THREAT TO NATIONAL SECURITY

Probably at no time in the nation's history has there been as much critical scanning of defense spending as Congress has been exercising. It is attributable in part to the largely fallacious contention that the nation is in the hands of the "military-industrial" complex, to the heavy expenditures for the Vietnam War, and to belief that the several branches of our armed forces constantly demand new weapons systems, transportation and other equipment while already efficiently equipped.

Concern of Congressmen on such grounds is commendable. But it can be damaging instead of helpful to national defense. A new case in point is an amendment which would delay completion of a third nuclear aircraft carrier, the CVAN–69 pending a study of the need for this ship by the General Accounting Office. As The Leader said when the amendment was introduced, it is not within the competence of the GAO to make such a study and it is not within its functions.

Undeterred by Senate rejection, 64–23, of the Proxmire amendment which would have stopped construction of the C5A supercargo plane, Sens. Walter F. Mondale, D-Minn., and Clifford P. Case, R-N.J., called up their amendment to deny money for the nuclear aircraft carrier. This inspired Sen. Harry F. Byrd, Jr., D-Va., to prepare a lesson for his colleagues on the vital necessity for the carrier.

For rejection of this move, which in effect would probably kill the carrier project, Sen. Byrd told his colleagues that something worse than spending for the aircraft carrier would be delay in strengthening the Navy or the ultimate denial of the planned addition to its strength in a world in which aggression is common. If the United States dangerously neglects its defenses, it could become a target for annihilation.

Showing the impossibility of forecasting where a major war will start, "except to start it yourself, and that is not the policy of the United States", the Virginia Senator declared. ". . . the existence of an American deterrent discourages adventurism on the part of potential enemies". Disclaiming belief in a policy of intervention, he said: "We must be in a position of choice, not a position of impotence."

He then proceeded to show how floating air bases such as the CVAN–69 are vital to seapower in the modern world, and reminded the Senate that we have only one nuclear powered aircraft carrier (the Enterprise) in commission, the prospect of early completion of another (the Nimitz), and of the addition of the as yet unnamed CVAN–69 in the next several years.

Obstructionists in Congress are likely to devise some new tactic to prevent the CVAN–69's completion if the amendment is rejected. Sen. Byrd recalled that proponents of the amendment "maintain that land-based tactical aircraft can do the job of carrier-based aircraft more cheaply and efficiently". He didn't say so in so many words, but this contention is nothing short of ridiculous, in the light of experience in the Pacific during World War II and in the Korean War.

Sen. Byrd warned: "The carrier force which we have today is rapidly aging. Of our 15 attack carriers, seven were built during World War II or shortly thereafter." Some of these ships are unable to handle modern attack planes.

Updating our carrier strength is as important to effective deterrence as nuclear submarines, nuclear missiles, thoroughly modern aircraft of all types, and strong ground forces. Carrier strength and a fleet of supercargo planes for quick deployment of ground combat units are essential. To block them now would not save money, for continued inflation will make them cost more later. And delay could cause unnecessary casualties or decisive defeat.

HOUSE OF REPRESENTATIVES—*Monday, September 15, 1969*

The House met at 12 o'clock noon.

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

He who gives heed to the word will prosper, and happy is he who trusts in the Lord.—Proverbs 16: 20.

O God, our Father, once more in this historic Chamber we respond to the call to prayer and in the quiet of this moment draw near to Thee. Make us aware of Thy presence as a quickening spirit, a sustaining power, a refuge, and a strength in the time of trouble.

We pray for our country that she may be guided and governed by Thy good spirit. Grant that all who call themselves Americans may be led in the way of truth, along the path of good will, and may hold the faith of our democratic life in a deep unity of steadfast purpose.

Bless our President, our Speaker, the Members of this body, and all who labor with them. Keep them calm and steady, full of faith in Thee and in the power of our Nation to be a leading light among the nations of the world.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 11, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 227. An act to provide for loans to Indian tribes and tribal corporations, and for other purposes;

S. 2068. An act to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child-care centers for preschool and school-age dependents of employees; and

S.J. Res. 149. Joint resolution to extend for 3 months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts.

The message also announced that the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2315) entitled "An act to restore the golden eagle program to the Land and Water Conservation Fund Act."

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

SEPTEMBER 12, 1969.

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

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 10:10 a.m., on Friday, September 12, 1969, and said to contain a message from the President wherein he transmits to the Congress the report on the special project grants for the health of school and preschool children, as provided for in Public Law 89–97, title II, section 206.

With kind regards, I am,
Sincerely yours,
W. PAT JENNINGS,
Clerk.

HEALTH OF SCHOOL AND PRESCHOOL CHILDREN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I transmit herewith the report on the Special Project Grants for the Health of School and Preschool Children, as provided for in P.L. 89–97, Title II, Sec. 206. This report concerns Sec. 532 of the Social Security Act (subsequently redesignated as Sec. 509) which authorizes a program of project grants to assist communities in providing comprehensive care for children living in areas with concentrations of low income families.

RICHARD NIXON.

THE WHITE HOUSE, *September 12, 1969.*

PLIGHT OF AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

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

Mr. DE LA GARZA. Mr. Speaker, along with my colleagues I have a growing concern regarding the plight of American prisoners of war in North Vietnam and of their loved ones here in the States. Some 1,365 American families, including a number in south Texas, do not know whether their sons or husbands in Vietnam are dead or alive, physically well or ill. More than 300 U.S. servicemen are known to be prisoners of the Communists. More than 1,000 are missing and believed to be prisoners. Their fate remains unknown because North Vietnam continues its brutal refusal to live up to the 1949 Geneva Convention relative to the treatment of prisoners of war.

The families of these American fighting men live each day in uncertainty and dread. The Government, under both this administration and the preceding one, has repeatedly protested mistreatment of prisoners and urged such basic steps,

provided for by the Geneva Convention, as repatriation of sick and wounded prisoners and the furnishing of a list of the men actually in North Vietnamese hands. But the response from Hanoi has been insolently negative. The Communist regime has refused even to identify the men held in captivity.

Needless to say, the continuing efforts of the administration on behalf of our American prisoners of war have my full support. South Texas is the home of the most famous former POW, Nikki Rowe, who escaped from the Communists through his own determination and daring. We know from him the conditions under which our men are held. Our hopes and prayers will go with the Texas women, wives of missing men, as they journey to Paris to make an in-person plea to negotiators for information about their husbands and other prisoners.

IS SOUTH VIETNAM ANNOUNCING AMERICAN POLICY?

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

Mr. WALDIE. Mr. Speaker, the wire services have an announcement that Marshal Ky of South Vietnam has announced that this Nation will withdraw 40,000 additional U.S. troops by the end of October from South Vietnam.

Although I applaud the decision of this Nation that that be done, I am concerned that for too long in the past in Vietnam the policy of this Nation has been dictated by South Vietnam and by North Vietnam. I am now concerned that the policy of this Nation is not only overly influenced by South Vietnam but is even being announced by the military rulers of South Vietnam.

It does seem to me that the President of the United States has the obligation to the people of the United States and to the Congress of the United States to announce the policy of this Nation so that we do not read on the wires and the newspapers that the Vice President of South Vietnam is telling the people of this country what our policy will be in South Vietnam.

PUBLIC SCHOOL SEX EDUCATION

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

Mr. FOREMAN. Mr. Speaker, considerable concern has been expressed by Members of Congress and citizens across the country recently over some of the sex education programs being presented in the schools.

Members of Congress and their wives, I understand, are invited to attend a color film presentation, "Pavlov's Children," of these "sex education" materials, and so forth at 2:30 p.m. Wednesday, September 17, in room 2261 of the Rayburn House Office Building. It does not matter whether you are for or against the public school sex education programs and/or materials used, if you are interested in our children and their education, you are invited to review the presentation.

NORTH VIETNAM REFUSES AMERICAN AIRMEN GENEVA CONVENTION PROTECTION FOR PRISONERS OF WAR

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

Mr. PUCINSKI. Mr. Speaker, I think all of us are very deeply concerned with the North Vietnamese Red Cross announcement over the weekend that the Geneva accord on the treatment of prisoners of war would not apply and does not apply to American airmen who have been captured and who are now prisoners of war in North Vietnam.

I flew in World War II and I remember that they were given protection under the Geneva Convention. I think this outrageous conduct by the North Vietnamese should not go unnoticed. It occurs to me that the United States ought to call upon all of our allies who, for whatever reasons, continue to do some sort of trade with North Vietnam to impose an economic embargo against North Vietnam until North Vietnam, first, does give an accounting of the prisoners of war and, second, does agree that the Geneva Convention rules on the treatment of prisoners of war will apply to all of our soldiers and airmen.

We now have 401 known American prisoners of war, most of them airmen, who are either in North Vietnamese prison camps or Vietcong prison camps. We have another 981 missing. We do not know whether they are prisoners of war or what their status—whether they are dead or otherwise. But it does occur to me that we are talking here about some 1,400 American soldiers and I hope our State Department will not let this announcement by North Vietnam go unnoticed.

I believe we should arouse the indignation of the entire free world. This whole war is horrible enough and I think this announcement from the Red Cross that the Geneva accord on the treatment of the prisoners of war does not apply to our airmen only adds to the horror.

PERMISSION FOR SUBCOMMITTEE ON FISH AND WILDLIFE, COMMITTEE ON MERCHANT MARINE AND FISHERIES, TO SIT DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fish and Wildlife of the Committee on Merchant Marine and Fisheries may sit today during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSENT CALENDAR

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

COURT LEAVE FOR EMPLOYEES OF THE UNITED STATES AND THE DISTRICT OF COLUMBIA

The Clerk called the bill (H.R. 12979) to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia.

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

H.R. 12979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6322 of title 5, United States Code, is amended to read:

"§ 6522. Leave for jury or witness service; official duty status for certain witness service

"(a) An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia is entitled to leave, without loss of, or reduction in, pay, leave to which he otherwise is entitled, credit for time or service, or performance of efficiency rating, during a period of absence with respect to which he is summoned, in connection with a judicial proceeding, by a court or authority responsible for the conduct of that proceeding, to serve—

"(1) as a juror; or

"(2) as a witness on behalf of a party other than the United States, the District of Columbia, or a private party;

in the District of Columbia, a State, territory, or possession of the United States including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands. For the purpose of this subsection, 'judicial proceeding' means any action, suit, or other judicial proceeding, including any condemnation, preliminary, informational, or other proceeding of a judicial nature, but does not include an administrative proceeding.

"(b) An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia is performing official duty during the period with respect to which he is summoned, or assigned by his agency, to—

"(1) testify or produce official records on behalf of the United States or the District of Columbia; or

"(2) testify in his official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

"(c) The Civil Service Commission may prescribe regulations for the administration of this section."

(b) Item 6322 in the analysis of chapter 63 of title 5, United States Code, is amended to read:

"6322. Leave for jury or witness service; official duty status for certain witness service.".

SEC. 2. (a) Section 5515 of title 5, United States Code, is amended to read:

"§ 5515. Crediting amounts received for jury or witness service.

"An amount received by an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia for service as a juror or witness during a period for which he is entitled to leave under section 6322(a) of this title, or is performing official duty under section 6322(b) of this title, shall be credited against pay payable to him by the United States or the District of Columbia with respect to that period."

(b) Item 5515 in the analysis of chapter 55 of title 5, United States Code, is amended to read:

"5515. Crediting amounts received for jury or witness service.".

SEC. 3. (a) Section 5537 of title 5, United States Code, is amended to read:

"§ 5537. Fees for jury and witness service

"(a) An employee as defined by section 2105 of this title or an individual employed

by the government of the District of Columbia may not receive fees for service—

"(1) as a juror in a court of the United States or the District of Columbia; or

"(2) as a witness on behalf of the United States or the District of Columbia.

"(b) An official of a court of the United States or the District of Columbia may not receive witness fees for attendance before a court, commissioner, or magistrate where he is officiating.

"(c) For the purpose of this section, 'court of the United States' has the meaning given it by section 451 of title 28 and includes the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands."

(b) Item 5537 in the analysis of chapter 55 of title 5, United States Code is amended to read:

"5537. Fees for jury and witness service.".

SEC. 4. (a) Chapter 57 of title 5, United States Code, is amended by inserting at the end thereof the following new subchapter:

"SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

"§ 5751. Travel expenses of witnesses

"(a) Under such regulations as the Attorney General may prescribe, an employee as defined by section 2105 of this title summoned, or assigned by his agency, to testify or produce official records on behalf of the United States is entitled to travel expenses under subchaper I of this chapter. If the case involves the activity in connection with which he is employed, the travel expenses are paid from the appropriation otherwise available for travel expenses of the employee under proper certification by a certifying official of the agency concerned. If the case does not involve its activity, the employing agency may advance or pay the travel expenses of the employee, and later obtain reimbursement from the agency properly chargeable with the travel expenses.

"(b) An employee as defined by section 2105 of this title summoned, or assigned by his agency, to testify in his official capacity or produce official records, on behalf of a party other than the United States, is entitled to travel expenses under subchapter I of this chapter, except to the extent that travel expenses are paid to the employee for his appearance by the court, authority, or party which caused him to be summoned."

(b) The analysis of chapter 57 of title 5, United States Code, is amended by inserting at the end thereof:

"SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

"5751. Travel expenses of witnesses.".

SEC. 5. (a) Section 1823 of title 28, United States Code, is repealed.

(b) The analysis of chapter 119 of title 28, United States Code, is amended by striking out item 1823.

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.

FURTHERING THE ECONOMIC ADVANCEMENT AND GENERAL WELFARE OF THE HOPI INDIAN TRIBE OF THE STATE OF ARIZONA

The Clerk called the bill (H.R. 4869) to further the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I observe the equity, the interest, and the justice of this bill to expand and develop the Hopi Indian Tribe Industrial Park. But I wonder if we are not setting the stage, as stated by the Bureau of the Budget, for individual action in each one of these cases, which sets a long trail ahead; and if perhaps indeed we should not have general legislation completed and submitted in this area rather than handling each case as it comes up from each industrial development council or each tribe?

