching. The latter group of course must be handled through present law enforcement agencies. The former group we must attempt to teach as long as there is any hope, since these are the potentially valuable leaders of the future.

If we have been remiss it has been in identifying and dealing effectively with those individuals and those ideas that are not appropriate in a college. As far as I am concerned, my experiences at Wisconsin and Barnard have not led me to have much confidence in the assistance I can gain in this process from those removed from campus situations. I have found in the faculty and the students themselves my most helpful support.

This leads me to respond to the two questions you have raised.

While I can see no great objection to creating a Federal Higher Education Mediation and Conciliation Service, I do not believe it would be particularly valuable. Education is a person to person process. If we cannot mediate the disturbances among individuals on our own campuses, we probably cannot teach them, and therefore I should think it would be only in extreme cases that such a service would be helpful. I am fearful it also might create another agency to which those who wish to disrupt could turn and thus postpone steps that might otherwise be taken.

The Congress of course must consider seriously whether it wishes to continue assistance to the universities where disorders occur. I am not sure that denying assistance would be practical either to the universities or the Congress. First there would have to be the determination of the cause of the disorders. If this were outside the control of the university then I suspect financial aid should be continued. To occupy any other position would certainly play into the hands of those who wish universities destroyed and would go to rather desperate means to do it. Many of these individuals are not students and therefore the university can hardly be held responsible for the damage done by them.

Secondly, I have not felt that the reasons for the disturbances were based in too much money but rather in too little money, and so I would hope the Congress would turn its attention to means for supporting positively those aspects of higher education which are efficient. In this way student unrest might well be diminished or at least focused so that protest based on reasonable causes would not have to be lumped with protest based on unreasonable causes.

These are personal opinions. I have not had the opportunity to consult with my colleagues at Barnard College. I intend to do so in the days ahead, and if I find I should add to these opinions or subtract from them after discussions with my colleagues for their reactions, I will certainly be in touch with you again.

I thank you for writing. This is a subject about which I care deeply. I wish those who are putting so much pressure on the Congress for new bills and legislation could understand some of the positive steps that have emerged in the last year on a great many campuses, including Columbia and Barnard, and could have a bit more faith that individuals, including college presidents, do continue to learn when faced with new situations.

Sincerely yours,

MARTHA PETERSON,
President.

KNOX COLLEGE,
Galesburg, Ill., May 22, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: Thank you very much for your letter of May 13, 1969, addressed to President Umbeck regarding H.R. 10136 and H.R. 10570. Because of his absence from the campus, President Umbeck has shared your letter with me for comment. I appreciate the opportunity to give my views on these matters.

Turning first to H.R. 10136, I find several objections to this kind of measure. In the first place, the bill offers nothing remedial to the current situation on college campuses. Its sole effect, to my way of thinking, is punitive in nature and in a way which holds no promise to find a constructive end to a given problem.

What are appropriate corrective measures in the case of violent and substantial disruption? Who shall determine what is appropriate? Who shall determine if a measure is, in fact, corrective? What time period is to be operative?

Aside from the above questions, it seems to me that the task of determining appropriate "institutional" responses to student disorders should be left to the decision of the institution. The alternative is to furnish a blanket or umbrella which only impedes the assumption of effective responsibility by institutional representatives.

It should be pointed out that not all institutions have been impotent in the face of violence of students and others. Let me cite just two examples—the University of Denver and the University of Chicago—where effective (though different) responses occurred.

Additionally, I would say that H.R. 10136 would have little effect on those who foment and carry on disruption. Those who demonstrate such flight from reason would be little concerned about the prospect of an institution's loss of funds. Indeed, this may be a significant objective of the S.D.S. and other radical groups. H.R. 10136 would not serve to stiffen the spines of administrators, if that is its purpose. It would not reach the root of the problem.

As to H.R. 10570, I fail to see that an idea suited to industrial collective bargaining is adaptable to the problem in question. Student and non-student disrupters are not employees, colleges are not employers. The objecives of the radicals are not subject to mediation by "bargaining session" techniques, if they are subject to mediation at all.

It would seem repugnant to me to establish a situation in which the functions of governance in education in our institutions of higher education are matters of contract among administration and students subject to annual bargaining. Meaningful participation is essential, but the creation of a structure of "collective bargaining" would obscure, if not destroy, the independence of individual faculty and students so essential to academic freedom.

We all deplore violence on our campuses. Few of us are used to the tactics of confrontation. We do not call for patience to beg time for delay's sake alone. We do need broad community support of the ideas of rational discourse, the rule of law, and the democratic process. This support must come from public officials, parents and that majority of moderate students dedicated to preserving America's blessings while finding ways to extend them to all citizens.

Additionally, I would say that there is a growing need for the nation to fully explore the question of campus violence. While having no legal effect, public scrutiny of academic governance may well lead to needed reforms. While no "witch-hunts" are needed, there is some fragmentary evidence of coordinated planning of campus conflict. This would seem to indicate that there would be grounds for the exercise of Federal jurisdiction if criminal activity is involved.

However, in summation, I am not yet ready to admit that most cases of student violence and disruption cannot be handled by the campus community. Perhaps we need to develop basic by-law or charter provisions setting forth the role of student voice along with the roles of other elements of the institution by which all can define positions and live by them. If academic freedom is to survive, faculty groups and administrators must adopt the attitude that those engaging in violent disruption cannot enjoy the advantages of remaining in the institution. The tools of prompt response, suspension, and dismissal can and must be more effectively used.

Very sincerely yours,

DONALD E. BLANCHARD.

THE COUNCIL OF GRADUATE SCHOOLS IN THE UNITED STATES,
Washington, D.C., May 14, 1969.

Hon. JOHN BRADEMAS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. BRADEMAS: Thank you for giving me the opportunity to comment on H.R. 10570 and H.R. 10136, as well as on the general question of the appropriate relationship between the Federal government and colleges and universities on matters concerning student unrest and university governance. I shall address myself first to the two bills before your subcommittee.

H.R. 10570 appears to me to represent a sincere and honorable effort to provide a voluntary mediation service where it is wanted. I am impressed by the fact that there is nothing of a mandatory nature in the language. If there were, it would defeat the purpose of the service. It seems to me, however, there is a discrepancy in the language of Sec. 3(b) and Sec. 4(a). The former says that the service may be proffered "upon the application of one or more parties to the dispute" (p. 4, 11. 21–22), the latter, that the Service may act upon application "by any of the student body, faculty, *and* board of control" (p. 5, 11. 9–10). Shouldn't that *and* be *or*? As it reads, the clear implication is that all three parties to the dispute must apply.

I have not had time, of course, to poll my constituents; but I am certain that most of them would favor the bill and few, if any, would oppose it. Personally, I do not regard it as a panacea for all our ills, but it is worth a million dollars a year if even two or three of these disgraceful messes could be averted as we have recently experienced.

As for H.R. 10136, I am unalterably opposed to punitive legislation of this kind, for many reasons. The chief one probably is that it punishes the vast innocent majority for the crimes of a very small minority. This is contrary to the most fundamental principles of our laws and our practices and is repugnant to all lovers of justice. This alone should be sufficient, but in addition such legislation substitutes the fiscal powers of Congress for the legal powers of the courts and the law enforcement agencies; it imposes a police duty on the Commissioner of Education; it constitutes an invasion of autonomy of higher education and makes it more difficult for administrators to deal with their internal problems. And finally, illogically, it shuts off the flow of Federal funds from *one* source but places no restriction on equally great funds from dozens of other sources, includ-

ing the Departments of Defense, Agriculture, and Labor, NSF, NASA, AEC, NIH, and many others.

As for my thoughts about the appropriate relationship of the Federal government to the universities in these matters, they are really quite simple. First, in spite of the understandable and legitimate concern of the Congress, I believe it should maintain its traditional attitude of nonintervention. Second, I believe that punitive or even restrictive legislation as contained, for example, in riders to several appropriation bills last year is likely to do more harm than good. Third, I believe that more legislation is not needed at the present time; the Attorney General has ample powers now to deal with the agitators if they cross state lines and with the central organizations of the dissidents who plan and manipulate these outbreaks. The Department of Justice, I am informed, has reliable advance information in most cases on planned demonstrations and confrontations. It would be very helpful if such information could be given to university presidents and to local law enforcement agencies in time to take effective countermeasures. Finally, except for the nationwide operations of the minority of hard-core radicals, I believe that these outbreaks have to be dealt with where they occur, by university authorities and by local law enforcement agencies. Crime is crime and should be handled as such, and I believe that university administrators have at last learned their lessons the hard way.