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

Mr. HALL. I yield to the chairman of the Committee on Interior and Insular Affairs.

Mr. ASPINALL. Our committee has considered the procedure that has been suggested by the gentleman from Missouri. But each one of these bills—and it is particularly true of the legislation now before us—depends upon the peculiar situation surrounding the Indian tribe itself, and as far as the Hopis are concerned, they are asking for the possibility of industrial development on their own property, which proposed development is different than it is on the properties of other tribes. If it were merely a question of the time limit of this operation, I think perhaps there might be some justification for a general statute. But here again we do not know whether it should be 49 years or 99 years, depending on the kind of investment they have in mind. In this legislation we took everything into consideration which we could think of, and thought that this measure should be placed in this special category.

Mr. HALL. The distinguished gentleman does feel that we would be simply delegating the power of Congress if we did not consider these tribal situations one at a time?

Mr. ASPINALL. The gentleman is correct.

Mr. HALL. Is there any reason, Mr. Speaker, to believe that the way this legislation is written—if we may turn to another subject on the proposed bill—wherein it would carry tax exemption regardless of what the Congress finally does on the general tax reform bill which has passed this body and is pending in the other body? In other words, Mr. Speaker, before I yield to the gentleman, would this inclusion of tax exemption to some degree presently permitted by the State and local industrial development bonds for the Hopis be included if that general authority was repealed under tax reform legislation subsequently enacted?

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

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

Mr. ASPINALL. As I understand the question, my understanding is that we would not establish a precedent. It is my understanding also that this bill will stand on its own feet.

Mr. Speaker, the Hopi Tribe has developed, with its own funds, on lands donated to it an industrial park on the outskirts of Winslow, Ariz. The industrial park is some 40 miles from the boundary of the Hopi Reservation proper. In order to expand the park and provide more job opportunities for Hopi Indians, the tribe needs authority to acquire, dispose of, or exchange lands within or in close proximity to the industrial park. It also needs authority to raise additional funds to finance the expansion of the park by borrowing from commercial lending institutions or by selling bonds, secured by a mortgage of tribal land in the park. The purpose of the bill is to give the tribe this authority, subject in all cases to approval of the Secretary of the Interior.

Any industrial development bonds issued by the tribe will have the same tax status that similar bonds issued by a State or municipality have. If the Federal law regarding the tax status of State or municipal bonds should be changed in the future, the change will also apply to Hopi tribal bonds issued thereafter.

The tribal bonds will be subject to the fraud provisions of the Securities and Exchange Act, but will be exempt from its registration requirements because the issuance of the bonds will be subject to supervision by the Secretary of the Interior.

The tribe, the city of Winslow, and the Secretary of the Interior all recommend the bill.

No expense to the Government is involved.

Mr. HALL. I thank the gentleman from Colorado.

Mr. Speaker, I withdraw my reservation of objection.

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

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

H.R. 4869

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of assisting in the economic advancement and contribution to the general welfare of the Hopi Indian Tribe of Arizona, the Secretary of the Interior may, in his discretion, upon request of the Hopi Tribal Council, purchase with tribal funds, or otherwise acquire by gift, exchange, relinquishment or assignment, any lands or interests therein within, adjacent to, or in close proximity to the Hopi Industrial Park in the counties of Navajo and Coconino in the State of Arizona: *Provided,* That any exchange shall be upon a fair and equitable basis with partial money consideration where required and only such Hopi Tribal lands may be given in any exchanges as are within, adjacent to or in close proximity to said Hopi Industrial Park: *And provided further,* That title to all lands, or interests therein, acquired pursuant to this authority shall be taken in the name of the United States of America in trust for the Hopi Tribe and such lands, or interests therein, shall be nontaxable.

SEC. 2. The Hopi Tribal Council shall have the following powers:

(a) To sell any part of the lands within, adjacent to, or in close proximity to said Hopi Industrial Park.

(b) To execute mortgages upon, or deeds of trust to, the lands within said Hopi Industrial Park or adjacent thereto, or in close proximately therewith. Such lands shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of Arizona. The United States shall be an indispensable party to, and may be joined in, any such proceeding involving said lands with the right to remove the action to the United States district court for the district in which the land is situated, according to the procedure in section 1446, of title 28, United States Code, and the United States shall have the right to appeal from any order of remand entered in such action.

(c) To pledge any revenue or other income from said lands within or adjacent or in close proximity to said Hopi Industrial Park, and the improvements situated thereon, and any other revenue or income that may be available to the tribe without regard to source, to secure any indebtedness of the Hopi Tribe incurred in the development of said Hopi Industrial Park, and any action to enforce said pledge shall be in accordance with the laws of the State of Arizona, and the United States shall be an indispensable party thereto to the same extent and under the same conditions as hereinbefore provided in the case of mortgage foreclosures.

(d) To issue bonds for and on behalf of the Hopi Tribe, and pay the costs thereof, to accomplish the purposes of this Act, in one or more series, in such denomination or denominations, maturing at such time or times, and in such amount or amounts, bearing interest at such rate or rates, in such form either coupon or registered, to be executed in such manner payable in such medium of payment, at such place or places, subject to such terms of redemption, with or without premium, and containing such other restrictive terms as may be provided by tribal ordinance. Such bonds may be sold at not less than par at either public or private sale and shall be fully negotiable.

(e) To appoint a bank or trust company with its home office in the State of Arizona having an officially reported combined capital, surplus, undivided profits and reserves aggregating not less than $10,000,000 as trustee for all of the purposes provided in the ordinance authorizing and creating any issue of bonds. Any trustee so appointed may be authorized to commence an action for and on behalf of, or on relation of, the Hopi Tribe to enforce any obligation to the tribe pledged to secure payment of the bonds without joining the United States as a party thereto.

(f) To enter into any business venture as a shareholder of a corporation issuing nonassessable stock, or as a limited partner with any corporation, firm or person operating within or without said Hopi Industrial Park.

(g) To lease or rent the lands within said Hopi Industrial Park and lands acquired by the tribe pursuant to this act, and all improvements thereon under such terms and conditions as the Hopi Tribal Council may determine, and to lease all other tribal land in accordance with existing Federal laws and regulations.

SEC. 3. The exercise of all powers granted the Hopi Tribal Council by this Act shall be subject to the approval of the Secretary of the Interior, or his duly authorized representatives.

SEC. 4. Bonds issued by authority of this Act and bearing the signatures of tribal officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all of the persons whose signatures appear thereon have ceased to be officers of the tribal council.

SEC. 5. All bonds issued by the Hopi Tribal Council for and on behalf of the Hopi Tribe and the interest provided in said bonds shall be exempt from taxation by the Government of the United States, or by any State, territory of possession, or by any county, municipality, or other political subdivision of any State, territory, or possession of the United States, or by the District of Columbia.

SEC. 6. The provisions of the Securities Act of 1933 (48 Stat. 74), as amended, and the Securities Exchange Act of 1934 (48 Stat. 881), as amended, shall not apply to the bonds, or the issuance thereof, as authorized by this Act.

With the following committee amendments:

Page 1, line 8, strike out "and" and insert "any".

Page 4, lines 14 through 19, strike out all of subsection (g) and insert in lieu thereof the following:

"(g) To lease lands within the Hopi Industrial Park, lands acquired by the Tribe pursuant to this Act, any other tribal lands, and the improvements thereon, in accordance with the provisions of any Federal laws then in effect."

Page 5, lines 5 through 11, strike out all of section 5 and insert in lieu thereof the following:

"SEC. 5. All bonds issued by the Hopi Tribal Council for and on behalf of the Hopi Tribe and the interest provided in said bonds shall be exempt from taxation to the same extent they would have been exempt if the bonds had been issued by the State of Arizona or a political subdivision thereof."

Page 5, lines 12 through 16, strike out all of section 6 and insert in lieu thereof the following:

"SEC. 6. Any securities issued by the Hopi Tribal Council (including any guarantee by such Council), and any securities guaranteed by the Council as to both principal and interest, shall be deemed to be exempted securities within the meaning of paragraph (a)(2) of section 3 of the Act of May 27, 1933, as amended (15 U.S.C. 77c), and paragraph (a)(12) of section 3 of the Act of June 6, 1934, as amended (15 U.S.C. 78c), and shall be exempt from all registration requirements of said Acts."

The committee amendments were agreed to.

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.

PROVIDING FOR DISPOSITION OF JUDGMENT RECOVERED BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF FLATHEAD RESERVATION, MONT.

The Clerk called the bill (H.R. 9756) to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Mont., in paragraph 11, docket No. 50233, U.S. Court of Claims, and for other purposes.

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

H.R. 9756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in satisfaction of a judgment awarded in paragraph 11 of the final decree in docket numbered 50233, United States Court of Claims, including interest thereon, after payment of attorneys' fees and other litigation expenses, may be advanced, expended, invested, or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to members of the tribes shall not be subject to Federal or State income tax.

With the following committee amendment:

Page 1, line 6, after the first "of" insert "the final decree in".

The committee amendment was agreed to.

Mr. ASPINALL. Mr. Speaker, this bill authorizes the Confederated Salish and Kootenai Tribes of the Flathead Reservation to use a $190,399 judgment recovered against the United States in the Indian Claims Commission. The judgment has been appropriated and is in the Treasury to the credit of the tribes. Authorizing legislation is necessary before the money can be spent.

The bill authorizes the money to be used for any purpose authorized by the tribal governing body and approved by the Secretary of the Interior. The tribes intend to use the money to augment their tribal credit programs, which have been quite successful. There is a need for additional credit money, and this will be a good use for the judgment.

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.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 1766.

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

There was objection.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 1766

An act to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Montana, in paragraph 11, docket numbered 50233, United States Court of Claims, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in satisfaction of a judgment awarded in paragraph 11 of the final decision in docket numbered 50233, United States Court of Claims, including interest thereon, after payment of attorneys' fees and other litigation expenses, may be advanced, expended, invested or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to members of the tribes shall not be subject to Federal or State income tax.

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

A similar House bill (H.R. 9756) was laid on the table.

PROVIDING FOR DISPOSITION OF JUDGMENT FUNDS OF CONFEDERATED TRIBES OF UMATILLA INDIAN RESERVATION

The Clerk called the bill (H.R. 9477) to provide for the disposition of judgment funds of the Confederated Tribes of the Umatilla Indian Reservation.

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

Mr. PELLY. Reserving the right to ob-

ject, Mr. Speaker, I know the bill H.R. 9477 is opposed by the Department of the Interior and also the Bureau of the Budget. I am concerned that the Consent Calendar contains controversial legislation. As I understand the committee bill, it is something of a compromise. This $2,450,000 under the recommendation of the Department of the Interior would be distributed $450 to each member of the tribe now, and then another $450 in a year, and then the balance would go to Confederated Tribes for their development.

As I understand this bill, the payment now would be $1750, and $200,000 would be reserved to the tribes.

It seems to me the record in any consideration of this legislation should be more detailed and that it should not come up on this particular Consent Calendar.

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

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

Mr. ASPINALL. Mr. Speaker, the gentleman from Washington is correct when he states the Department of the Interior and the Bureau of the Budget raised objections and offered their own suggestions. The committee did not go along with the Bureau of the Budget or the Department of the Interior in their suggestions in their entirety.

May I say that here is another illustration when the Committee on Interior and Insular Affairs in the House uses its own judgment in such a matter. We have reached a compromise between what was proposed in the one instance by the Department and what was proposed in the other instance by the Bureau of the Budget.

This bill authorizes the Confederated Tribes of the Umatilla Indian Reservation to use $2,450,000 which they recovered against the United States by action of the Indian Claims Commission. There is no controversy on that. The judgment has been appropriated and is in the Treasury to the credit of the tribe. Authorization is necessary before the money can be taken out of the Treasury.

The bill directs all except $200,000 be distributed per capita among the members of the tribe. The $200,000 is reserved and made available for education of the members of the tribe. The tribe has additional tribal funds available for this purpose, so this would just be added to what they already have.

The use of the money as proposed in this legislation is in accordance with the very strong recommendations of the Indians themselves. Although the Department of the Interior recommended only half be distributed by per capita payments or given to the Indians individually, our committee felt the wishes of the Indians should prevail and any enrolled members living on or off the reservation should be given the per capita payment in two different payments and any other money that would be left over would be used for educational purposes. We think this is perfectly in order with the welfare of the Indians and the procedures we have followed in other instances.

Mr. PELLY. Mr. Speaker, I do not object, of course, to the committee using its wisdom. Very probably I think the compromise worked out is a wise one. I do, however, object—and I note the gentleman is a member of the committee of objectors—to bringing in this type of legislation, which is somewhat controversial, on the Consent Calendar form.

Mr. ASPINALL. Mr. Speaker, as the gentleman from Washington states, I am a member of the objectors' committee, and it so happens that I have seen to it from time to time, along with others, that our rules have been adopted and noticed to the Members. I do not believe we have trespassed upon the letter or the spirit of the rules when we bring up a measure such as this and bring any controversy that may exist in the administrative agencies and then let the House make its decision.

This is the same bill that on a suspension of the rules might take us 20 to 40 minutes, and we could not make any different recommendation than we make now.

Mr. PELLY. Mr. Speaker, I think another point should be considered. I notice in the report the Department felt maybe there were 500 to 2,000 additional Indians who might be eligible for these funds, and I do not think we should pass this legislation without some statement on that point.

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

Mr. PELLY. I yield to the genlteman from Colorado.

Mr. ASPINALL. We have had this kind of difficult decision before us at least two times, to my knowledge, and have always come up with our own recommendation.

There are always members of other tribes of Indians who claim a right to any part of any tribal funds. In this case we had the same principle involved.

I believe we have taken care of the equities and have brought in all the Indians who are found to be eligible for these moneys on the roll that is already established. In this matter the Department of Interior is in agreement.

Mr. PELLY. I want to say to the distinguished gentleman, Mr. Speaker, I have great respect for the gentleman and for his committee. I believe they probably exercised good judgment.

I do, however, differ with the gentleman; this is the type of legislation which should properly come under a suspension of the rules procedure, so that any Member who is opposed can debate the issue properly.

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

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

Mr. KYL. I am sure the gentleman from Washington is completely aware of the rules surrounding the distribution of funds under the Indian Claims Commission.

The first point to be made here is that the action which is to be taken is in accordance with the desires of the Indians.

Under the first principle adopted under the Indian Claims Commission, the awards were to go to the tribe. The Congress simply carries out the decision of the court.

I shall try to illustrate to the gentleman how this can become complicated, particularly in the light of his question. Suppose there are two branches of the same tribe. One branch says that 60 percent of the money to be distributed will be held in the tribal account and the other 40 percent will be distributed directly to the members on a per capita basis. The other branch of the tribe, in the same award, desires to have 100 percent of the award distributed to individual members with none going to the tribal account. Having this kind of situation before us, we find that sometimes one branch, or an entire tribe, will seek to enlarge its rolls—to gain an advantage.

In one specific case to which I refer now, there were two branches of the tribe involved, and one branch sought to increase the number of Indians on the roll so that they could get a higher percentage of the total award than would the other branch. In that second branch, under the tribal constitution, children born of an Indian father and a white mother are eligible for enrollment, but children of an Indian mother and a white father are not considered eligible. This tribe could enlarge its enrollment quite easily, but it did not.

The committee takes all these matters into consideration on all such bills.

In my mind, certainly the distribution which is sought here is fair. The controversy certainly was not within the Committee on Interior and Insular Affairs. It was a matter of discretion for the Department to make its report. We find, on close scrutiny, we cannot always go along with those reports.

Mr. PELLY. Mr. Speaker, I wonder if the gentleman feels that the Consent Calendar is the proper calendar on which to consider this type of legislation on which some Member might want to present the facts which have just been given by the gentleman from Iowa. I did not know those facts before I raised the issue. I believe he has made a very helpful statement.

Mr. KYL. Let me respond to the gentleman in this fashion: the Committee on Interior and Insular Affairs has a vast amount of legislation before it each session. The chairman of that committee and the ranking minority member seek to gain the presentations of these materials to the House in the most convenient means possible consistent with good legislative process.

I believe, in view of the fact there is no controversy on the entire committee on either side of the aisle, it does become a matter which can properly be presented in this fashion.

The gentleman from Washington has used his prerogative to seek further definition, and as always has contributed to the legislative process.

If this matter had come to us under a rule or under a suspension, I do not think any additional facts would have been made known and we probably would have consumed a great deal more time needlessly.

Mr. PELLY. I point out to the gentleman from Iowa that if I had not raised the point, much information that I feel should have been in the record would not have been there. I appreciate the

statement that the gentleman from Iowa made, because I think now the record is more complete, and under the circumstances, as the committee is unanimous on this, I will not ask that it be held over.

Mr. Speaker, I withdraw my reservation of objection.

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

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

H.R. 9477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entire unexpended balance of funds that were appropriated by the Act of May 13, 1966 (80 Stat. 141) to pay a judgment by the Indian Claims Commission entered in docket numbers 264, 264A, and 264B in favor of the Confederated Tribes of the Umatilla Indian Reservation, and the interest thereon, less litigation expenses, shall be distributed, per capita, in equal shares to all eligible members of the Confederated Tribes as defined in this Act under such terms and conditions as are authorized by the tribal governing body and approved by the Secretary of the Interior. Such per capita distribution shall be made with all deliberate speed. No part of the cost of preparation of the roll shall be charged against said funds or other tribal funds.

SEC. 2. The persons eligible to receive such per capita payments shall be all persons who were living on December 17, 1965, and whose names appear on any of the following:

(a) The membership roll of the Confederated Tribes as of June 15, 1957, as approved by the Bureau of Indian Affairs on January 10, 1958, or

(b) The supplemental membership roll as of April 12, 1960, approved by the Bureau of Indian Affairs on January 27, 1961, and also any other persons born after July 1, 1949, and living on or at any time between December 17, 1965, and the date of this Act who were either enrolled as of the date of this Act or became entitled to enrollment under section (b), article IV of the constitution and bylaws of the Confederated Tribes adopted November 4, 1949, as determined by the Secretary of the Interior or his authorized representative.

SEC. 3. Until distributed such funds shall remain tribal funds and the shares herein designated for the eligible members shall constitute inheritable and nonreimbursable credits therein from and after December 17, 1965.

SEC. 4. The per capita distributions of such funds shall not be subject to Federal or State income tax.

With the following committee amendments:

Page 1, line 8, after "expenses," insert "estimated costs of distribution, and $200,000 to be used as provided in section 5 of this Act,".

Page 2, line 2, strike out "Interior." and insert "Interior, including the establishment of trusts for minors and incompetents. Payments to heirs or legatees shall be made upon proof of death and inheritance satisfactory to the Secretary, whose findings shall be final and conclusive."

Page 2, beginning on line 3, strike out "with all deliberate speed" and insert "in three installments of approximately equal amount, the first installment to be made as soon as possible after the date of this Act and the next two installments to be made at six month intervals."

Page 2, beginning on line 4, strike out "No part of the cost of preparation of the roll shall be charged against said funds or other tribal funds."

Page 3, beginning on line 1, strike out "and nonreimbursable credits therein" and insert "property".

Page 3, following line 4, add a new section 5 reading as follows:

"SEC. 5. The $200,000 withheld from per capita distribution pursuant to section 1 of this Act shall be invested or placed in trust with an institutional trustee by the Secretary of the Interior, under terms and conditions approved by the tribal government body. The income from the investment or trust, together with such invasions of the principal or trust corpus as the Secretary deems desirable, shall be used for the education of members of the tribe until such time as the tribal governing body, with the approval of the Secretary, determines that the funds should be used in some other manner."

The committee amendments were agreed to.

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.

RELATING TO AGE LIMITS IN CONNECTION WITH APPOINTMENTS TO THE U.S. PARK POLICE

The Clerk called the bill (S. 1686) relating to age limits in connection with appointments to the U.S. Park Police.

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

S. 1686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Public Law 89-554 (80 Stat. 419, 5 U.S.C. 3307) the Secretary of the Interior is hereby authorized to determine and fix the minimum and maximum limits of age within which original appointments to the United States Park Police may be made.

Mr. ASPINALL. Mr. Speaker, S. 1686 is comparable to H.R. 12578 which was introduced by our colleague, the gentleman from California (Mr. JOHNSON). It authorizes the Secretary of the Interior to establish minimum and maximum age limits for original appointments to the U.S. Park Police.

The Park Police force is located exclusively in the National Capital region. It shares law enforcement responsibility with the Metropolitan Police Department of Washington, D.C. In fact, Park Police officers have the same powers and perform the same duties as any other policeman in the District of Columbia. Their jobs include all of the functions generally assumed by other police departments. They handle traffic congestion, investigate crimes and accidents, and patrol and protect people and property.

Although their jobs are not unlike those of officers of the Metropolitan Police Department, they are subject to different policies with respect to recruiting new employees. Rather than being authorized to establish maximum age limitations for original appointments to the force, as is the situation for the District of Columbia Police Department, the U.S. Park Police force is subject to the restrictions of the competitive civil service.

S. 1686 would grant an exception for the Park Police with respect to the general prohibition against the establishment of maximum age limitations for officers or employees entering their position through the competitive civil service. This policy should not, of course, be taken lightly. For most positions, age should not be a qualification for employment, but the members of the Committee on Interior and Insular Affairs felt that a case had been made for an exception in this instance.

Needless to say, police work is a very demanding occupation. Not only is the duty more hazardous than the usual employment, but it requires extraordinary physical stamina and personal stability in order to cope with fast changing events. A policeman is on call around the clock and he must be available for emergencies at any time and in all kinds of weather and conditions. For these reasons, the public interest requires that these employees be recruited when they are in prime physical condition, mentally alert, and capable of undertaking the rigorous training and arduous responsibility that will be imposed on them.

Age limitations for recruiting police officers are not uncommon. In the District of Columbia, the maximum age for original appointments is 29 and, the committee was advised, a survey of the International Association of Chiefs of Police indicated that 30 percent of the department's limited new appointments to persons under 30 years of age and 80 percent had established 35 years of age as the maximum for new recruits.

If the U.S. Park Police force is to effectively cope with the problems it faces then it must be permitted to employ modern standards in recruitment of new personnel. The enactment of S. 1686 will help it to do the job which we expect of it and I recommend its approval by the Members of the House.

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

PROVIDING FOR THE ESTABLISHMENT OF THE WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE

The Clerk called the bill (H.R. 7066) to provide for the establishment of the William Howard Taft National Historic Site.

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

H.R. 7066

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of William Howard Taft, the Secretary of the Interior is authorized to acquire, by donation or purchase with donated or appropriated funds, such land and interests in land, together with buildings and improvements thereon and including scenic easements, at or in the vicinity of Auburn Avenue, Cincinnati, Ohio, as the Secretary of the Interior shall deem necessary for the establishment of a national historic site in commemoration of William Howard Taft. Such site shall be known as the William Howard Taft National Historic Site.

SEC. 2. The administration, development,

preservation, and maintenance of the William Howard Taft National Historic Site shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended (16 U.S.C. 1 et seq.), and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.).

SEC. 3. There are hereby authorized to be appropriated to the Secretary of the Interior not to exceed $250,000 for land acquisition and development in connection with the William Howard Taft National Historic Site provided for by this Act.

With the following committee amendments:

Page 1, line 10 through page 2, line 1, strike out "as the Secretary of the Interior shall deem necessary for the establishment of a national historic site in commemoration of William Howard Taft. Such" and insert in lieu thereof the following: "as are depicted on the drawing entitled 'William Howard Taft National Historic Site Boundary Map,' numbered TAHO–20009, and dated August, 1969. The drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. When acquired such'.

Page 2, lines 14 through 18, strike out all of section 3 and insert in lieu thereof the following:

"SEC. 3. There are hereby authorized to be appropriated not more than $318,000 for land acquisition and for restoration and development of the William Howard Taft National Historic Site."

The committee amendments were agreed to.

Mr. ASPINALL. Mr. Speaker, H.R. 7066 provides for the establishment and development of the birthplace and home of William Howard Taft as a national historic site.

The proposed historic site is located in Cincinnati, Ohio. The properties involved include the two-story, painted brick Taft home and an adjacent property. The homesite is now owned by the William Howard Taft Memorial Association. We were advised that the association will donate it, together with the funds necessary for the acquisition of the adjacent property. The only cost to the Federal Government in establishing this new unit of the National Park Service will be expenses incurred in connection with the restoration of the site and development of visitor facilities. It is estimated that the cost of this work will require an appropriation of $318,000.

Mr. Speaker, the contributions of William Howard Taft to our society have gone too long unrecognized. Not only is he the only man to serve our Nation both as Chief Executive and Chief Justice, but he made many important contributions to our system of government.

The committee has recommended two amendments. One defines the exact boundaries of the proposed historic site. The other updates the estimated cost of its restoration and development.

With these brief remarks, Mr. Speaker, I recommend the approval of H.R. 7066, as amended.

THE ADJACENT PROPERTY

The committee was advised that the adjacent property consists of twenty-eight one-hundredths of an acre. The present structure is a frame structure faced with stone. Its condition, as described to the committee, was fair, at best. While it is occupied at the present time, it was indicated that every effort would be made to relocate the residents within the community. Discussions between the Taft Memorial Association and the Mount Auburn Community Council have been conducted and it is hoped that between these two public-spirited groups suitable housing can be found. The neighborhood, we are told, is residential in nature, but the location of a hospital and other public buildings near the proposed national historic site necessitates parking facilities for visitors. The National Park Service suggested that without such facilities the feasibility of the historic site would be significantly impaired.

(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, it is most appropriate that the U.S. House of Representatives should have chosen this date, September 15, to act on a memorial honoring the 27th President of the United States, William Howard Taft. As the Members of this House know, today is the 112th anniversary of William Howard Taft's birth.

It is strange that the Congress should have waited so long to pay tribute to President Taft because he was, in truth, a most distinguished American. His great gifts are readily apparent in that he is the only American ever to serve both as President of the United States and as Chief Justice. But the quality which most strikes me about William Howard Taft is that he was one of the most loved Presidents ever to guide the destinies of our Nation.

I recall that men of another older generation of Americans, immigrants among them, always thought of William Howard Taft with extraordinary fondness. It made no difference what their political affiliation, they looked upon Mr. Taft as their President. He was therefore that most enviable of American chief executives, President of all the people.

There is yet another comment I would like to make about William Howard Taft. He was adjudged by other men in high public office to be an exemplary public servant. He was regarded by friend and foe alike as thoroughly honest, a man deserving of the highest trust. It was for this reason that he was groomed for the Presidency by that great President himself, Theodore Roosevelt.

There may be many who do not remember the outstanding accomplishments of William Howard Taft as President. His administration dissolved the Standard Oil and tobacco trusts, established the Department of Labor, drafted the constitutional amendments providing for the direct election of Senators and levying of the Federal income tax—initially a tax only on the rich.

Mr. Speaker, we honor here today a truly outstanding U.S. President, a great son of Cincinnati, a man whose name will ever live as one of the finest men ever to serve the American people in the great White House on Pennsylvania Avenue. To make his boyhood home a national historic site is most fitting and proper, a decision I am sure the American people will endorse.

Mr. SCHWENGEL. Mr. Speaker, I rise to voice my support of H.R. 7066, sponsored by the gentleman from Ohio (Mr. CLANCY) and myself. The bill provides for the preservation of historically significant properties associated with the life of the late William Howard Taft. It is altogether fitting and proper that we do this. His memories need recalling.