Sincerely,

GUSTAVE O. ARLT.

NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES,
Washington, D.C., June 2, 1969.

Hon. JOHN W. BRADEMAS,
Hon. OGDEN R. REID,
Rayburn House Office Building,
Washington, D.C.

DEAR FRIENDS: In response to your recent letter concerning the provisions of H.R. 10136 and H.R. 10570, President G. Homer Durham of Arizona State University, has indicated that the position of our Association, with which he concurs, would be presented in a testimony before the Committee of which you are members.

Our Association does not at present plan to present formal testimony before the Committee on H.R. 10136 and similar bills with respect to withholding of Federal funds for those engaging in campus disruptions, etc., though circumstances may alter this decision.

It was the feeling of our Executive Committee at its May meeting, that the position of the Association is well known, was stated to both the House and Senate committees having jurisdiction last year, and has been furnished to all members of the appropriate committees this year.

It is as follows, quoting from the joint statement of national policy of this Association and the American Association of State Colleges and Universities, adopted by the Associations at their most recent annual meetings:

INSTITUTIONAL RESPONSIBILITY FOR DEALING WITH STUDENT UNREST

Member institutions of the two Associations are strongly committed to maintenance of freedom of inquiry and expression of opinion. We believe that students and all other members of the college and university community should have the opportunity to be involved in formulation of policies affecting them and to initiate and pursue recommendations for change.

Because of this commitment, we are strongly opposed to disruptive activities which deprive members of the university community of their freedom to carry on the activities for which the university exists. We share the concern of the public and Congress over such activities. It is the responsibility of the college or university community and, where necessary, of local civil authorities, to deal with disruptive activities when they occur and to assess penalties appropriate to the circumstances on those who participate in them. It is a tribute to the responsible character of the students, faculty, and administrative officers of the vast majority of higher institutions that disruptive activities have either not been initiated or, when initiated, have been unsuccessful.

Federal legislative action imposing severe and mandatory penalties on individuals who happen to be recipients of Federal financial assistance administered by, or in connection with, institutions of higher education mediates against the authority of college and university and civil authorities to deal equitably with those involved in potential or actual campus disruption, whether recipients of Federal financial assistance or not. Such legislation will, we believe, hamper the ability of the appropriate authorities to deal with disruptive activities, and therefore be counter-productive of the objectives of its sponsors and of our own objectives." (end of statement.)

It is, if I may restate it again and in another way, based on the philosophy that the appropriate course of action to follow is one which gives the best promise of achieving the most desirable result. If the result desired with respect to campus disruption is solely that those who participate in such disruption do not receive Federal funds, no doubt a case can be made in principle for legislation requiring such action.

If the result desired is to minimize campus disruption and support the resolution of campus problems by orderly means, additional Federal legislation is clearly counterproductive.

Since the latter is the primary interest of our member institutions, the Association does not support the type of legislation referred to in your letter, or any similar legislation.

With respect to H.R. 10570, individual comments on this have been made to Representative Green by President Fleming of the University of Michigan, chairman of our committee on student-faculty-administrative relationships. These reflect some of the concerns involved. Although our Executive Committee took no formal position on this legislation, I believe I am safe in saying that their primary concern is that, if enacted, mediation be on a voluntary basis, and that advance agreement of all parties involved on the utilization of the proposed service for mediation should be a prerequisite. Otherwise it might conceivably encourage disruptive activities by small groups in order to invoke mediation.

Sincerely,

RUSSELL I. THACKREY,
Executive Director.

TRIBUTE TO THE GENTLELADY FROM MISSOURI

(Mr. BURLISON of Missouri asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURLISON of Missouri. Mr. Speaker, you are aware of the outstanding attributes of the gentlewoman from Missouri and know of the high esteem and respect in which she is held by her colleagues in the U.S. Congress. I have long been an admirer of this outstanding public servant and during my brief tenure in the Congress, I have come to know her very well. She has been a tremendous asset and help to me as a freshman Congressman.

A prominent newspaper in my district, the Kennett, Mo., Daily Dunklin Democrat, has also editorially recognized Mrs. SULLIVAN. I am sure that our colleagues will find the item of interest:

[From the Kennett (Mo.) Daily Dunklin Democrat, June 13, 1969]

OUR FAVORITE CONGRESSWOMAN

One of our favorite members of Missouri's Congressional delegation is U.S. Rep. Leonor Sullivan of St. Louis whose devotion and dedication to public service mark her as one of the outstanding citizens of Missouri and Washington. Mrs. Sullivan, who began her political career upon the death of her husband who was then serving as Congressman, began her business career as a $35 a month telephone company clerk and could not afford to attend college.

Wednesday night, when she received an honorary Doctor of Laws degree from the University of Missouri at St. Louis, Mrs. Sullivan demonstrated why she has become a favorite of this newspaper. Addressing today's younger generation, Mrs. Sullivan told it like it is. She said, among other things, that today's younger generation, despite misconceptions on the subject, owes a tremendous debt to the over-30 generation which has made college education possible for millions of young men and women.

The St. Louis Congresswoman noted that it is the over-30 generation that pays the debt for public education, at all levels, and that it is this same generation that has brought about massive amounts of state and federal aid to all schools.

"You owe us for what was done, for having had the courage to fight for your education," she told the M.U. graduates, some of whom must have been shocked by this straight-forward but factual analysis. "You must pay us back for what you owe us," she said, which must have shocked some in the graduating class even more.

"You can bring changes only as you persuade, not browbeat, your fellow citizens to accept . . . Americans will never pay tribute to bad manners and arrogant demands," Mrs. Sullivan declared.

Three cheers for the distinguished Congresswoman from Missouri!

ECONOMIC DEVELOPMENT ACT

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, progress has been made in the Congress and intensified support has been evidenced by the Nixon administration to control the critical pollution problem that endangers many of our Nation's rivers, but we still have far to go. There are difficult obstacles to face in the process: adequate funding for pollution control programs, developing the approach and the means to deal most effectively and efficiently with the magnitude and complexity of the problem, and strengthening cooperation among all levels of Government and the public in efforts to preserve our precious resources.

Public support and local initiative are vital keys to continued progress, and I am proud indeed that the thousands of citizens of the Commonwealth of Massachusetts are actively involved in the problem. The residents of the Nashua River watershed, which includes three

towns in the Fifth Congressional District which I am honored to represent, have joined together to form the Nashua River Clean Up Committee and are working in close cooperation with local, State, and Federal officials to insure that the water standards set by the Commonwealth of Massachusetts are approved by the Department of the Interior under the 1966 amendments to the Federal Water Pollution Control Act, will be achieved.

Some 11,651 individuals have recently taken an important initiative in sending to the President, their Representatives in Congress, the Governors of Massachusetts and New Hampshire and the members of the respective State legislatures, a petition "that those communities which are meeting State and Federal water quality improvement time schedules be guaranteed Federal and State funds to build all necessary abatement facilities immediately upon completion of design plans." They have given their full support to the New England Regional Commission's proposal, under title V of the Economic Development Act Amendments of 1969, to make the Nashua River a demonstration project for the application of comprehensive planning and modern management techniques—an approach which I first urged for the solution of pollution problems several years ago in calling for a demonstration cleanup program for the Merrimack River Basin.

I renewed this proposal earlier this year, and urged the Public Works Committee to take advantage of the new opportunities for progress and expand the Regional Commission's plan to cover the entire Merrimack River Basin, which includes the Nashua as a tributary. I am presenting here my statement before the committee, and the letter of the Nashua clean up committee to the President. It is clear that these people are concerned. They have joined together in a strong and determined voice to ask for support and for constructive and positive action. They deserve our closest attention, our most creative thinking, and our every effort to achieve that goal. My statement and the letter follow:

NASHUA RIVER CLEAN UP COMMITTEE,
Groton, Mass., June 9, 1969.

RICHARD M. NIXON,
President of the United States,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: The residents of the Nashua River Watershed respectfully petition "THAT those communities which are meeting state and federal water quality improvement time schedules be guaranteed federal and state funds to build all necessary pollution abatement facilities immediately upon completion of design plan."