William Howard Taft died, a great and beloved man, on March 8, 1930. As a college boy at Kirksville, I remember very well the announcement of his death. At the time of his death he was the Chief Justice of the Supreme Court of the United States. Previously, he had been the 27th President of the United States, Secretary of War, Governor General of the Philippine Islands, Solicitor General of the United States, judge of the U.S. circuit court of appeals, judge of the superior court of Cincinnati, dean and professor of the Law School of Cincinnati, and professor of law at Yale University. Here is evidence of his versatility, and the record shows clearly his adequacy in every office he served.

At the time of his death he was held in highest admiration, esteem, and affection by all Americans.

He was, in my judgment, the man who best represented the spirit of his time—in his personality, in his temperament, in his education; in his positive religious hope, in his calm deliberation, in his loyalty to the laws of his country, in his confidence in humanity and his sympathy with all men living under the U.S. flag. And yet it seems today he is one of the most forgotten and ignored of all our Presidents.

There is no good reason for this, because he was a man who manifested by his inheritance and in his training, the finest qualities valued by Americans—qualities which he demonstrated throughout his long and distinguished career.

My admiration of him grows as I note his loyalty to his friends whom he would not indict or convict without a just hearing. He should be admired also because he was not afraid of irresponsible tyrants in public life. Admiration is due him for his loyalty to the Constitution of the United States and for his refusal to let himself become the great Pooh Bah of American politics—the President, the Congress, and the judiciary, all packed in one.

I liked him for his great patience and courtesy, even to men who exhausted the vocabulary of vituperation upon him. I learned with thrilling interest of his herculean labors to secure for the American people, by due process of law and by deliberate decisions of the courts, what they had been clamoring for in vain—namely, the curbing of big corporations, the crushing of the dishonest and disreputable combines, and the punishment of the great rascals in high places. He earned the title of "trust buster."

William Howard Taft brought about the establishment of a juster law for the railroads; a Tariff Court and a Commerce Court for the trial of commerce causes;

the establishment of postal savings for the protection of earnings; a taxation of all corporations doing interstate commerce business; and submission to the legislatures of the States of an amendment to make possible an income tax.

What four Presidents in 25 years before him sought in vain to do, he brought to pass. He strove and finally secured a harbor bill that contained no pork barrel, an actual reduction of expenses in the running of the Government, and a better business administration of the public service.

His courteous treatment of the little powers in Central America, in spite of provocation that could have brought swift interference, won respect from all. I remember that after 10 years of constant effort and argument, he achieved justice for the people of the Philippine Islands and Puerto Rico, allowing them to prosper by entering more freely into the markets of the Republic.

I am proud that Mr. Taft should have forgotten all partisanship and all prejudice by appointing to the highest position among the judges of the world a Confederate soldier and a Catholic Democrat from Louisiana. His mistakes, if there were any, were trivial—his achievements were colossal.

Being President of the United States under modern conditions is not merely the greatest honor, but the greatest responsibility that can come to a man.

The successful performance of the duties of that office involves not only devotion to the interests of the people and unquestioned integrity, for almost all of our Presidents have had those qualities. Rather, there is an absolute necessity for something greater and rarer than these common virtues. There must be genius for executive work, physical capacity for the endurance of severe official strain, patience and tact in dealing with other men—the latter a quality which comes only from the constant buffeting of official life, and a certain predisposition for the management of public affairs.

That William Howard Taft possessed these qualifications in abundance is clearly evident in his life history.

William Howard Taft was born on September 15, 1857. He came from a family which had already left its impression on several communities before he saw the light of day.

His father, Alphonso Taft, had served in the Cabinet of Grant as Secretary of War, and afterward as Minister of Vienna. His grandfather as well as his father had sat on the bench. The effect of this family environment was extremely important in forming the character of a young man who was subsequently to reach honors greater even than those which had come to his distinquished father.

William Taft was graduated from Yale in 1878, studied for and was admitted to the bar, and began the practice of law in Cincinnati. At that time he had no idea other than that of following a legal and judicial career.

He served on the State bench of Ohio, and was appointed Solicitor General of the United States by President Benjamin Harrison. In both positions he attracted the attention of all who came into contact with him by his power of thought and of statement.

The first development of his executive capacity came while he was a judge on the bench and not while he was Governor of the Philippines, as many people suppose.

From 1892, almost until the close of the century, there was a period of intense financial depression, followed by a slow recovery.

There had been an overexpansion of northern capital in the border and Southern States. Various manufacturing, railroad, and mining enterprises in the South had been clamoring for development, and the North was called upon to supply the money.

Some of these investments were spread out too thin, and when the financial crisis came, one company after another went to the wall. The sixth judicial circuit in which Judge Taft was located covered the States of Michigan, Ohio, Kentucky, and Tennessee. His court was inundated with receivership cases and complex litigation involving all sorts of industrial enterprises.

Judge Taft soon found himself in the position of a managing partner or acting director for manufacturing plants, iron mines, railroads, and a dozen other growing concerns. Therefore, to knowledge of the law he added business capacity. In this way he developed executive ability, learning the secret of large affairs while administering the estates of great corporations which had been forced to become wards of the court as a result of financial difficulties.

As Solicitor General he earned an enviable reputation, and he succeeded to a remarkable degree in combining fearlessness in stating and upholding his own convictions with the ability to avoid giving needless offense to those whose convictions differed from his. The combination of these qualities is rare. Taft was a man who stood by his convictions in time of stress. And he did so in such a way as to be least offensive toward those who did not see matters as clearly as he did.

He so greatly impressed President Harrison that the latter made him circuit judge. It was in this capacity that he first rendered public service that was national in scope; for from the very beginning of his career on the Federal bench he showed himself to be one of those judges to whom we owe the high standing retained by the judiciary in the minds of the people.

As he was to say years later, when asked why he would not return to private law practice:

> Six of the nine justices of the Supreme Court bear my commission. Forty-five per cent of the Federal judiciary have been appointed by me. That is the reason why I could not practice as an advocate. While you and I and the average man would know that circumstance would not affect any court in any degree, the fact is that no matter how fairly any case might be decided, the inclination of the man who lost, if the side I represented won, would be to attribute the defeat to the fact that I had appointed the judge. . . . What is needed these days is that nothing should be done that would ever give justification for even the appearance of a suspicion against the courts.

In Judge Taft's decisions he combined fearless directness in stating and in interpreting the law as it was meant by the lawmakers, with complete readiness to assume in office the powers which alone render it possible for the Government to work with advantage to the people as a whole.

It fell to Mr. Taft to decide a number of cases which blazed the trail which all our judges have later followed. This was notably so in cases involving both corporations and the rights of labor.

His decision in the Addystone Pipe case established in thoroughgoing fashion the right of the Federal Government to exercise complete control over all corporations engaged in interstate business.

His decision in the Narramore case decided the right of lawmaking bodies to provide for the compensation of employees injured in business—and this at a time when the general tendency of decisions was directly the other way.

These two decisions meant much for advancement of the wise use of the national power, for they meant that the national power could be used on the one hand to secure just treatment for labor, and on the other hand to secure adequate control over the vast aggregates of corporate capital.

But Judge Taft was exactly as fearless in dealing with labor as in controlling capital when it needed control. When the country was convulsed from one end to the other with riot and violence, when every politician was bending like a reed before the blast of agitation, Judge Taft, as fearless physically as morally, upheld order and repressed violence by his wise and proper use of the great power of injunction.

After the Spanish-American War, President McKinley appointed Mr. Taft the first Governor General of the Philippine Islands. It was a daring thing to do—to transplant a Federal judge from his court in the Ohio valley to the unfamiliar antipodes of an island empire, unexpectedly acquired from Spain, whose future no man could estimate.

Time has shown that William McKinley, Mark Hanna, and Elihu Root, who were the three men chiefly responsible for the choice, made no mistake when they selected Judge Taft. Called to an unfamiliar duty, asked to resign a pleasant and secure position, Taft chose an unpromising line of duty in the belief that refusal of his services to the President and Secretary of State should take precedent over his own personal fortunes.

Theodore Roosevelt had this to say about Taft's stewardship in the Philippines:

> The annals of colonial administration of all nations can be searched in vain to find any man who did better a more difficult and important work than that which it became Mr. Taft's duty to do during the next four years. His indefatigable industry, his broad sympathy, his energy, his fearlessness, his generosity, and his ability to see and do justice, combined to render him able to perform a service such as no other man could have performed.

Without a doubt, Taft did the best he could for the material, mental, and spiritual comfort of the Filipino people. He built a system of education where children were taught English. He laid a firm and secure industrial educational system. Sanitation for the people, and government supervision of the health of their flocks and herds, were successfully introduced. A judicial system was established. Public improvements were undertaken; roads built; docks constructed; streets improved; a complete system of posts, telephones, telegraphs and railroads were completed under his guidance. A civil system was inaugurated, public lands were opened for settlement, and semiofficial banks were established.

These were accomplished facts, not theories or promises to pay. They comprise a record of things done, a story of accomplishment which tells its own tale as to the masterful executive genius of the man who is chiefly responsible for such splendid results.

After his Philippine assignment Mr. Taft was made Secretary of War. From the beginning he showed himself not merely the efficient head of his Department, not merely a Cabinet member of first class, but a statesman of far-reaching initiative and foresight.

In addition to his regular work connected with the Army, he oversaw the entire Philippine situation, and supervised in person all that was done in connection with the giant task of building the Panama Canal.

Interoceanic canals are not dug every day. The work involved, in the case of Panama, the most delicate civil function, harmoniously blended with the professional discipline exercised by the engineer officers of the Army. The canal was the largest single public work ever undertaken by the United States; and despite endless work stoppages and reversals, Secretary Taft never failed in his duties.

Another, and totally different, phase of international politics is presented in the case of Cuba. Here too, Taft, the man of action, was called upon to represent the Government of the United States in unfamiliar conditions and to create for an alien people a temporary government to succeed the unfortunate republic which they had themselves failed utterly to maintain.

The island of Cuba was as much under the personal control and direction of the former Secretary of War as was the Panama Canal or the Philippines. His was the guiding hand, his was the strong arm, and it was his visit to the island which brought peace out of chaos and which taught the Cuban people to look up to the integrity and genius of this great American citizen.

It may have been fate or it may have been accident, but it was certainly true that almost every great and unusual governmental problem which occurred during the Roosevelt administration had in some way invoked the executive assistance of Mr. Taft. And, once he became President, he was responsible for putting into effect Roosevelt's Square Deal legislation.

The administration of President Taft soon justified his promise of achievement—a promise founded upon his long career of public service in the most varied fields. The deep, dominant notes of his term were courage and honesty. He espoused causes, never because they were popular, but because they were just.

He enforced the statutory laws against both the rich and the powerful, indifferent to both the threats of reprisal and the pleadings of excuse. The Sherman antitrust law he made into a most powerful weapon of offense. He ever insisted that none was too powerful to fear the law and none too weak to be denied its protection.

He believed that guilt is concrete, and not abstract; that it is definite, and not indefinite; that it is personal, and not impersonal. Civil prosecutions, long unheeded, were replaced by criminal prosecutions for those who ignored the statutes on our books.

He advocated courageously the principles of nonpartisanship. In his appointments to high office he considered ability only, not party loyalty nor sectional prejudices. He sought the greatest reform in our tariff administration—its removal from the influences of party politics. By the assistance of men of special training and experience he sought to relieve the business world from the recurring periods of depression and optimism so hostile to prosperity.

Although we were a power among the nations of the world, President Taft believed in the future of universal good will and international peace. This was characteristic of the man. In 1910 he planted a "peace tree" at the dedication of the Pan American Building in Washington. That tree, still growing, is a monument to his desire to foster tranquil relations with all countries.

He further sought peaceful relations with the world by his desire to inaugurate a period of broader and more intimate trade relations with our neighboring countries. Further, he ardently espoused the cause of international peace as formulated in the proposed treaties or arbitration with England and France. In these he saw not merely a savings of millions of dollars of taxes annually, but also the protection of individual life and property from the devastation and cruelties of war.

Loyal to the highest standards of honor, with a genial and attractive personality, faithful to friends and just to opponents—President Taft combined the most admirable of personal traits. Fearless of criticism, with an instinctive faith in the American people, even in days of partisan bitterness, he confidently trusted his own fame to the ultimate and correct verdict of an impartial posterity.

Americans have now had a chance to judge the man and his career against the background of history. So that his memory and fine deeds and inspiration will never be lost to the American people, I urge all my colleagues to support H.R. 7066, creating the William Howard Taft National Historic Site. Such a monument would inspire all who came to view it, all who came to reflect there upon the greatness of the man and upon the profound meaning of the tradition of which his career was so characteristic a part.

Mr. Speaker, in my study of American Presidents I have read most of the speeches by them when they were President and I have read all of President Taft's speeches. They are among the best of our political literature. They are great speeches because they are eloquent, adequate, and they give us both insight and understanding.

Mr. Speaker, I close as I began, "it is altogether fitting and proper that we do this."

Mr. CLANCY. Mr. Speaker, I rise today to urge the adoption of H.R. 7066 which provides a memorial in honor of that great American, the late William Howard Taft.

Under the provisions of this legislation the Secretary of the Interior is authorized to acquire, by donation or purchase, such land and buildings in the vicinity of the homesite necessary for the establishment of the William Howard Taft Historic Site.

The house, located at 2038 Auburn Avenue, Cincinnati, Ohio, was built in the 1840's by a Mrs. Bowen and was purchased by the Honorable Alphonso Taft in 1851. On September 15, 1857, William Howard Taft was born in the rear portion of the house. Around 1900 the house was sold and later was turned into apartment dwellings. In 1968 the Taft family, through a nonprofit corporation, purchased this property.

The purpose of this legislation is to preserve the birthplace and home of this distinguished statesman, and through it give visitors an understanding of the environment that shaped Taft's character and philosophy, and the impact of this character and philosophy in shaping Taft's public career.

The memory of William Howard Taft is part of the great tradition and heritage of our country. This distinguished Cincinnatian, climaxed his long and illustrious career of public service by serving as President of the United States from 1909 to 1913 and as Chief Justice of the Supreme Court from 1921 until 1930. He is the only American to have achieved this status.

We have honored many former Presidents and certainly William Howard Taft, the 27th President of these United States, deserves similar tribute.

I therefore urge the passage of H.R. 7066 which would preserve these historically significant properties as a lasting and deserving tribute to this outstanding statesman.

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.

RETURN OF S. 2315 TO THE SENATE—MESSAGE FROM THE SECRETARY OF THE SENATE

The SPEAKER laid before the House the following communication from the Secretary of the Senate:

That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2315) entitled "An act to restore the golden eagle program to the Land and Water Conservation Fund Act."

The SPEAKER. Without objection, the request of the Senate is agreed to.

There was no objection.

The SPEAKER. The Committee on Interior and Insular Affairs is discharged from further consideration of the bill S. 2315 and the Clerk will return the bill to the Senate.

EISENHOWER NATIONAL HISTORIC SITE AT GETTYSBURG, PA.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from consideration of the joint resolution (H.J. Res. 81) to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 81

Whereas the Secretary of the Interior has designated, under authority of the Act of August 21, 1935 (49 Stat. 666), the Gettysburg, Pennsylvania, farm of General Dwight D. Eisenhower, thirty-fourth President of the United States, as the Eisenhower National Historic Site; and

Whereas the Secretary's order of designation prohibits the use of funds appropriated to the Department of the Interior for the development of the national historic site unless otherwise authorized by Act of Congress: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such sums as may be necessary for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, which may be expanded only upon termination of the estates reserved by the donors.

With the following committee amendments:

Page 1, strike out all of the preamble.

Page 1, beginning on line 3 and ending on Page 2, line 1, strike out "such sums as may be necessary" and insert "not more than $1,081,000".

Page 2, lines 3 and 4, strike out "which may be expended only upon termination of the estates reserved by the donors." and insert in lieu thereof "which may not be expended for the construction of major capital improvements as long as the special use permit issued to Mamie Doud Eisenhower by the National Park Service, United States Department of the Interior, on June 3, 1969, remains in effect."

Page 2, following line 4, insert a new section reading as follows:

"SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as 'Additions to Eisenhower NHS' on the drawing entitled 'Proposed Additions to Eisenhower National Historic Site', numbered EISE—20,-000 and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.' "

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

Mr. ASPINALL. Mr. Speaker, the measure now before the House—House Joint Resolution 81—represents statutory recognition of the Eisenhower National Historic Site. While this area was added to the national park system by Executive action in 1967, the order explicitly provided that no Federal funds would be expended at the site until authorized by the Congress.

The Eisenhower National Historic Site consists of the Gettysburg farm which was the famous retreat and retirement home of the late President. In addition, the historic site would encompass some 262 acres of land donated by the W. Alton Jones Federation of New York which was used in connection with the farming operation as it was known to the Nation's 34th President.

When the principal property was donated to the Federal Government, it was stipulated that administration and development of the area by the National Park Service would not commence until 6 months after the death of either spouse. At the request of Mrs. Eisenhower, however, the National Park Service has issued a special use permit which allows her continued occupancy of the residence, related buildings, and 14 acres of land indefinitely. Under the terms of this permit, she will maintain and insure the buildings and grounds so as to assure their protection and historical integrity.

The remainder of the area is to be operated as a farm under a lease arrangement assuring the maintenance of the premises in an orderly manner. The members of the Committee on Interior and Insular Affairs were advised that, under terms of the lease, the farm is to be operated as it was during the General's residence.

Of course, as long as it remained the home of the Eisenhowers, the property was not open to the public and it is not expected to be available to the public as long as Mrs. Eisenhower retains it as her residence. For this reason, it would be inappropriate to proceed with development of the site at this time. The resolution, as amended by the committee, recognizes that some minor repairs or improvements might require funding in the near future, but major capital improvements would be deferred as long as the special use permit remains in effect. This provision is consistent with the stated intent of the National Park Service.

The committee recognizes, however, that a substantial investment will ultimately be required in order to accommodate the public. For this reason, based on the estimates available to us, we recommend that the appropriations authorized for development be limited to $1,081,000. It is expected that the National Park Service will begin making detailed plans for the future development of the property, but no major construction will be undertaken at this time.

In conclusion, I want to emphasize that all of the lands have been donated either by the Eisenhowers or by the W. Alton Jones Federation of New York. I also want to point out that the personality of the farm and the household furnishings were not included in the donation. In the event that it should be necessary to purchase contemporary furnishings, the costs attributable to that purpose are not included in the authorized ceiling; consequently, it might be necessary sometime in the future, to consider an increase for this purpose.

Basically, all of the amendments recommended by the committee have been covered in my explanation of the joint resolution, but let me enumerate them briefly. We recommend—

First, the deletion of the preamble because we feel that the purpose of the measure is adequately explained in the report;

Second, that the amount authorized to be appropriated be limited to the amount actually estimated to be needed for development of the site;

Third, that the legislation preclude major improvements as long as the existing special use permit continues in effect; and

Fourth, that the lands donated by the W. Alton Jones Federation, presently a part of the Gettysburg National Military Park, be transferred to the Eisenhower National Historic Site since it is more intimately connected with the farm and will be useful in the future development of the facility.

Mr. Speaker, House Joint Resolution 81, as amended, has been reviewed in detail and I urge its approval by the Members of the House.

COMPARISON WITH SENATE JOINT RESOLUTION 26, AS PASSED BY THE SENATE

First. The committee deleted the "whereas" clauses, but the Senate retained them. The preamble is not essential to the purposes of the act.

Second. The committee amended the measure to limit appropriations by providing "not more than $1,081,000," but the Senate language indicates that "not to exceed $1,108,000" is authorized. Both attempt to limit expenditures to the estimated outlay, but the House figure is correct.

Third. The committee substituted a provision prohibiting major capital improvements as long as the special use permit remains effective, while the Senate language provides that the development funds "may be expended only upon termination of the estates reserved by the donors." By operation of the deed, the estates reserved by the donors are scheduled to expire 6 months after the death of the late President, that is, on September 28, 1969. The committee amendment accomplishes the objective, that is, to use the development funds authorized only when the residence is no longer to be used as a personal residence, but it allows some flexibility so that funds can be used for necessary improvements and repairs. The director of the National Park Service indicated that no major improvements would be made as long as Mrs. Eisenhower resided on the property.

Fourth. The new section 2 is identical in both measures. The Department recommends that the lands donated by the W. Alton Jones Federation be transferred from the Gettysburg National Military Park because they were donated with the understanding that General Eisenhower would be permitted to use them in connection with his farming operation. They were an integral part of the farming operation, but they were relatively insignificant in the historic Gettysburg encounter; therefore, the transfer seems appropriate.

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

Mr. SAYLOR. Mr. Speaker, I am extremely proud to cosponsor House Joint Resolution 81, to provide for the establishment of the Eisenhower National Historic Site at Gettysburg, Pa., and I strongly recommend its passage.

Mr. Speaker, the passage and enactment of this legislation will fulfill a sincere desire of our late President, that his beloved farm be made available for the public use and enjoyment of the American people. The desire to do this was personally conveyed to me some years ago by the late President Eisenhower when he came to Johnstown, Pa., for the purpose of dedicating the Johnstown Center of the University of Pittsburgh. At that time, the late President advised me of his desire to donate his farm to the Federal Government and asked me to initiate some discussion on this and advise him how this desire could and should be carried out. Thereafter, in a series of meetings with then Secretary Udall, myself, and members of the late General Eisenhower's staff, arrangements were made for the issuance of the Executive order which designated this farm as the Eisenhower National Historic Site. That Executive order, however, prohibited the expenditure of appropriated funds for its development until authorized by Congress.

It is fitting and proper that Congress be called upon by this legislation to provide for the establishment of the Eisenhower National Historic Site and authorize the appropriation of $1,081,000 for development of the site. Congress, in doing so, will be paying a lasting tribute to our 34th President of the United States.

The significance of this farm and its importance to the Nation as the Gettysburg White House during the Eisenhower presidential years is known to all Americans. The parade of world dignitaries, political figures, military leaders, Government officials, from foreign nations as well as our own people, to the Gettysburg farm from 1952 until just prior to the late President's passing is most impressive. Yet, this beloved farm also had a very personal significance to our late President. It served as the family gathering place and the place from which all Americans saw the Eisenhower grandchildren grow from children to adult Americans.

Mr. Speaker, and Members of the House, the people of the United States have been spared the cost of acquiring this property for establishment of the Eisenhower National Historic Site because of the generous desire of the late President and Mrs. Eisenhower to donate these lands to the Federal Government. The passage and enactment of this legislation will retain this acreage as a living tribute to our 34th President, the late Gen. Dwight David Eisenhower.

I wholeheartedly recommend the passage of this legislation.

(Mr. SKUBITZ (at the request of Mr. SAYLOR) was given permission to extend his remarks at this point in the RECORD.)

Mr. SKUBITZ. Mr. Speaker, I am privileged to cosponsor this legislation with the distinguished ranking minority member of the Committee on Interior and Insular Affairs, the gentleman from Pennsylvania (Mr. SAYLOR), and I heartily support its passage.

On November 27, 1967, the late General and Mrs. Eisenhower donated to the United States their 230-acre farm at Gettysburg, Pa., to be established and administered for public use as a national historic site. This donation was subject to a life estate reserved to the late President Eisenhower and a right of occupancy for a period by Mrs. Eisenhower following the life estate.

The then Secretary of the Interior, Stewart Udall, accepted the donation on behalf of the United States and by secretarial order designated the farm of General Eisenhower, the 34th President of the United States, as the Eisenhower National Historic Site in 1967. However, this designation contained the prohibition that funds appropriated to the Department of the Interior could not be used for the development of the National Historic Site unless authorized by act of Congress.

Mr. Speaker, the purpose of House Joint Resolution 81 is to authorize the appropriation of $1,081,000 for the development plus operation and maintenance costs of the Eisenhower National Historic Site at Gettysburg, Pa. I think it is important to point out that this legislation also contain a prohibition on the expenditure of the funds appropriated pursuant to this act until the expiration of the estates reserved by the donors. This means that full development of this historic site will not occur until after the termination of the use and occupancy permit which was executed between Mrs. Eisenhower and the National Park Service following the late General's death and upon the expressed desire of Mrs. Eisenhower to occupy the residence and improvements on the surrounding 14 acres.

Mr. Speaker, in 1950, the late General and Mrs. Eisenhower purchased this property which adjoins the Gettysburg National Military Park because of its historical significance and a personal sentimental attachment involving the early years of their married life. Thereafter, this 230-acre farm home in the gently rolling and tranquil hills of Adams County, Pa., was destined to join some of the most sacred soil in the history of our Nation, as an area of national historic importance—the late home of a world renowned soldier and the 34th President of the United States, Gen. Dwight David Eisenhower. Many of the world leaders, government officials and other dignitaries visited with President Eisenhower at the white framed farmhouse in Gettysburg, Pa., during his term as our 34th President, and it became the focus of world attention in times of illness of the President, a place where political endorsements were sought, and above all, the fond memories of the home and family gathering place of a truly great American.

It is my understanding that the National Park Service plans to develop, interpret, and preserve this natural historic site as a living tribute to President Eisenhower. The National Park Service plans to retain the hayfields, the General's garden, and herd of Black Angus cattle in the manner begun by President and Mrs. Eisenhower.

In closing, Mr. Speaker, I wish to add that the manner in which our 34th President looked upon and maintained this historic home was the culmination of his early education and childhood among the farm plains of the great State of Kansas, the heartland of the United States of America.

I urge the passage of House Joint Resolution 81.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so be permitted to extend their remarks on the joint resolution just passed.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 26) to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes, a similar joint resolution to the one the House just passed.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 26

Whereas the Secretary of the Interior has designated, under authority of the Act of August 21, 1935 (49 Stat. 666), the Gettysburg, Pennsylvania, farm of the late General Dwight D. Eisenhower, thirty-fourth President of the United States, as the Eisenhower National Historic Site; and

Whereas the Secretary's order of designation prohibits the use of funds appropriated to the Department of the Interior for the development of the national historic site unless otherwise authorized by Act of Congress: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated not to exceed $1,108,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, which may be expended only upon termination of the estates reserved by the donors.

SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as "Additions to Eisenhower NHS" on the drawing entitled "Proposed Additions to Eisenhower National Historic Site", numbered EISE–20,000, and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of Senate Joint Resolution 26 and insert the provisions of House Joint Resolution 81, as passed, as follows:

"That there are hereby authorized to be appropriated not more than $1,081,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, which may not be expended for the construction of major capital improvements as long as the special use permit issued to Mamie Doud Eisenhower by the National Park Service, United States Department of the Interior, on June 3, 1969, remains in effect.

SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as "Additions to Eisenhower NHS" on the drawing entitled "Proposed Additions to Eisenhower National Historic Site", numbered EISE-20000 and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The preamble was stricken out.

A motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 81) was laid on the table.

POLL CONDUCTED BY MINORITY LEADER MR. GERALD R. FORD ON 10 MOST IMPORTANT ISSUES FACING THE 91ST CONGRESS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. GERALD R. FORD. Mr. Speaker, this week I am mailing to nearly 142,000 residences in my congressional district—the Fifth District of Michigan—a questionnaire seeking the views of my constituents on 10 of the most important issues facing the 91st Congress.

I believe this poll will give me a good indication of the thinking in my district on the vital issues of the day. The questions I am asking cover a broad range of issues, extending from President Nixon's welfare reform and revenue sharing proposals to the terrible decisions we face in Vietnam.