In 1966, the citizens of the Nashua River Watershed determined no longer to tolerate the polluted condition of the Nashua River, and petitioned Governor John A. Volpe and Governor John W. King for help in alleviating this condition. The Commonwealth of Massachusetts responded by passing legislation that established a Division of Water Pollution Control, authorizing a 150 million dollar bond issue over a period of ten years for the construction of waste water treatment facilities, and setting high standards for the Nashua River. Since that time, municipalities and industries have been complying with the schedules set for them. But we are now seriously concerned that the federal funds promised under the Federal Water Pollution Control Act will not be available. The citizens, municipalities and industries have shown remarkable cooperation in doing their share in getting this River cleaned up, and now seek assurance from the federal government that it is, in fact, committed to do its part.

Especially heartening is the agreement amongst the six New England Governors and the Federal Cochairman of the New England Regional Commission that the Nashua River should become the National Model Demonstration River Basin for pollution abatement. We hope you will support those parts of S. 1090 and H.R. 7608 which would establish the Nashua River as the Model Demonstration River.

We would like the opportunity to present to you personally the above petition signed by 11,651 residents of the Nashua River Watershed. Perhaps the Senators and Representatives from Massachusetts and New Hampshire, and the New England Regional Commission would like to witness the presentation. If this is not possible, please inform me and I will mail the petitions to you.

We applaud your initiative in setting up the Environmental Quality Council and commend you for providing leadership in this crucial area of man's life.

Sincerely yours,
Mrs. HUGH F. STODDARD,
Coordinator.

STATEMENT OF CONGRESSMAN F. BRADFORD MORSE, PUBLIC WORKS COMMITTEE HEARINGS ON TITLE V, ECONOMIC DEVELOPMENT ACT, APRIL 22, 1969

Mr. Chairman, I thank you for this opportunity to discuss with this distinguished Committee an important subject—the Regional Commissions established by Title V of the Economic Development Act of 1965. The New England Commission, with which I am most familiar, has made major efforts in developing a comprehensive economic plan, and I look forward to further progress through the implementation of the proposals which have been presented to you. I am hopeful that your considerations will include a favorable look at H.R. 7608, which is designed to aid these Commissions in carrying out their plans.

The New England Commission's 1969 legislative package includes several significant proposals to deal with the problem of water pollution—an urgent situation effecting all of New England, and one in which I have long been involved. I have urged a comprehensive and coordinated approach to the problem of pollution in order to best meet the goals and standards set up by the Water Quality Act and Clean Rivers Restoration Act of 1965 and 1966. In 1966 I introduced legislation to study the utilization of modern management techniques in the solution of public problems like pollution control, and have proposed the application of these methods in developing a "demonstration" approach to an entire river basin.

In a letter to the President this February, I renewed my proposal that the Merrimack River Basin be made a demonstration project for the application of comprehensive planning and management techniques, and have been greatly encouraged by the interest in the concept indicated in the White House reply and by its strong support for comprehensive river-basin planning. As you know, the President has ordered a review of all existing pollution-control programs with a view to increasing their efficiency and effectiveness. Under this directive, the General Accounting Office has contracted for the development of a mathematical model of the Merrimack River Basin which will be used to determine the relative cost-effectiveness of our present approach to pollution control, and to develop a more comprehensive and coordinated plan.

The New England Regional Commission has proposed the demonstration of a river basin approach to implement established water quality standards and has selected the Nashua River, a tributary of the Merrimack, for its program. I am glad to note their forward-looking approach to the problem and to have their endorsement of this concept which I have been working for, but think we ought to take a look at the entire Merrimack in this perspective, not only because of the deep interest of the General Accounting Office but also because the results of its study will produce a basis on which we can take immediate action.

The pollution problems of the Merrimack Basin, which includes the Nashua River, incorporate a wide range of situations so that it will serve as a particularly good example of methods which could be applied to other areas of the country. The Merrimack River Basin area faces, for example, the problem of pollution in the main waters of the Merrimack itself and in its tributaries such as the Nashua, which flow across state lines, by industrial as well as effluent sewage, from both urban and rural communities. It is an area which has great potential both for recreational and industrial development. The Basin is sufficiently compact and with a severe enough degree of pollution to make it particularly suitable for a demonstration program. As Massachusetts is fortunate to have so much of the management techniques and systems capability available to be put to work on this problem, the Merrimack River Basin is a unique place to start with this new approach to public problems.

The Commission's focus on the Merrimack Basin by selecting the Nashua River for its proposed project is, I think, in recognition of these facts, but it does not go far enough if we are to bring about really effective and meaningful progress. The interest of the new Administration has provided a new opportunity, and I urge the Committee to consider an expansion of the Commission's proposal to cover the entire Merrimack Basin. I would also hope that the provisions of H.R. 7608 will be increased accordingly so that the Commission will be able to undertake the kind of action that is necessary.

As I have pointed out, an enlargened version of the demonstration project for pollution control proposed by the New England Regional Commission would not only contribute to the economic development of that area, but through a successful experience will offer an opportunity of great benefit to the entire nation. The Commission should be afforded the capacity and the resources to make the most of the new possibilities for progress, and I would be thankful for your support.

REMARKS BY THE PRESIDENT OF COLOMBIA AT THE NATIONAL PRESS CLUB IN WASHINGTON

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, it is a singular honor for me to call the attention of my colleagues to the recent speech of President Carlos Lleras Restrepo of Colombia before the National Press Club here in Washington.

President Lleras has set out with characteristic candor some of the problems that confront the people of the Western Hemisphere today. He has done a great service in dispelling some of the myths which dominate U.S. thinking about Latin America—myths which, if they are not replaced with understanding will

continue to inhibit inter-American cooperation and complicate Latin American-United States relations.

President Lleras is a thoughtful and enlightened leader. He is a longstanding friend of the United States. I think his remarks should command the interest of all of us. Under unanimous consent, Mr. Speaker, I include his remarks at this point in the RECORD:

REMARKS BY THE PRESIDENT OF COLOMBIA, DR. CARLOS LLERAS RESTREPO AT THE NATIONAL PRESS CLUB, WASHINGTON

Many years ago, in fact more than I would like to admit, I began a career in journalism working for one of Bogota's daily newspapers, the same that afterwards I was to direct for a short period. The work was interesting, and for a law student, the pay was ample, about four dollars a week. Although I nourished high hopes I did not dream at the time that someday it would be my privilege to meet with a distinguished group of colleagues on an occasion such as this one.

I bring out my long and intermittent association with journalism as an explanation of the informal manner in which I should like to carry on our dialogue. It will be, I hope, a conversation without protocol, candid and simple.

It is unnecessary for me to outline in detail the process of an ever-widening economic gap between the United States and Latin America, or of the latter's shrinking participation in world trade. These phenomena have been analyzed by the United Nations and by other international and Inter-America organizations. I would rather concentrate on a few facts that illustrate the kind of problems pertaining to the present day Inter-American agenda.

The discussion of these facts in the first part of my remarks contains an unambiguous but inevitable protest against the existing international economic mechanism.

In the second part, I attempt to describe the resolute and constructive manner in which Colombia is confronting those adverse facts with a considerable degree of success.

THE CASE OF COFFEE

Let us take the case of coffee which is an important source of foreign exchange in fourteen Latin American countries and still accounts for sixty percent (60%) of Colombia's total exports.

In 1954 the price of coffee was eighty (.80) cents a pound. In that same year a jeep was worth one thousand three hundred and sixty seven (1,367) dollars. In other words, fourteen (14) bags of coffee bought one jeep. The 1954 price, however, was considered exorbitant in this country and an intensive campaign was launched in the newspapers and in Congress to convince public opinion here and in Latin America that the American housewife was being victimized. Some loans were made to encourage new production in other continents and much talk was heard about finding substitutes for coffee.

One result of this campaign was that more water was added to your coffee and lower quality grains were brought into the market to the detriment of the consumer. During the forties, when visiting this country, I was delighted by the quality of your coffee, which to my taste was even better than that which one was served in Colombian cafes. Regretfully, I cannot say the same now. Today the price of coffee is forty (.40) cents a pound, and the price of the jeep is two thousand two hundred and sixty four (2,264) dollars. Now it takes forty three (43) bags of coffee to buy a jeep. In 1954 we received five hundred and fifty (550) million dollars for five point eight (5.8) million bags. In 1969, with eight million more inhabitants, Colombia will earn at most three hundred and twenty (320) million dollars for the sale of six point five (6.5) million bags of coffee. We have increased our volume of coffee exports twelve percent (12%) since 1954 but our foreign exchange earnings from coffee have decreased by forty two percent (42%). A drop of one cent per pound in the price of coffee represents a loss of eight point seven (8.7) million dollars to Colombia, eight (8) million dollars to Central America and twenty four (24) million dollars to Brazil.