Mr. Speaker, I am including my questions at this point in the RECORD with the thought that other Members may well be interested in the content of my questionnaire. The questions follow:

1. Should President Nixon's Family Assistance & Workfare Program be set up in place of the existing welfare system?

2. Should a percentage of Federal income tax money be shared with the cities and states for use as they see fit?

3. Should Federal aid be cut off from students disrupting college classes and administration?

4. Should we elect the President by direct popular vote?

5. Should we amend the U.S. Constitution to give 18-year-olds the vote?

6. Should we create a self-supporting U.S. postal corporation in place of the present postal system?

7. Should we pick draftees by random selection (lottery)?

8. Should we step up space spending to put a man on Mars?

9. Do you favor President Nixon's safeguard antiballistic missile system (ABM)?

10. What should we do about Vietnam?

A. Carry on limited military action, pursue the peace talks in Paris?

B. Follow the Nixon policy of gradually phasing out U.S. troops and replacing them with a S. Vietnamese?

C. Resume and expand bombing of North Vietnam?

D. Withdraw immediately?

CALL OF THE HOUSE

Mr. CONTE. 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. 168]

Abbitt	Frelinghuysen	Rosenthal
Anderson, Ill.	Gallagher	Rostenkowski
Baring	Gettys	Roybal
Blanton	Halpern	St Germain
Boggs	Heckler, Mass.	St. Onge
Bolling	Hungate	Sandman
Brock	Hunt	Scheuer
Brotzman	Kirwan	Sisk
Brown, Calif.	Landrum	Springer
Bush	Lipscomb	Staggers
Cabell	Mailliard	Teague, Calif.
Celler	Mathias	Tiernan
Chappell	Michel	Ullman
Chisholm	Minshall	Vigorito
Clark	Morton	Watkins
Clay	Murphy, N.Y.	Weicker
Collier	O'Konski	Whalley
Conable	Ottinger	White
Cramer	Passman	Whitten
Daddario	Patman	Wilson, Bob
Davis, Ga.	Pollock	Young
Diggs	Powell	
Fascell	Price, Tex.	
Fisher	Rhodes	

The SPEAKER pro tempore (Mr. MILLS). On this rollcall, 361 Members have answered to their names, a quorum.

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

INSURED STUDENT LOAN EMERGENCY AMENDMENTS OF 1969

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, as amended.

The Clerk read as follows:

H.R. 13194

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 "Insured Student Loan Emergency Amendments of 1969".

MARKET ADJUSTMENT PAYMENTS ON INSURED STUDENT LOANS

SEC. 2. (a) Section 428(a)(2) of the Higher Education Act of 1965 is amended by inserting at the end thereof the following new subparagraph:

"(C)(i) Whenever the Secretary determines that the limitations on interest or other conditions (or both) applicable under this part to student loans insured by the Commissioner or under a State or nonprofit private insurance program covered under subsection (b), considered in the light of the current economic conditions and in particular the relevant money market, have caused the return to holders of eligible loans to be less than equitable, he may by regulation applicable to a three-month period specified therein, prescribe (after consultation with the Secretary of the Treasury and the heads of other appropriate agencies) a market adjustment allowance to be paid by the Commissioner to each holder of an eligible loan or loans. The amount of such allowance to any holder with respect to such period shall be a percentage, specified in such regulation, of the average unpaid balance of principal (not including interest added to principal) of all eligible loans held by such holder, which balance shall be computed in a manner specified in such regulation but no such percentage shall be set at a rate in excess of 3 per centum per annum.

"(ii) A determination referred to in clause (i) may be made by the Secretary on a national, regional, or other appropriate basis and the regulation based thereon may, accordingly, set differing allowance rates for different regions or other areas or classifications of lenders, within the limits of the maximum rate set forth in clause (i).

"(iii) For each three-month period with respect to which the Secretary prescribes a market adjustment allowance, the determination required by clause (i) shall be made, and the percentage rate applicable thereto shall be set, by promulgation of a new regulation or by amendment to a regulation applicable to a prior period or periods.

"(iv) The market adjustment allowance established for any such three-month period shall be payable at such time, after the close of such period, as may be specified by or pursuant to regulations promulgated under this subparagraph (C).

"(v) Each regulation or amendment, prescribed under this subparagraph (C), which establishes a market adjustment allowance with respect to a three-month period specified in the regulation or amendment shall, notwithstanding section 505 of Public Law 90-575, apply to the three-month period immediately preceding the period in which such regulation or amendment is published in the Federal Register, except that the first such regulation may be made effective as of July 1, 1969, and the Secretary may determine the market adjustment allowance prior to the end of the first three-month period.

"(vi) As used in this subparagraph, the term 'eligible loan' means a loan (insured under this part) made after June 30, 1969, by an eligible lender to whom a regulation under this subparagraph applies, to the extent that such loan has been disbursed."

CONFORMING AMENDMENTS

SEC. 3. (a) Clause (2) of section 421(b) of such Act is amended by striking out "and" after "interest" and inserting in lieu thereof a comma, and by inserting ", and market adjustment allowances" after "administrative cost allowances".

(b) The second sentence of section 428(a)(1) of such Act is amended (1) by inserting the following after "the Commissioner shall": ", in cases to which paragraph (2)(B) and paragraph (2)(C) of this subsection, respectively, apply,", and (2) by striking out "of this subsection" after "(2)(B)" and inserting in lieu thereof "and

a market adjustment allowance in the amount established pursuant to paragraph (2)(C)".

(c)(1) The second sentence of subparagraph (A) of section 428(a)(2) of such Act is amended (1) by striking out "the" before "administrative cost allowance" and inserting in lieu thereof "any", and (2) by inserting "and market adjustment allowance" after "administrative cost allowance".

(2) Section 428(a)(3) of such Act is amended by inserting "or market adjustment allowances" after "administrative cost allowances".

EFFECTIVE DATE

SEC. 4. This Act shall be effective as of July 1, 1969. Sums available for expenditure pursuant to appropriations made for the fiscal year ending June 30, 1969, under section 421(b) (other than clause (1) thereof) of such Act shall be available for payment of market adjustment allowances under section 428 of such Act as amended by this Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. PERKINS) is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, H.R. 13194 deals with a problem familiar to all of us—the effectiveness and capacity of financial aid programs in meeting the spiraling costs of higher education. During the last few years, virtually every study of the financing of higher education has recommended a greatly expanded Federal program of student loans, grants, and college work-study opportunities, to better assist in meeting these costs.

Numerous letters from concerned parents and students are still another of the many indications of the critical need for expanded programs of assistance. A recent survey of tuition charges being levied on students at the beginning of this academic year gives concrete evidence of the crisis. At Purdue University and Indiana University, student costs were raised by as much as 75 percent. Tuition at the University of Iowa climbed $250 a year for all pupils, and at Iowa State, they went up $225. Ohio State University raised tuition charges for out-of-State students by $540, a jump from $1,110 to $1,650. The University of Wisconsin tuition for out-of-State students was increased by 42 percent, and for those living in State 23 percent. Wayne State University in Michigan added 28 percent to the cost of attending classes for both residents and nonresidents.

In response to the challenge these statistics suggest, the House has already this year approved an increased appropriation for the student loan program carried on under title II of the National Defense Education Act. While this increase will assist substantially in meeting the financial needs of many low-income students in the long run, it does not respond to the problem today.

Even though we have provided for an increased appropriation, colleges and universities have begun the academic year with a tentative allotment of NDEA funds based on budget request of only $155 million rather than at the $190 million level of last year or on the $229 million appropriation we approved. This means that many students who ordinarily would be recipients of title II student loans must turn to the private money market for aid.

And what do they find? They find few of the lenders willing to participate in a program where the return to the lenders is statutorily limited to 7 percent. Today the prime rate is 8½ percent. It is now costing the Federal Government over 7 percent to borrow. Under such monetary conditions, it is virtually impossible for students to negotiate loans at the 7-percent rate. Yet, the Federal guarantee, Federal reinsurance and Federal interest benefits cannot be extended to a loan where the interest is more than 7 percent.

Mr. Speaker, this legislation—the purpose of which is to authorize market adjustment allowances to lenders when economic conditions warrant such—is responsive to the problem. It follows the recommendations of the present administration. And this bill has been reported from both the subcommittee and the full committee on unanimous votes.

The unanimity with respect to this legislation is due to a number of things.

First, there is widespread recognition of the emergency situation of which I have been speaking. Clearly, if we do not enact this legislation, there will be numerous students—as many as 200,000—who will be unable to obtain assistance in meeting college expenses.

Second, Mr. Speaker, the legislation will not require the appropriation of additional funds this year. The market adjustment allowance, which H.R. 13194 authorizes, will be paid from funds already appropriated. Last year we authorized and appropriated $12.5 million for advances to State-insured loan programs. However, because of an additional provision in the 1968 amendments providing reinsurance of State-guaranteed loans, the need for additional seed money has been reduced sharply; with the result that most of the $12.5 million appropriated is unexpended. The balance, we are advised by the administration, will be sufficient to meet the cost in fiscal year 1970 of the market adjustment allowance.

Third, Mr. Speaker, H.R. 13194 is a proposal which offers many advantages over the alternatives we have explored in trying to meet this emergency situation. Under the provisions of H.R. 13194, the Secretary of Health, Education, and Welfare will prescribe a market adjustment allowance to be paid lenders in addition to the 7-percent simple interest rate permitted by present law.

The market adjustment allowance will only be paid when the Secretary determines that statutory interest limitations or other current economic conditions deter lenders from making student loans. The allowance, which may not exceed 3 percent per annum, will be prescribed on a quarterly basis and announced at the end of each quarter. The amount of the allowance will be a percentage of the average principal balance during the applicable quarter of all outstanding student loans made and disbursed by the lender on or after July 1, 1969.

As I have said, Mr. Speaker, the advantages of the type of mechanism provided by H.R. 13194 are numerous. The allowance will provide immediate improvement in the return of lenders and will reflect current money market conditions. This return will remain consistent with changes in the money market, and as monetary conditions improve, the allowance can be reduced accordingly.

From an administrative standpoint, the market adjustment allowance plan is easier to revise downward than are fixed interest rates. It will provide uniform return to lenders and will relieve lender liquidity problems. It is the least expensive method of the alternatives we have examined, as the Federal Government would not be committed to payment of higher interest costs for a number of years.

And finally, Mr. Speaker, and most importantly, in this period of high interest rates, we will not be requiring needy students to bear inordinately high interest costs over a long period of time. This proposal will not increase charges to the student.

Mr. Speaker, the student guaranteed loan program is a remarkable program—a program of sizable proportions.

The first year—in fiscal 1966—48,495 loans were made, at a value of $77 million.

In 1967 the number of loans totaled 330,000 at a value of $248 million.

In 1968 there were over 500,000 loans totaling $435,848,721.

In 1969, for the fiscal year just ended, 737,656 loans were made involving $669,880,405.

Commercial banks have made 87 percent of all loans under the program, and based on the testimony before the subcommittee and information I have received, they are desirous of continuing a substantial contribution to the program. Just today I received messages of endorsement from two banks in my district and I would like to insert them at this point in the RECORD:

SEPTEMBER 15, 1969.

Hon. CARL PERKINS,
House of Representatives,
Washington, D.C.:

This bank, the oldest in Kentucky, endorses student participating loan bill 13194, and urges its passage. Guaranteed loans are most important to future education.

J. M. FINCH, Jr.
President of Maysville.

ASHLAND, KY.,
September 15, 1969.

Congressman CARL PERKINS,
Rayburn Building,
Washington, D.C.:

We have participated in the student loan program since inception and shall continue to work with deserving students to assist them in their efforts to further their education as funds are made available to our bank. We heartily support your stand on H.R. 13-13194 Higher Education.

JOHN C. C. MAYO,
Chairman of the Board, Second National Bank.

Mr. Speaker, the only thing that will prevent 1 million students from benefiting under this legislation in fiscal year 1970 will be our failure to pass this legislation. If we do pass H.R. 13194, it is

estimated that more than 1 million students during fiscal year 1970 will benefit under the guaranteed student loan program.

Mr. Speaker, all of us are opposed to high interest rates. But in our opposition let us not deny to students loan funds which are absolutely necessary.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Kentucky has expired.

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

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 2 additional minutes.

Mr. PERKINS. Several banks in the country have already made statements to the effect that they will not make loans to freshmen. There are numerous examples which I shall not take time to list where banks will not lend to first year students or where actual disbursements are dependent upon favorable action on this bill.

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

Mr. PERKINS. We all know that we must assure lenders that their rate of return will be commensurate with market conditions. That is all we are trying to do in this bill.

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

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

Mr. SIKES. I think we all recognize a need for the legislation under consideration and I commend the distinguished gentleman for his support of the program. But the question that disturbs me and one which I think disturbs others is why do we follow this procedure? Why can we not consider this bill under the regular procedure where it can be debated properly and amendments offered, if they are considered desirable? Presumably, we are going to be here for the balance of the year and the passing of a bill now is not going to help the student who is going to college in September. Therefore, I see no compulsion for bringing a bill of this type to the floor of the House on September 15 under a suspension of the rules.

Would the gentleman please explain why we must follow that procedure, rather than a more orderly one?

Mr. PERKINS. I have tried to exercise us under present procedure in order to obtain enactment into law at the earliest possible date. I suggest that this procedure is an orderly one, since the bill was reported from subcommittee and committee unanimously.

Mr. SIKES. In the absence of a better answer I must assume the bill is before us under present procedure in order to prevent the consideration of an antiriot amendment, or other safeguards which may be needed to protect serious students in their effort to obtain an education. I do not believe it is necessary or proper to move in this precipitous manner. I support the student loan program and I want an opportunity to vote for the necessary implementation of the program. But this arbitrary procedure is an unfortunate limitation of the rights of the House to debate seriously and carefully the bill before us. Therefore I must vote against the procedure; not against the student loan program.

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

Mrs. GREEN of Oregon. Mr. Speaker, would the gentleman yield?

Mr. PERKINS. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I now yield to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, the question that I would like to put to the chairman of the committee is in regard to the procedure. I share the views that were expressed by the distinguished gentleman from Florida (Mr. SIKES). There was a great need for prompt action on this legislation.

My subcommittee voted it out on August 4. It was approved by the full committee on August 7. For reasons which the chairman knows, a rule was not requested. Then objection was made under unanimous consent. A rule was still not requested.

What I wish to know, Mr. Speaker, is if the chairman will give a commitment that all controversial legislation out of the Committee on Education and Labor will have a rule requested so that we will not use this procedure.