This is a brutal fact. When people in this country wonder about the attitudes and sentiments of Latin America it is necessary to recall these dramatic figures.

Looking back fifteen years at those lengthy speeches and the investigations concerning the price of coffee one is amazed by the fact that the living conditions of the producers were scarcely taken into account, and the average Colombian coffee-growing family has now gross annual recipts of only five hundred and ninety dollars (590) . . . This average family is not small; the income per capita is therefore insignificant. Coffee production has continued, adverse conditions notwithstanding, because much of the cultivated areas have no alternative use. It is not easy to transform the coffee areas quickly. New cash crops must be found, new sources of employment have to be developed. Few nations besides the United States can afford the luxury of paying their farmers for not planting. Coffee farming in Colombia began with a great effort to clear the land, organize the plantations and make habitable the Andean mountain slopes. Referring to the unhealthy conditions of our coffee areas where tropical anemia was until recently endemic, it was once said that along with coffee beans we were exporting red blood cells. Diversification into other crops has been proposed as a possible solution. But the whole question is much more complex than just cutting down trees that have taken four to five years to come into production. We are, in spite of these facts, trying to transform marginal areas. That takes time, patience and money.

Full recognition must be given to the decisive support provided by the United States, now and in the past, to the International Coffee Agreement. Yet, at every negotiation for the establishment of quotas we must resist the efforts of the consuming nations to keep the prices down through large sized quotas. In addition, the so called selectivity system was introduced. This system favors the inferior grades of coffee and hinders a reasonable management of the market.

Per capita income in the United States has almost doubled in fifteen years, rising from one thousand eight hundred (1,800) dollars in 1954 to three thousand five hundred (3,500) dollars in 1968, and the share of coffee in the American family budget has decreased substantially.

Could the United States not agree with the producing countries of Latin America upon a more effective implementation of the World Coffee Pact? . . . Is it not possible to increase or at least to stabilize the precarious income of hundreds of thousands of small coffee growers? . . .

In order to create new employment opportunities we need not only to maintain but to increase our availability of foreign exchange. This we are doing through export diversification and with international financial cooperation. But those efforts must be accompanied by a just level of coffee prices.

THE CASE OF PETROLEUM

Here is another fact. For several decades Colombia has been a producer and an exporter of petroleum. Under existing arrangements, most of the petroleum required for our domestic consumption is purchased in dollars—not Colombian pesos—from the foreign companies that extract it from our subsoil. As a result, there have been years when foreign exchange payments for our crude oil requirements have exceeded our total receipts in royalties, taxes and other payments from the companies. In other words, during certain periods, we have been losing dollars to buy our own oil.

In 1966 the foreign oil companies exported seventy point six (70.6) million dollars worth of petroleum from Colombia. Their income tax payments were three (3) million dollars. On a total production of sixty nine (69) million barrels the Colombian government received thirteen (13) million dollars in taxes and royalty payments in 1967. This figure is the equivalent of sixteen (16%) percent of what the Colombian consumer paid in beer and cigarette taxes, and twelve percent (12%) of what Colombia had to pay abroad in profit remittances and interests that same year. All of the petroleum companies paid forty (40) million pesos in income taxes in 1967, which was only one point two percent (1.2%) of total income tax collections for that year. In comparison, a single Colombian textile company paid fifty seven (57) million pesos in income taxes in 1967, and a Colombian brewery paid forty four (44) million pesos in taxes in that same year. It is difficult to believe that these figures will give rise to an enthusiastic sensation of optimism about the redeeming effects of United States private investment in Latin America.

As you know, there has been a lively debate on tax reform in this country, and the justice of several legal loopholes is being seriously challenged. Prominent among them is the so called depletion allowance in the petroleum industry which has enabled some oil investors to avoid paying taxes. The petroleum companies operating in Colombia point to the depletion allowance here as a precedent and as a product of the wisest legislation. Its application in Colombia has produced almost identical fiscal results.

Fortunately we have recently renegotiated with two American oil companies a contract that stipulated the ridiculously low royalty of three percent (3%) in one of the most important oil fields in Colombia. As a point of comparison it is worth noting that three to five percent (3 to 5%) on gross sales is the usual rate that foreign companies charge Colombian firms for the use of their patents, or in some cases just for the use of their trade marks.

PRIVATE FOREIGN INVESTMENT

Let me now turn to the question of private foreign investment which is periodically rediscovered and presented to Latin America as the panacea that will solve all our economic problems, and as an adequate substitute for development assistance. I have stated on many occasions that Colombia welcomes private foreign investment as a source of additional resources, new technology, administrative techniques and employment. Foreign capital receives a non-discriminatory treatment vis-a-vis domestic capital and our tradition has been one of fairness and respect for contracts. But the following examples taken from Colombian experience suggest that foreign investment is not always an unmixed blessing and that as sometimes occurs in daily life, the product is not exactly as advertised.

A foreign company doing business in Colombia requested sometime ago authorization to remit two hundred and thirty thousand (230,000) dollars in profits one year. It had received loans from the Colombian banking system for two million three hundred thousand (2,300,000) dollars. The total paid-in capital of that firm was fourteen thousand (14,000) dollars. In other words, the company was taking out of the country in one year the original investment nine times over. No question that somebody was getting rich with this type of operation but certainly not Colombia!

In another company—a joint venture—the foreign partner with a paid-in capital of two hundred thousand (200,000) dollars received nine hundred thousand (900,000) dollars in profits and seven hundred thousand (700,000) dollars in royalties in one year. Payments to the foreign partner for technical services amounted to seventeen percent (17%) of stockholder profits in 1946. In 1959, that ratio had increased to fifty percent (50%). A possible explanation of this phenomenon is the calculation of royalty payments on the basis of gross sales. As internal costs increase, the profit to the stockholders diminishes but the payments to the fortunate royalty recipient go up. Usually the firm that receives the royalty is a majority stockholder in the joint venture, and is therefore able to impose its will on company policy decisions, while the local stockholder is defenseless due to a minority position. Under these conditions the payment of royalties tends to acquire a "subspecie aeternitatis" character.

Foreign capital operating in Latin America could provide constructive cooperation by giving more business to our maritime and aviation lines, our banks and insurance companies, our accounting and advertising firms. Some of the more enlightened companies are already moving in this direction. Others, however, still follow discriminatory and irritating practices. It is necessary to formulate a new policy regrading private foreign capital. This type of investment must be mutually beneficial. It must effectively contribute needed additional capital resources. It must transfer technological and administrative knowledge. It should pioneer in new activities rather than taking over existing investments. Local managers and technicians must be encouraged, or if necessary trained as eventual replacements for foreign personnel. Foreign stockholders living abroad, represented by predominantly foreign administrators produce an undesirable relationship of domination and dependence rather than a partnership. As the Cuban experience has shown, it is not possible to maintain a favorable climate towards foreign investment under those conditions. Beyond a certain point, foreign ownership or control of the means of production tends to deform the personality of a nation and provokes therefore unpredictable reactions. No nation will accept indefinitely foreign domination of the commanding heights of its economy.

That is why if possible, Colombia would prefer to obtain foreign capital in the form of loans rather than as direct investment. Loans constitute an advance on future savings which will be paid off. Direct foreign investment becomes a perpetual liability, affecting our balance of payments forever, and sometimes in such inequitable terms as those I have mentioned. Other possibilities of cooperation with private foreign capital deserve further study. But, undoubtedly, the question of private foreign investment can become a major cause of friction and misunderstanding in the Hemisphere if present trends and attitudes remain unchanged. With imagination and good will this potentially explosive issue could become a valuable instrument of cooperation and understanding. But in order to achieve this a colonialist attitude and the practices of exploitation I have just described must be eliminated once and for all.