The SPEAKER. The time of the gentlewoman has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 30 additional seconds to answer the gentlewoman from Oregon.

Let me first say to the distinguished gentlewoman from Oregon—who is the architect of this legislation and who has worked very diligently to bring it to the floor of the House—that I personally believe that controversial legislation should be brought to the floor of the House under an open rule. This legislation was, however, reported unanimously from both committee and subcommittee.

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

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

Mr. Speaker, unfortunately, because of the arbitrary decision made by the chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), the House must consider the student loan bill under a gag rule which would deprive 220,000 students from obtaining a college education.

Our recommendations would help assure them of continued and uninterrupted attendance. This rule would not allow the House to work its will. There are at least two major areas which this body should be allowed to consider.

Others will discuss the interest rate provisions. It is our desire to offer an amendment which would aid colleges in maintaining order on the Nation's campuses for this year.

This bill, H.R. 13194, was introduced on July 30, and reported to the House on August 7. For over a month the chairman of the Committee on Education and Labor has refused to allow the Members of this body the opportunity to work their legislative prerogatives and responsibilities under the normal legislative process.

Last month, when immediate consideration of this bill under an open rule, was urged, the sole reason the chairman of our committee gave to me, and to 140 other Members of the House who signed a letter asking the chairman to give immediate consideration to this bill, was that he did not wish to give the House the opportunity to accept or reject amendments.

It is important to remember that even if this bill is passed in its present form or with additional House amendments, it will be necessary for a conference with the other body.

We take this position because we "do care" about the students and their right to be allowed to pursue their education without obstacles and without interference.

Why should students be forced to extend their education in both time and money for disruptions over which they have no control?

Why should the taxpayers of this country be forced to subsidize student radicals, when every public poll indicates they oppose doing so?

Why should over 200 deanships go begging for fear of personal physical harm?

Why should already overburdened colleges continue to coddle malevolent malcontents when space could be made available for conscientious, deserving students?

An interesting question, and I would like to have you dwell on this one—why should anyone fear legislation which would only penalize a wrongdoer—campus radicals who forcibly deny other students their education?

Why should the American educational system bear any additions to the 250 major campus disruptions this year, 3,000 arrests, and millions of dollars in property damage it has already suffered?

Mr. Speaker, I am not opposed to this legislation and I do not know of a single Member of this body who is not in favor of the guaranteed student loan program. But why should this restrictive procedure be used to pass legislation when there are other amendments that should be offered to make this legislation better legislation and protect the rights of those students whose main concern and right is to obtain an education. If this method and attitude should continue to prevail then we might just as well disband this, the "people's branch of government," and go home.

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

The SPEAKER. The gentleman from Iowa has consumed 4 minutes.

Mr. SCHERLE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Speaker, it is easy to be against this bill if you are sure it is going to pass; you can make a speech denouncing usury and calling for economic morality secure in the knowledge that enough other Members will vote for it so that no student will be denied a loan.

But it is devilishly difficult to oppose this bill when your purpose in doing so—as mine is—is to kill it. I rise in a determined effort to kill this bill in full awareness of the potential seriousness of this step. I cannot guarantee, if this bill dies, that every student in the country who wants and needs, and is eligible for, a

loan will be able to get one at the current interest level of 7 percent. Since this bill cannot be amended under the procedure in effect here, I cannot even offer alternatives here as amendments to or substitutes for this bill. We would need new legislation if this bill dies.

But there are alternatives. We all know what they are. We can build on what the Appropriations Subcommittee had the courage to do in July when it substantially increased the NDEA loans. We can go into direct Government lending. Why not? The investment we make in a college student's education is an investment the whole country derives dividends from. And if all that investment involves is a Government loan which is repaid in full, with modest interest besides, this is a tremendous return to Uncle Sam for the dollars so invested.

The Committee on Education and Labor worked hard and long on this bill, and I hate to oppose their handiwork. But their heart is not in this bill. They have reported it reluctantly, as an expedient to try to meet a crisis, an emergency.

But the mischief this bill would do to our whole economy is incalculable. That is not the primary concern of the Committee on Education and Labor. Its immediate problem is to assure funds for college students' tuition and maintenance.

The administration has not had the courage to ask for appropriated funds to meet this need—we have forced additional NDEA loan funds on them. They want to shift the college loan load to private loans—let the banks extend more loans and the Government less, particularly where the family income exceeds $10,000.

The banks which have been participating in this program up to now have not been doing so in order to make the best money deal. They have been doing so because they feel some social responsibility. The committee report cites one bank in Oregon which now has to cut back on these loans. I can understand why that bank has to cut back. But why should one bank in Oregon have had to shoulder the load up to now of carrying 40 percent of all of the insured student loans in the entire State? Where have the other Oregon banks been? Why were they not carrying more of these loans when the interest rate was more competitive than it is now? Would 10 percent be enough to attract them to it if 7 percent was not when the prime rate was less than that?

They have been holding out for more and more and more. So have hundreds of other banks. The First National City Bank of New York told us in the Banking Committee that they have loans—40 percent of all educational loans in New York City. Why did that one bank have to carry so much of the load? The answer, of course, is that other banks placed their funds elsewhere, at higher return.

If we pass this bill, the prime rate will certainly rise further; the banks will deny any loans which pay less than 10 percent. They will be able to tell small business and other borrowers, and mortgage borrowers, particularly, that the Government of the United States has set 10 percent as an equitable rate of interest on insured, guaranteed loans. That is what you would be voting for in passing this bill.

Mr. Speaker, if a bank paying 4-percent interest on deposits cannot manage to lend insured risks, who will be very high earners in a few years, a small loan at 7 percent, then the Government must step in and lend the money directly. There is no reason in the world why this Government cannot fill this gap on an emergency basis with less than $1 billion a year, to lend to students at 6 percent, knowing it will get the money back with interest eventually, to meet this crisis and provide moderate loans to every student eligible for, and needing a loan to complete his college work, and unable to get it elsewhere at a reasonable rate.

Since we cannot amend this bill, we must defeat it. Then, we must immediately take steps to increase NDEA loan funds, and set up additional direct loans if needed, to meet this need. If it takes $1 billion, it is money well allocated—not money which we will be "spending" in the usual sense, because these are loans, not grants. The money will come back, just as it does on Farmers Home Administration direct loans; just as it does on direct small business loans; just as it does on VA loans.

Otherwise, Mr. Speaker, we are announcing here and now that—despite interest rate ceilings in many States prohibiting loans above 7 percent; despite the immorality of giving the banks a 3 percent bonus to lend money to students—we are officially setting 10 percent as the equitable interest rate in this country for the very best, guaranteed, insured, no-risk loans. How much will a mortgage cost if that happens? How much will a businessman have to pay to borrow money?

In the name of helping students—and there are other ways to help students—do not saddle this country with a 10 percent prime rate. This bill must be defeated.

Mr. PERKINS. Mr. Speaker, I yield 8 minutes to the gentlewoman from Oregon (Mrs. GREEN), the author of the bill.

Mrs. GREEN of Oregon. Mr. Speaker, when the prime interest rate went up to 8½ percent, I called a meeting of the subcommittee because most of us on that subcommittee realized the guaranteed student loan program would not be in operation this year unless the banks were able to break even on loans.

We held hearings. There was some delay because the administration did not have a position on it. But as soon as they were able to come up with a position, we held hearings.

The bill was voted out of the subcommittee on August 4, and the chairman of the committee was very prompt in bringing it before the full committee, and it was voted out of that committee on August 7.

Mr. Speaker, there were a great many things that we really should have gone into in much greater depth than we were able to because of the urgency of the situation. I am very sympathetic to the views that were just presented by the distinguished Congresswoman from Missouri (Mrs. SULLIVAN) and if there had not been the emergency situation, with the calendar school year upon us, there would have been no need to take action on August 4 and August 7. But we felt there were somewhere between 150,000 and 200,000 students who would not be able to get loans under any of the Federal financial assistance programs, and therefore we did speed up the action and, I must admit to the Members of this House, it was not with full consideration of all aspects of student assistance and what raising the interest rates on this program might do to other programs.

Mr. Speaker, the facts are that after that bill was reported out of the committee on August 7, a demand was made by a minority of the Members of this House that this bill absolutely must come up under unanimous consent or under suspension of the rules so that the majority of the Members of this House would not be allowed to debate it, would not be allowed to offer amendments, there were several times when the chairman asked for unanimous consent and tried to bring it up under suspension, but objections were heard. I urged the chairman to go to the Rules Committee and get a rule so that this House, described as the greatest deliberative body in the world, would have a chance to debate it and to consider amendments that its Members wanted to in any regard, and let the majority determine what was to be done.

I express these views today because I am concerned about the House of Representatives and the procedures under which we operate. Are we going to allow the tyranny of the minority to decide what is done and what is not done in this House?

I am told that this same group has demanded that no bill will come from the Education and Labor Committee during this session of Congress unless they are guaranteed that it will be brought up under suspension. Now, just think what that does to other education bills that are of importance to the students of this country and that are of importance to us as Members of this House in regard to full debate and expression of majority views.

This demand has been made, that no bill come out from the Education and Labor Committee unless it is considered on the floor under suspension, so nobody here can offer an amendment. What kind of deliberative process is this? Are we going to submit to this?

I say frankly, I think this bill being considered today is needed. I had hoped the students who are entering the calendar school year 1969–70 would be able to make their plans and would be able to go to the banks and would be able to go to the other lending institutions and have their loans before the school year started. But this hope has already evaporated, because most of the students, if they do not have the money, probably will have made other plans.

It may help at this late date, but there is no assurance we are going to get agreement in a conference committee in the near future. The other body, I may say,

has offered amendments which I find totally unacceptable and the bill must go to conference unless the Senate will accept the House bill.

Before I can support this bill today, I want assurance from the chairman of the committee—and I have discussed it privately with him—so I direct the question to him that I tried to direct a moment ago. I want some assurance that in the future any bill from the Education and Labor Committee which is controversial in nature in any way, that a rule will be requested so the Members of this House will have a chance to debate it and to express their views and to express the views of their constituents and to offer amendments. If such amendments have minority support, then they are defeated. But if a majority supports them, then certainly this House should be able to exercise its judgment and not be limited by the nonnegotiable demands of a minority of the Members of this House.

Mr. PERKINS. Mr. Speaker, may I say to the gentlewoman from Oregon, I believe in the democratic process as much as any other Member of this House. The committee, of course, reported this bill unanimously as did the subcommittee. And it was the consensus of the majority of the members in committee that the bill should be considered under suspension of the rules. This was because as we looked to the future there was the distinct possibility of getting bogged down with controversial amendments which would jeopardize final enactment. I thought it was much better—and I made assurances and everybody else made assurances—that a bill would be enacted.

Mrs. GREEN of Oregon. May I ask the chairman: There was never a vote in the committee that this would be brought under suspension. There was never any such agreement in committee. I think the gentleman will agree with that.

Mr. PERKINS. In committee that is correct. There was no formal vote.

Mrs. GREEN of Oregon. There was never any vote in the committee that this would be brought up under the suspension of rules. There was never a vote in the full committee, and, therefore, it is not by direction of the committee itself. I still would ask the chairman to give assurance about any other bill to be considered at a later time.

Mr. PERKINS. Mr. Speaker, let me say to the gentlewoman from Oregon that on a controversial piece of legislation, personally I will never ask for consideration under suspension of the rules unless the committee were so to instruct me. Personally I think that there should be free debate on a controversial piece of legislation and that it should not be considered under suspension of the rules.

The SPEAKER. The time of the gentlewoman has expired.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER. Does anyone in charge of the time yield the gentlewoman from Oregon an additional minute?

Mr. PERKINS. Mr. Speaker, I yield the gentlewoman from Oregon an additional minute. I have to take it from somebody else to yield it to the gentlewoman.

The SPEAKER. The gentlewoman from Oregon is recognized for an additional minute.

Mrs. GREEN of Oregon. Mr. Speaker, the only way I can support this bill is to have the assurance that bills that are in the least particular controversial will come up under a rule. The chairman of the committee knows that the committee is divided 18 to 17, many times on controversial matters—and 18 people, yes, could give instructions to put it under suspension. Am I to understand that if education bills come out on a vote of 18 to 17, under instructions for suspension, will place us in the same position where we are today, and we will not be allowed to debate it and will not be allowed to offer amendments?

Mr. PERKINS. Mr. Speaker, the Committee on Education and Labor, as long as I am chairman of it, will always have the opportunity to work its will in a democratic manner. So far as I am concerned personally, controversial legislation should be brought up before the House under an open rule.

Mrs. GREEN of Oregon. Mr. Speaker, this kind of legislation is too important and the dignity and the respect and the history of the House of Representatives is too important to allow a tyranny of the minority of the Members of the total House to govern. Without any assurance, I would say to my colleagues I will have to vote against the bill unless I have that assurance.

The SPEAKER. The time of the gentlewoman from Oregon has again expired.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. BRADEMAS).

The SPEAKER. Is the gentleman yielding the remaining time to the gentleman from Indiana?

Mr. PERKINS. Yes.

The SPEAKER. Does the gentleman from Iowa have any other Members to yield to? The remaining time is usually reserved to the majority side.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Under a suspension of the rules procedure it is not compulsory that that order be followed, is it?

The SPEAKER. The gentleman is correct.

The gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, I want to talk about the purpose of this bill and I want as well to yield some time to my Republican colleagues to speak on the bill.

Let me say as gently as I can with respect to what has been said by the gallant and able and distinguished chairman of our subcommitee, the gentlewoman from Oregon, that, to be as kind about it as possible, since the gentleman from Indiana happens to find himself in the position of sitting next to the gentlewoman from Oregon on the subcommittee, he does not agree with the interpretation of the facts as they have been recited by the gentlewoman.

Because of the great and urgent need of students for loans to go to college this fall, we were under considerable pressure to move this bill to the floor. I remember conversations in our subcommittee in which I can say, on my own dignity and honor as a Member of this body, the gentlewoman consented to bringing this bill expeditiously to the floor under the suspension method under which we are now proceeding, a method customary and provided under the rules of the House.