TRADE POLICIES AND PROTECTIONISM

Let us examine certain trade practices that affect Latin America and which are not unrelated to the balance of payments problems in the region. As you know from your own domestic experience the producers of foodstuffs and raw materials in a society—the farmers and the miners—tend to become a disadvantaged group in comparison to the city dwellers and industrial workers. Unless special measures are taken the prices of what they sell lag behind the prices of what they have to buy. As a result, their income tends to deteriorate steadily. This is what is happening to the Latin American countries which are in effect the farmers and the miners for the industrialized nations that trade with us.

Present international trade practices tend to keep the income of the developing countries as low as possible. If we export coffee it must be green, not roasted or processed, oil must be shipped crude, sugar must be sold raw, and minerals unrefined. By tariff measures or by other means the industrialized nations discourage the establishment of refineries and facilities for the processing of our export products in Latin America, depriving us thereby of the value added, the income and employment which those facilities could generate.

We receive plenty of advice on the need to increase and diversify our export. Few Latin Americans need to be convinced of the dangers of relying too heavily on any single commodity subject to sudden and violent fluctuations. But when it comes to developing new exports one is confronted systematically with the vested interests of the industrialized nations. To name just a few obstacles, there are the quotas for sugar, textiles and petroleum, and the administrative restrictions for beef and tropical food stuffs.

We recognize, of course, that a certain amount of protectionism is justified as a means of promoting employment. However, there is a point beyond which it is no longer a legitimate instrument of economic policy but rather an obstacle to human solidarity, a perpetuation of privilege and inequality. Those that claim that it is our irresponsibility and our lack of initiative that keep us poor should study these examples carefully. What they demonstrate is that Latin America is suffering the consequences of an inequitable and regressive international economic mechanism beyond our control. As a result, not only our own efforts but also the effects of international cooperation are frustrated. It is not true that Latin Americans are incapable of organized, disciplined behavior. The fault is to be found with the international rules of the game which operate to take from the poor and give to the rich.

A great American has said that prosperity as well as peace is indivisible. That wise sentence is as valid today as it was thirty years ago. Prosperity has become excessively fragmented in the world and in the hemisphere. It is not an over pessimistic prognosis for this sick world to say that if prosperity continues to be divided there will be no peace.

THE COLOMBIAN CASE

These are some of the painful realities that affect a Latin American country. They must be presented in order to understand the magnitude of the problems that confront our societies as they strive towards social and economic modernization. Fortunately, we can also point to positive aspects and I would like to summarize some of the pertinent factors relating to Colombia.

There is a simplified and distorted view of Latin American society that has become generally accepted in European and North American public opinion, which I wish to challenge. According to this view, all the Latin American countries are ruled by a handful of corrupt and wealthy oligarchs that exploit the masses keeping them ignorant and poor, perpetuating themselves in power by force. This caricature is far removed from present day reality. I should talk, of course mostly about Colombia. But surely other Latin Americans could also make similar cases for their own countries. Let me point to certain political and economic facts, in my own country which dispell that distorted image.

The respect for political liberties and the democratic process is one of Colombia's most cherished traditions. Throughout one hundred and fifty years of independent life constitutional government has only been interrupted three times and then only for brief periods. Universal suffrage, freedom of the press, civilian control over the military and labor's right to strike are important components of our institutional structure.

Following a period of civil strife in the decade of the fifties, the two major parties, Liberal and Conservative, agreed upon a temporary mechanism of conciliation consisting in the mandatory adoption of coalition governments for a period of sixteen years. We have now experienced three administrations under the agreement, and the effective and harmonious cooperation of the two parties has proved to be feasible. No political party is prohibited in Colombia. At the Government's suggestion a political party is permitted to put up candidates and programs under the label of its choosing.

Colombia has had an advanced land reform legislation since 1936. In 1961 a Land Reform Institute was created for the purpose of updating and implementing this legislation. The Institute is carrying on an all embracing land reform, including irrigation and drainage of vast extensions; distribution of land; technical financial assistance and organization of the rural communities. Experience has shown that the dramatic statistics of land-ownership concentration in very few hands were grossly inaccurate. The inclusion of enormous extensions of unsuitable tropical jungle in the statistics has distorted the real situation.

But the reform adjusted to the patterns of land tenure in the different regions is advancing successfully. Colombia is well aware of the importance of taxation as an instrument of redistribution of income. In 1928, the principle of income taxation was introduced. In 1936 and in successive years, the rates were made more progressive and the administrative procedures were improved. Thirty eight percent (38%) of total tax collections in 1967 were derived from direct taxes. This is one of the highest proportion of direct taxation in Latin America. Undoubtedly there is still some tax-evasion, and certain legal loopholes remain, in spite of a considerable effort on our part to streamline the procedures, enforce collection and correct injustices and oversights in the law. But this is a continuing process of adjustment and refinement which has not been completed anywhere.

Development must correspond to the special characteristics of each country. We cannot imitate the capitalist pattern of evolution followed by the industrialized countries during the past century and which we consider to be neither applicable nor convenient. Predatory capitalism is dead as well it should be.

Ours is a free enterprise system working within the framework of the active participation of the State in the national economy. We need to make an optimum use of scarce resources. That is why we must formulate national efforts in the context of a plan that is imperative for the public sector and indicative for the private sector. During the last three years we have been engaged in an ambitious program of economic development and social reforms called the National Transformation.

Inflation has been brought under control. Business confidence is at an all time high and investment both public and private are proceeding at record levels. In 1968, we had a six percent (6%) increase in the Gross National Product. This year we expect to do even better. We have made real progress in the correction of a structural disequilibrium in our balance of payments. In 1959, non-coffee exports totaled twenty-five (25) million accounting for seven percent (7%) of all exports. This year we will earn two hun-

dred (200) million dollars in exports, other than coffee, which represents forty percent (40%) of the total. A record agricultural output has helped to stabilize prices and to open up new exports. Because of adverse international economic conditions Colombia has had to complement its foreign exchange earnings with foreign loans. We will continue to utilize international credit until the process of bringing our balance of payments into equilibrium is completed. Social Security coverage has been greatly extended and we are studying the means of applying it to the countryside. This is something which I hope to get started before the end of my administration. Community development is being promoted in rural and in urban areas. New legislation for child welfare and family protection has been created. Additional resources are being assigned to health services and to education. The recently created National Saving Fund will stimulate the construction of low cost housing, at a higher rate, and will channel resources to industry and agriculture.

Last month, Colombia, Ecuador, Peru, Bolivia and Chile signed a Sub-Regional Integration Agreement. These five nations have agreed to establish a common market over an eleven year period at the end of which all barriers to reciprocal trade will be removed and a common external tariff will be adopted. The widening of the market thus achieved will act as a vigorous stimulant to the five National economies.

The Andean Sub-Regional Group, with a total population of fifty (50) million, will be able to attract new and more efficient industries. The member countries will be able thereby to participate more actively in an eventual Latin American Common Market.

Colombia has given enthusiastic support to this initiative which we hope will provide a new impetus to Latin American economic integration. The goal of a more prosperous and just hemispheric economy may appear distant but it is definitely within our capabilities. I am a firm believer in the power of reason and in man's ability to shape his destiny through the intelligent pursuit of ideals.

That is why, despite many discouraging factors and the apparent incompatibility of conflicting interests I regard our common future with optimism.

In the shaping of that common future Colombia and Latin America will require your understanding. As molders of public opinion in the United States you can take the leadership in putting the Inter-American dialogue on a more enlightened and constructive basis. I hope today's conversation will be a useful contribution to that dialogue. Thank you.

PASSPORT FIASCO

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, for several years I have been concerned with the undue delay and nuisance which many people encounter when they apply for a passport. The growing demand far exceeds the facilities and, in Connecticut, where the numbers of passport applications have reached new highs, the facilities for their issuance which existed last year have actually been reduced 50 percent.

I have heard reports from Connecticut that the passport problem has reached emergency conditions. In the span of 10 years from 1955 to 1965 the passport traffic increased from only 528,000 to 1.25 million, and this figure is now well beyond 1.5 million per year.

The public demand for improvement of the passport service has reached proportions that must have response from the Congress and the State Department.

While my previous efforts in this endeavor have not been effective, I have again called upon the Secretary of State to recommend that the Director of the Passport Office establish an alternative procedure to the present one which will protect the Government, but will also permit prompt and efficient issuance of passports. I include here a letter I have addressed in this connection to Secretary of State William P. Rogers, and I ask my colleagues for their support in this endeavor, for I am sure that Connecticut holds no monopoly on the passport fiasco:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 11, 1969.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: Once again the passport situation in Connecticut is creating problems. These arise from the fact that the annual surge of passport applicants must be serviced in one city by one clerk in the Superior Court, a State court, and since the Federal courts at New Haven and Bridgeport which previously handled passport applications, no longer do so, there is only one Federal Court in the State dealing with these applications.

I have suggested previously the desirability of eliminating the requirement in the law that the applicant swear to the application before a court official. This requirement appears to me to be unduly restrictive. I suggest that the applicant be permitted to appear before a Notary Public or some other constituted authority. The situation has reached a point where applicants are not receiving the type of service they have a right to expect on behalf of the Federal government.

I urge you to recommend that the Director of the Passport Office establish an alternative procedure to the present which will protect the government but will also permit prompt and efficient issuance of passports.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

HAROLD RUSSELL, CHAIRMAN OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. McCORMACK. Mr. Speaker, one of the most dedicated men that I have ever met is Harold Russell, Chairman of the President's Committee on Employment of the Handicapped.

The President's Committee, established in 1947, promotes employment opportunities for the physically and mentally handicapped.

The Committee includes over 600 organizations and individuals, and also includes all Cabinet officers and the heads of several major Federal agencies.

Harold Russell was first appointed Chairman in 1964 by President Johnson. Prior to that, he had served as Vice Chairman since his appointment in 1962 by the late President Kennedy.

As Chairman, Harold Russell travels extensively throughout the United States to seek expanded training and job opportunities for the handicapped. He serves without compensation except for travel expenses.

On May 1, 1969, at the annual meeting of the President's Committee on Employment of the Handicapped, Harold Russell made some very interesting and informative remarks, which I herewith include:

REMARKS OF HAROLD RUSSELL, THURSDAY, MAY 1, 1969

Welcome to this Annual Meeting of the President's Committee. And welcome to this beautiful city of Washington—not just the political capital of our country, but also its communications capital. More of that later.

We come from everywhere—from all the States of the Union and from foreign lands. We come from all backgrounds—business and labor, volunteers and professionals, government and non-government, city people and farm people, young and old.

We come here because we speak a common language, the language of opportunity for the handicapped. But we do more than speak the language. We act.

The past year has been a year of action. Rehabilitations set a new record of more than 200,000 . . . Job placements by public employment offices reached a third of a million . . . The mentally retarded found jobs in record numbers, and the big problem is to prepare more for all the job openings . . . The mentally restored came into the labor market in greater numbers than ever . . . We saw important beginnings in employment of the severely handicapped . . . Architectural barriers continued to tumble down . . . A good start was made to eliminate transportation barriers.

At first glance, a banner year, one worth celebrating. But look again. There are two other things about the year that bothers me.

One seems to be a trend toward a slowdown in our communications with one another. Our lines of communication seem to be developing short circuits.

The other seems to be a trend toward dehumanizing the handicapped. More and more, we seem to be considering the handicapped not as total human beings but as fragmented parts.

Let me say a few words about each trend. Communications first.

Sometimes government agencies seem to have trouble communicating with voluntary agencies. Sometimes government agencies seem to have trouble communicating among themselves. Sometimes this profession doesn't seem to be able to communicate with that profession. Sometimes labor doesn't seem to communicate with management. Sometimes it's the other way around.

Sometimes the agencies serving the handicapped have trouble communicating with the people they're supposed to serve. If you want evidence, I refer you to a recent Roper study which showed that an alarming number of families of handicapped people didn't have the faintest idea where to go for services. There's a short circuit for you.

Finally, sometimes we don't communicate very well with the general American public. Looking back, we have come a long way in building public acceptance of the handicapped. But let's not get smug. I refer you again to the Roper study. It took a cross-section of a thousand American families and probed their attitudes about the mentally retarded, about the blind and about the crippled.

Eighty-four percent thought that the retarded belong in institutions or at best in sheltered workshops, but certainly not in the regular labor force alongside other workers.

Fifty-six percent thought that the blind belong in institutions or sheltered workshops but not in the labor force.

Sixty-four percent thought the crippled should be in institutions or workshops but not in competitive employment.

Eighty-four percent, fifty-six percent, sixty-four percent. We have a lot of minds to change, haven't we?

It's not enough to talk about short circuits in our communications systems. We must try to understand why this Tower of Babel keeps growing in our midst.

The major cause, I believe, is the age we live in. Ours is an age of specialization, an age of a knowledge explosion that we haven't learned to cope with.

Knowledge keeps piling upon knowledge to the point where we need computers just to catalogue it. This growing mountain of knowledge has forced us to become specialists. Even our specialties are growing narrower. We find we're spending all our waking hours—and nighttime hours, too—just keeping up with our own specialties. Who has time to lift his head from the journals to see what's going on in the rest of the world?

This age of knowledge, this age of specialization, has been bringing about the other trend I mentioned earlier—the trend toward de-humanizing the handicapped, toward perceiving the parts of the man rather than the whole man.

Specialization has led to fragmentation.

Take the field of medicine. There are brain specialists and eye specialists and nose specialists and ear specialists and heart specialists and lung specialists and pancreas specialists and liver specialists and intestinal specialists and limb specialists and skin specialists and I've only begun to scratch the surface. Very often, each is so concerned with his own specialty that he fails to see the total person.

Or take the field of the handicapped.

You'll find employment specialists concerned with what goes on from nine to five but not a minute afterwards. And you'll find recreation specialists who are concerned with what goes on after five but not a minute before. And placement specialists so concerned with job development in the plant that they lose sight of transportation barriers that keep the man at home. And specialists in architectural barriers who are less concerned with attitudinal barriers. And specialists in attitudinal barriers who overlook architecture. And specialists concerned with the psychology of the handicapped but not their physiology. And others concerned with physiology but not with psychology.

Fragmentation of people has crept into the attitudes of the general public as well.

Why do you think the Roper study showed so little acceptance of the handicapped? Because most of the people did not see the handicapped as total human beings, but rather as creatures bearing the tags of "retarded" or "blind" or "crippled."

How can you possibly reject a person—be he retarded or blind or crippled or whatever—if you get to know him as a complete human being? You can't. You can't.

Now please understand me. I'm not saying everybody on earth goes around with fragmented viewpoints of people. I am saying there is more of it than we would like to see. And it is growing.

What can we do about it?

Well, we can devote part of our careers—only a small part—to becoming still another kind of specialist. A specialist in humanity.

This part of us should be able to step back every once in a while to see man as a total human being and not just as the sum of his many segments.

This part of us should be able to remind us of the relationships between all aspects of a man's existence—the family he came from, the neighborhood where he grew up, the schools he attended, the friends he made, the girl he married, the dreams he dreamed, the attitudes he has developed toward work, the image he has built of himself.

This part of us should be able to force us to lift our heads from our technical books and journals, to look out over the universe and see its one-ness. If the universe is one, then man is one.

Finally, this part of us should cut us down to size every once in a while—should make us see that the world does not revolve around us and our specialties, but that, instead, we are a detail in a much larger picture of mankind.

How can we become such a specialist in humanity?

We can do it by communicating with one another. We can do it by leaving our fenced-in back yards and visiting other neighborhoods, other worlds.

Communicate. Labor with management. Professional with volunteer. Young with old. City people with farm people. All of us with the handicapped.

Communicate. Only when we communicate with each other can we come to see the handicapped as total human beings. Only when we see them as total human beings can we serve them as they need to be served.

Communicate, communicate, communicate.

That's one value of these Annual Meetings. The President's Committee cuts across lines, across specialties. We speak the common language of man. We give you the chance to communicate.

But you don't have to wait once a year for Annual Meetings of the President's Committee. There are Governors' Committees in all the states and local Committees in nearly a thousand cities—made up of broad cross-sections of society, able to see the handicapped as whole men and whole women.

Take a more active part in the affairs of your Governor's Committee or your local Committee. Volunteer yourselves. Enlist. Many of you are already active, but not all. Not only will you strengthen the Committees, but you will strengthen yourselves.

I know that this is a modest proposal for a major problem. I know there must be other proposals, your proposals. Please think about these things. How can we communicate better? How can we counteract fragmentation? How can we see the handicapped as a whole man?

I hope you will think about it. And I hope you will write me; yes, all of you here today.

If this President's Committee is to be truly effective, its strength lies in you and in your ideas. Your ideas can lead us forward. So write—letters, postcards, telegrams, anything. Just write, and we will move forward.

We will move forward when we truly begin to communicate with one another.

We will move forward when we see the handicapped not as cases, not as clients, not as consumers—but as human beings.

We will move forward because we are determined to move forward.

Archibald MacLeash, the poet and playwright, said these things so well. Listen to his thoughts:

There was a time in history, he said, when man considered himself the center of everything. The stars and moon and sun were created for his benefit. The earth was his. The waters were his. The animals were placed on earth to do his bidding.

He was "Mr. Big"—a comfortable feeling, if not a very realistic one.

Then came knowledge, and the exploration of the mysteries of life and space. And man's view of himself underwent a shattering change.

No longer was he everything. No longer was he "Mr. Big."

Instead, he saw himself as nothing; absolutely nothing. A tiny dot in a universe without end—a universe that didn't care whether he existed or didn't exist. He was "Mr. Nothing." He was devastated.

Then, just a few months ago, came Apollo Eight, that flight around the moon. And back from Apollo Eight came those wonderful photographs of this, our planet Earth, floating serenely and majestically in a sea of space. This noble sphere was our home, our Earth. For the first time, we have seen ourselves as we really are.

Once more, our viewpoint changed. No longer were we everything, the center of the universe. No longer were we nothing, a dot in a universe without meaning.

We have seen those photographs, and we have seen ourselves whole. We have gained the dignity of whole men. In those photographs, boundaries ceased to exist—no nations, no states, no cities, no neighborhoods, no blacks, no whites, no browns, no yellows. But one world. One world where all men are brothers.

A whole world with whole people. So our role becomes clear. We must help all men achieve their whole-ness, achieve their integrity as human beings and as brothers.

We must do this so that we can truly inherit the earth, the gray-blue earth that we have seen, our home.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. WOLFF of New York (at the request of Mr. ALBERT), for today, on account of official business.

Mr. FOLEY (at the request of Mr. MEEDS), for June 16, 1969, through June 20, 1969, on account of official business.

Mr. O'HARA (at the request of Mr. ALBERT), for today and through July 2, on account of official business.

Mr. DENNEY (at the request of Mr. GERALD R. FORD), for the week of June 16, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. EDMONDSON (at the request of Mr. ALBERT), for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MIZELL) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. FINDLEY, for 5 minutes, today.

Mr. ANDERSON of Illinois, for 15 minutes, today.

Mr. CONTE, for 10 minutes, today.

Mr. MCDONALD of Michigan, for 15 minutes, today.

Mr. STEIGER of Wisconsin, for 5 minutes, today.

(The following Members (at the request of Mr. CAFFERY) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. LEGGETT, for 6 minutes, on June 17.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BENNETT during debate on H.R. 11235 today, the Older Americans Act of 1969 amendments.

Mr. LENNON (at the request of Mr. GARMATZ) to follow the remarks of Mr. GARMATZ on H.R. 265.

Mr. MCCORMACK (at the request of Mr. CAFFERY) to extend his remarks in the body of the RECORD and to include extraneous matter.

(The following Members (at the request of Mr. MIZELL) and to include extraneous matter:)

Mr. CAMP in three instances.
Mr. CONTE.
Mr. VANDER JAGT.
Mr. BOW.
Mr. HOSMER in three instances.
Mr. HALL.
Mr. WYMAN in four instances.
Mr. STEIGER of Arizona in two instances.
Mr. EDWARDS of Alabama.
Mr. ZWACH in two instances.
Mr. MCCLORY.
Mr. ANDERSON of Illinois.
Mr. CARTER.
Mr. LANDGREBE.
Mr. RIEGLE in two instances.
Mr. STANTON in three instances.
Mr. COLLINS in four instances.
Mr. MORSE.
Mr. DELLENBACK.
Mr. SCHADEBERG in two instances.
Mr. POLLOCK.
Mr. STEIGER of Wisconsin in two instances.
Mr. MILLER of Ohio in two instances.
Mr. CLEVELAND in two instances.

The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. CHARLES H. WILSON in two instances.
Mr. BOLLING.
Mr. MONTGOMERY in two instances.
Mr. ROYBAL in five instances.
Mr. POWELL in two instances.
Mr. PURCELL in two instances.
Mr. LONG of Maryland in two instances.
Mr. ROSENTHAL in five instances.
Mr. WILLIAM D. FORD.
Mr. CELLER.
Mrs. CHISHOLM in two instances.
Mr. BINGHAM in two instances.
Mr. ASHLEY.
Mr. KOCH.
Mr. RARICK in four instances.
Mr. HUNGATE.
Mr. VANIK in two instances.
Mr. GRIFFIN in two instances.
Mr. ANDERSON of California.
Mr. NICHOLS in two instances.
Mr. VIGORITO.
Mr. BROWN of California in four instances.
Mr. JOHNSON of California.
Mr. BARING in two instances.
Mr. GONZALEZ in two instances.
Mr. DONOHUE in four instances.
Mr. BURLISON of Missouri.
Mr. EDWARDS of California.
Mr. BRASCO.
Mr. FULTON of Tennessee in two instances.

Mr. O'NEILL of Massachusetts in two instances.
Mr. NEDZI in two instances.
Mr. COHELAN in four instances.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 36 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 17, 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:

847. A communication from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for insured operating loans, including loans to low-income farmers and ranchers, and for other purposes; to the Committee on Agriculture.

848. A communication from the Comptroller General of the United States, transmitting a report on a study of the indirect cost of federally sponsored research, primarily by educational institutions; to the Committee on Appropriations.

849. A communication from the Assistant Secretary of Defense (Comptroller), transmitting a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products during the first 9 months of fiscal year 1969, pursuant to the provisions of section 511 of Public Law 90–580; to the Committee on Appropriations.

850. A communication from the Assistant Secretary of Defense (Comptroller), transmitting a report on the value of property, supplies, and commodities provided by the Berlin Magistrate for the quarter January 1 to March 31, 1969, pursuant to the provisions of section 519 of Public Law 90–580; to the Committee on Appropriations.

851. A communication from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notification of the location, nature, and estimated cost of a project proposed to be undertaken for the Marine Corps Reserve (Air), pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

852. A communication from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the work experience and training project in Becker and Mahnomen Counties, Minn., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare; to the Committee on Education and Labor.

853. A communication from the Secretary of Health, Education, and Welfare, transmitting the interim emergency report of the National Advisory Committee on Handicapped Children; to the Committee on Education and Labor.

854. A communication from the Secretary of State, transmitting the eighth annual report on the activities of the East-West Center in Honolulu, for fiscal year 1968, pursuant to the provisions of chapter VII of the Mutual Security Act of 1960, together with the second biennial report of the National Review Board for the East-West Center for the 2 years ended February 1969; to the Committee on Foreign Affairs.

855. A communication from the Comptroller General of the United States, transmitting a report on problems in the administration of the military building program in Thailand, Department of Defense; to the Committee on Government Operations.

856. A communication from the Assistant Secretary of the Interior, transmitting a report of projects selected for funding through grants, contracts, and matching or other arrangements with educational institutions, private foundations, or other institutions, and with private firms, as authorized by section 200(a) of the Water Resources Research Act of 1964, pursuant to the provisions of section 200(b) of that act; to the Committee on Interior and Insular Affairs.

857. A communication from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been concluded with respect to docket No. 318, *The Kickapoo Tribe of Oklahoma, Plaintiff, v. The United States of America, Defendant*, pursuant to the provisions of section 21 of the Indian Claims Commission Act, as amended; to the Committee on Interior and Insular Affairs.

858. A communication from the Director, Administrative Office of the U.S. Courts, transmitting copies of resolutions adopted by the Judicial Conference of the United States relating to outside compensation and disclosure of investments by members of the Federal judiciary; to the Committee on the Judiciary.

859. A communication from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to extend the compulsory patent licensing authority; to the Joint Committee on Atomic Energy.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 12129. A bill to amend the Federal Reserve Act with respect to the terms of office of the Chairman and members thereof, and for other purposes; to the Committee on Banking and Currency.

By Mr. STANTON:

H.R. 12130. A bill to subject bank holding companies to the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. ASHLEY:

H.R. 12131. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 12132. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross income for contributions to local, State, and national candidates for public office or to political parties; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 12133. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 12134. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORMAN:

H.R. 12135. A bill to amend the Internal Revenue Code of 1954 to permit coordination with corrective action by the States where exemption from tax is denied to certain organizations described in section 501(c)(3) of such code; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 12136. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 12137. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

By Mr. HUNGATE:

H.R. 12138. A bill to amend title 10 of the United States Code to provide a more adequate survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

By Mr. JACOBS:

H.R. 12139. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California (for himself and Mr. BARING):

H.R. 12140. A bill 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.

By Mr. JONES of Tennessee:

H.R. 12141. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 12142. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption to a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 12143. A bill to amend the Fish and Wildlife Coordination Act to establish a national policy for the environment, to establish a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 12144. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 12145. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide that the procurement of certain transportation and public utility services shall be in accordance with all applicable Federal and State laws and regulations governing carriers and public utilities, and for other purposes; to the Committee on Government Operations.

H.R. 12146. A bill to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 12147. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12148. A bill to amend section 410 of the Communications Act of 1934 to permit the Federal Communications Commission to pay the expenses of certain State officials serving in joint hearings with the Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 12149. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12150. A bill to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to prescribe uniform procedures for determining what part of the property and expenses of communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12151. A bill to amend the Natural Gas Pipeline Safety Act of 1968 to establish a formula for the division of Federal grants among State agencies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12152. A bill to amend the Communications Act of 1934, as amended, to redefine State and local governmental authority over communications primarily of local concern; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. BRASCO, and Mr. MURPHY of New York):

H.R. 12153. A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 12154. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 12155. A bill to amend title 38, United States Code, so as to provide mustering-out payments for those with military service after August 4, 1964; to the Committee on Veterans' Affairs.

H.R. 12156. A bill to amend title 38, United States Code, to provide that psychosis developing a 10-percent degree of disability or more within 2 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 12157. A bill to amend title 38, United States Code, to assure that the United States shall bear all of the cost of servicemen's group life insurance traceable to war; to the Committee on Veterans' Affairs.

H.R. 12158. A bill to amend chapter 7, title 24, United States Code, to exclude from burial in national cemeteries those persons convicted of treasonous and capital crimes; to the Committee on Veterans' Affairs.

H.R. 12159. A bill to amend title 38 of the United States Code to provide for a pension of $100 per month for unremarried widows of men awarded a Medal of Honor posthumously; to the Committee on Veterans' Affairs.

H.R. 12160. A bill to amend 38 U.S.C. 5001(a)(3) so as to increase to 6,000 the number of beds in Veterans' Administration facilities for the provision of nursing home care to eligible veterans; to the Committee on Veterans' Affairs.

H.R. 12161. A bill to amend title 38, United States Code, so as to provide for the payment of transportation allowances for veterans dying in Armed Forces hospitals; to the Committee on Veterans' Affairs.

By Mr. VANIK:

H.R. 12162. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. BLACKBURN, Mr. FINDLEY, Mrs. GREEN of Oregon, Mr. ICHORD, Mr. MATHIAS, and Mr. MURPHY of New York):

H.R. 12163. 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. ZWACH:

H.R. 12164. A bill to amend the Packers and Stockyards Act of 1921, as amended, to prohibit slaughter of livestock under certain conditions which reduce the bargaining power of livestock producers generally and interfere with a free market, and for other purposes; to the Committee on Agriculture.

H.R. 12165. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOREMAN:

H.R. 12166. A bill to provide for the withdrawal of second-class and third-class mailing permits of mail users who have used these permits in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOLIFIELD (for himself, Mr. PRICE of Illinois, and Mr. HOSMER):

H.R. 12167. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. MOSS:

H.R. 12168. A bill to prohibit any air carrier from refusing transportation to U.S. marshal escorting a prisoner in his custody, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.R. 12169. A bill to establish certain policies with respect to certain leases or permits issued by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 12170. A bill to amend the Submerged Lands Act to establish the coastline of certain States as being, for the purposes of that act, the coastline as it existed at the time of entrance into the Union; to the Committee on the Judiciary.

By Mr. RIVERS (by request):

H.R. 12171. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. STEIGER of Wisconsin:

H.R. 12172. A bill to permit the President to authorize the sale of savings bonds yielding not more than 5 percent per annum; to the Committee on Ways and Means.

By Mr. POFF:

H.J. Res. 778. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.J. Res. 779. Joint resolution creating a

Joint Committee on Oceanic and Atmospheric Programs; to the Committee on Rules.

By Mr. WIDNALL:

H.J. Res. 780. Joint resolution to provide for a temporary extension of the authority conferred by the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. ZWACH:

H.J. Res. 781. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

219. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to the prevention and control of fires in rural areas; to the Committee on Agriculture.

220. Also, a memorial of the Legislature of the State of Louisiana, relative to reestablishment of the U.S. Weather Station at Alexandria, La.; to the Committee on Interstate and Foreign Commerce.

221. Also, a memorial of the Legislature of the State of Oregon, relative to the direct popular election of the President; to the Committee on the Judiciary.

222. Also, a memorial of the Legislature of the State of Louisiana, relative to Federal financing of welfare and public assistance programs; to the Committee on Ways and Means.

223. Also, a memorial of the Legislature of the State of Minnesota, relative to limiting the right of nonfarm corporations and individuals to write off farm losses against nonfarm profits for Federal income tax purposes; 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 as follows:

By Mr. MAILLIARD:

H.R. 12173. A bill for the relief of Mrs. Francine M. Welch; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 12174. A bill for the relief of Maria Concetta Lettera; to the Committee on the Judiciary.

H.R. 12175. A bill for the relief of Pasquale Siconolfi; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 12176. A bill for the relief of Bly D. Dickson, Jr.; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 12177. A bill for the relief of Dr. Jose Agenda Vivo Paz; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 12178. A bill for the relief of George W. Hardin; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12179. A bill for the relief of Rafael Rueda-Lopez; 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:

143. By the SPEAKER: Petition of Wendell B. Moore et al., Baton Rouge, La., relative to seniority rights of Hon. John R. Rarick; to the Committee on House Administration.

144. Also, petition of Ron deLugo, Washington, D.C., relative to constitutional self-government for the people of the Virgin Islands; to the Committee on Interior and Insular Affairs.

145. Also, petition of the City Council, Philadelphia, Pa., relative to designating the birthday of the late President John F. Kennedy a legal national holiday; to the Committee on the Judiciary.

146. Also, petition of the County Board of Directors, Beaufort County, S.C., relative to taxation of State and local government securities; to the Committee on Ways and Means.

147. Also, petition of the City Council, Franklin, Va., relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—*Monday, June 16, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Acting President pro tempore (Mr. METCALF).

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

God of all power and might, the Maker and Ruler of men, accept the love of our hearts and the service of our minds, as we seek to help all men come to fullness of life. Give us grace and wisdom to maintain the freedoms won by our fathers. Uphold us in the high resolve that government and industry and education shall faithfully minister to the people's well-being and to strengthening the foundations of the Republic.

Direct us this day, O Lord, in all our doings with Thy most gracious favor, and further us with Thy continual help, that in all our works begun, continued and ended in Thee, we may glorify Thy holy name, and finally, by Thy mercy, obtain everlasting life; through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, June 12, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of June 12, 1969, the Secretary of the Senate, on June 13, 1969, received messages in writing from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations received on June 12, 1969, see the end of the proceedings of today, June 16, 1969.)

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 219 and the succeeding measures in sequence.

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

PROVISION OF ADDITIONAL FUNDS FOR THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 204) to provide additional funds for the Committee on Appropriations was considered and agreed to, as follows:

S. RES. 204

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Ninety-first Congress, $35,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

AUTHORIZATION FOR THE PRINTING OF THE REPORT ENTITLED "EFFECT OF LUMBER PRICING AND PRODUCTION ON THE NATION'S HOUSING GOALS" AS A SENATE DOCUMENT

The Senate proceeded to consider the resolution (S. Res. 206) authorizing the printing of the report entitled "Effect of Lumber Pricing and Production on the Nation's Housing Goals" as a Senate document, which had been reported from the Committee on Rules and Administration with an amendment, in line 3, after the word "Lumber" strike out "Pricing and Production" and insert