I really do not care to get into any further debate on that point. Nothing illegal or in violation of the rules of the House has been done. The suspension procedure is commonly used to consider legislation in the House of Representatives, and people are just as customarily prone, judging from my years in this body, to attack a particular legislative procedure or to defend a procedure depending on whether or not that particular procedure is in accordance with their particular views on the particular matter under consideration. We are therefore proceeding today completely in accord with the rules of this democratic body.

I must say, therefore, Mr. Speaker, that to suggest that somebody somehow is doing something illegal or tyrannical is neither accurate nor appropriate.

So I would hope, Mr. Speaker, that we could talk about the bill rather than spend time impugning the motives of the Members of this body. I certainly do not impugn the motives of the gentlewoman, and I am sure she does not intend to impugn the motives of anybody else.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

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

Mr. THOMPSON of New Jersey. I thank the gentleman for yielding. I asked the gentleman to yield simply because it was I in the subcommitee who moved that the bill be reported and that if possible the chairman of the committee ask the Speaker that it be put on suspension.

Mr. BRADEMAS. That is correct.

Mr. THOMPSON of New Jersey. There was no vote in the subcommittee. The question of the tyranny of the minority is absolutely out of the question. The chairlady did not put the question to a vote. It came out unanimously.

Mr. BRADEMAS. How much time do I have remaining, Mr. Speaker?

The SPEAKER. The gentleman has 2½ minutes remaining.

Mr. BRADEMAS. I want to yield 45 seconds to the gentleman from Minnesota (Mr. QUIE) and then 45 seconds to the gentleman from New York (Mr. REID) and then I will consume the remainder of the time.

Mr. QUIE. Mr. Speaker, the important consideration this afternoon——

The SPEAKER. The gentleman from Indiana is yielding to the gentleman from Minnesota.

Mr. BRADEMAS. Forty-five seconds, Mr. Speaker.

The SPEAKER. The gentleman can yield to the gentleman from Minnesota.

Mr. BRADEMAS. Mr. Speaker, I yield to the gentleman from Minnesota.

The SPEAKER. The Chair will try to provide an unofficial guidance.

Mr. BRADEMAS. I thank the Chair.

Mr. QUIE. Mr. Speaker, the important consideration this afternoon is those students who still have not secured their loans from a bank, who either have just started college or might go to some public institution which has not started yet, and, "Where are they going to get the money?"

We need to pass this bill and get it through the Congress so that the banks can lend the money to needy students.

We were told by the National Council of Higher Education Loan Programs that there is a danger that over 150,000 students—most of them first-year students—will not be able to secure a guaranteed loan unless we act favorably and immediately on the bill before us.

The guaranteed loan program has been a very important part of our total student financial aid program. Since that legislation was enacted in 1965 over $1½ billion of private funds have been made available to college students. By guaranteeing these loans, we helped 750,000 students finance their education in the last year alone.

Although this program was developed to supplement our other financial aid programs and directed especially at middle-income families, it has been used mostly by students from families with low to moderate incomes. In fact, 79 percent of the federally guaranteed loans have gone to students from families with adjusted incomes of $9,000 or less. So we are not talking about making money available at favorable rates to families of large financial means. We are talking about insuring that private lending institutions continue to make funds available to students who have no other way.

Mr. Speaker, the problem we face with this vitally needed program is this: When we adopted this program in 1965 we set the interest rate at 6 percent. At that time the prime interest rate was 4.5 percent. Lenders were to get 1½ percent above the prime rate. Today the ceiling on student loans is 7 percent. But the prime interest rate since June has been 8½ percent, meaning lenders are now being asked to provide loans to students at 1½ percent less than the prime rate. With the tight money market, many lending institutions are simply not interested in providing loans to students at 7 percent when they could get substantially more by directing the same money to other customers.

It is also important for us to recognize that student loans cost most lending institutions more money to administer than other loans. And lenders do not receive payments on principal of these loans until after the student graduates, creating a substantial liquidity problem for these lending institutions.

With these facts, the Special Subcommittee on Education pursued, with many different witnesses, various alternatives to meeting the problem.

It boils down to this: Unless banks and other lending institutions voluntarily set aside funds and offer to participate in this program, we have no guaranteed loan program. Most of us were convinced that the majority of lending institutions do not seek changes in the law which would make the student loans as profitable as conventional loans. Banks do need assurances, however, that they will be able to at least break even. One major problem lending institutions have with student loans is the long delay between the granting of the loan and the beginning of the pay-back period. Banks have no organization such as the Federal National Mortgage Association—FNMA—to assist them in combating this liquidity problem. That, in simple terms, is the problem. For many good reasons, our committee did not recommend that we raise the interest ceiling for these loans. Another alternative had to be found.

H.R. 13194, the Insured Student Loan Emergency Amendments of 1969, provides the best possible means for lenders to receive an equitable return and at the same time insure that the Government gets the most benefit for its investment. The major provision of this bill allows the Secretary of Health, Education, and Welfare to determine every 3 months, if necessary in view of the relevant money market conditions, a "market incentive allowance" of up to a maximum of 3 percent. The allowance would apply to the average unpaid balance of the principal on all eligible loans for that particular quarter.

The interest rate, payable by the student, remains at 7 percent. So we are in no way increasing the burden on students who succeed in obtaining a loan.

The market allowance is not the same as raising the interest to 10 percent. As the market conditions improve, little or no market incentive allowance will need to be paid. There is no guarantee that a given allowance will continue or indeed be determined at all. The intent of this legislation is to allow the Government maximum flexibility in expending only that money which is necessary during a given period of time to counteract the effect of unusually tight market conditions.

Mr. Speaker, the Federal Government is able to assist hundreds of thousands of needy students through the leverage of guaranteeing loans made by private lending institutions. The future of this program is now threatened. We are called upon to uphold our end of this unique partnership between government and the private sector. Our delay in getting this legislation through the Congress has already caused much anxiety in thousands of families.

Now, Mr. Speaker, the need for additional student unrest amendments has been offered as a reason for defeating this bill. It is entirely correct that the Congress limit the use of Federal funds designated for college students to those students who respect the regulations of their college and the laws of our land. We should do nothing that would give encouragement to those few students intent on disrupting our campuses through the use of violence. It is my opinion, however, that the bill before us today is not appropriate legislation for us to deal with campus unrest.

Last spring the Committee on Education and Labor carefully considered the whole matter of student disorders. I believe the committee developed a constructive bill which would have contributed to the solution of this troublesome problem. The majority of that committee chose to prevent the bill from reaching the floor of this House. But that is past history.

It was then appropriate, in view of the failure of the bill I just mentioned, for the House to make its position felt on the HEW appropriations bill—which we did. Section 407 of that bill, as amended by the gentleman from Florida (Mr. SIKES) and the gentleman from Iowa (Mr. SMITH), was passed by this body and reads as follows:

"SEC. 407. None of the funds appropriated by this Act shall be used to formulate or carry out any grant to any institutions of higher education that is not in full compliance with Section 504 of the Higher Education Amendments of 1968 (P.L. 90–575)."

"No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

That section would reinforce section 504 (a) and (b) of the Higher Education Amendments of 1968. That section is now law. It applies to the insured loan program. It reads as follows:

SEC. 504 (a) If an instiution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contribtued to a substantial disruption of the administration of the institution with respect to which crime was committed, then the institution which such individual attends, or is employed by, shall deny *for a period of two years* any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a sub-

stantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

So we have dealt with the problem of campus unrest in appropriate legislation. I think the stand taken by this body is clear.

Today we are faced with an emergency situation. It is my view that we should not delay this important legislation just to say the same thing about campus unrest that we have already said and acted upon. It should be noted that the other body, in passing similar insured student loan amendments last month, did not add amendments relating to campus unrest in order not to endanger the speedy passage of the bill.

All of us share the concern expressed today and so often in the past by Members of this House, about the senseless violence on some of our Nation's campuses. Is there any responsible individual who believes that wanton destruction of property and gross disrespect for individual rights has any legitimate place in our institutions of higher education? Or for that matter, in any segment of our society?

The question which divides us is, "Who has the primary responsibility to deal with campus unrest?" I am convinced that each institution itself must work out new approaches to meeting head-on the causes of student unrest and the means of handling violence when it occurs. I believe that the administration has made clear that the colleges and universities have this responsibility and that existing Federal laws are adequate if only they are enforced.

Dealing with violence is something new for college administrators and faculty members. Each institution that suffered from violence in the past few years was forced to face new issues in new ways. I believe that we will see in this academic year constructive and positive approaches, developed by groups of administrators, faculty, and students working together, to meet future threats of major campus disruption. There is already solid evidence that those campuses which have experienced major disruptions have not only dealt firmly with those students involved but have found new ways to deal with these problems. I would like to include here an article in the August 11, 1969, issue of the Chronicle of Higher Education which summarizes the activities of several universities in this regard. It is evidence such as this, Mr. Speaker, which gives me confidence in the ability of the colleges themselves to deal with this problem, and convinces me that we would make a grave error in delaying passage of these amendments to the student insured loan program because some of our colleagues feel we should include something yet again about campus unrest.

The article follows:

COLLEGES PUNISH LARGE NUMBERS OF DISRUPTERS

(By Philip W. Semas)

Colleges and universities have been much tougher on student protesters than critics give them credit for.

On 28 of the campuses that suffered disorders or demonstrations during the past academic year, more than 900 students have been expelled or suspended. More than 850 others have been given reprimands which could lead to expulsion or suspension if they commit another violation.

Some institutions, such as Stanford and the University of California at Berkeley, have collected fines from demonstrators to pay for property damage.

Six of the 28 institutions have taken no disciplinary action. In three of those, the administration agreed not to act if students would vacate buildings they were holding, thus avoiding violence.

At another institution, Columbia University, disciplinary action is still in progress. At Howard University, Dean of Students Carl Anderson has recommended that no action be taken against 14 students whose cases were dismissed by a District of Columbia judge. James E. Cheek, Howard's new president, said he was still considering possible action against them. At Cornell University, disciplinary action—if any—will not be taken until the school's disciplinary machinery is revised.

Examples of punishments handed out to protesters:

San Francisco State College expelled one student, suspended 22, put 13 on probation, and reprimanded 105. The cases of 122 students have not yet been decided.

Harvard expelled 16, put 20 on probation, and placed 99 "under warning."

Wisconsin State University at Oshkosh expelled 90 students.

The University of Kansas suspended 33 students for the fall, 1969, semester, and 13 who would have graduated in June had their credits held up until January, 1970.

The University of Chicago expelled 43 students, suspended 81, put three on probation, and fined one.

Dartmouth College suspended one student for one year, gave four students token suspensions, and placed 19 on probation. Eleven cases are still to be decided by the student-faculty discipline committee.

The University of California at Berkeley, which often has been accused of taking a lax attitude toward protesters, has dismissed 15 students, suspended 35, placed 160 on disciplinary probation, and collected $20,000 in fines for property damage during the past year.

Some universities also are taking action against faculty members involved in disorders. Dartmouth College has suspended two faculty members for two years because of their involvement in the takeover of a building there. A Harvard committee is considering charges against three professors, San Francisco State College President S. I. Hayakawa fired Nathan Hare, chairman of the black studies department, because of his involvement in disorders on that campus.

In another case involving Mr. Hare, the U.S. Court of Appeals for the District of Columbia ruled that Harvard University acted improperly when it fired him and four other faculty members after disorders there during 1968. The court did not question the university's right to hire and fire whomever it wished, but it did say the university should have followed normal due process.

Administrators also have been much more willing to call the police than is generally believed. Eighteen of the 28 institutions called the police. Of the 10 that didn't, six used campus disciplinary machinery to deal with the demonstrators.

SOME 4,000 ARRESTED, SAYS FBI

J. Edgar Hoover, director of the Federal Bureau of Investigation, said in his report on FBI activities during fiscal 1969 that campus disorders resulted in more than 4,000 arrests.

During these cases, courts in Ohio, New York, and Missouri have upheld that right of colleges and universities to use campus rules and disciplinary procedures to maintain order on their campuses.

Many universities also have revised their codes of conduct and campus rules, both as a result of the past year's demonstrations and in anticipation of further unrest next fall. Among the developments:

The Cornell University board of trustees adopted regulations on campus conduct at a meeting in July, as they were required to do by a new New York state law. Acting President Dale R. Corson has appointed a student-faculty-administration task force to consider possible changes in the regulations before classes begin in September, since the requirements of the law made it impossible for the trustees to consult with either faculty or students. Cornell's constituent assembly, which was formed after the disorders there, also may recommend some changes in campus rules.

The Harvard faculty of arts and sciences has adopted an interim statement on acceptable behavior for students, faculty members, and administrators. They said they hoped to develop a broader statement "in the near future."

Both the University of California and the California state colleges have made changes in their campus rules during disorders.

UNACCEPTABLE CONDUCT DEFINED

Among the actions most frequently classified as "unacceptable" by these rules are:

Disrupting the normal, orderly functioning of the educational processes;

Threatening or using physical force or violence or inciting others to use force or violence;

Obstructing access to campus buildings or other facilities;

Unlawfully entering or remaining in a building;

Damaging university property;

Interfering with free speech;

Using obscene language in speaking or on signs;

Failing to comply with a lawful order by a police officer or a university official;

Interfering with disciplinary proceedings.

Several institutions also added a rule prohibiting firearms on campus, following the publicity given the carrying of guns by students at Cornell.

MOST GUARANTEE DUE PROCESS

Most of the codes also guarantee due process to student violators, usually through some kind of student-faculty committee to hear cases. Students also usually are granted the right to be represented by counsel and to confront the witnesses against them.

The courts seem to be moving toward requiring due process in campus discipline. Judge Francis J. Good, of the Suffolk County, Mass., Superior Court, said recent developments in civil rights law have made it questionable whether "a university can make charges against a student and expel him without due process of law." In Madison, Wis., Federal District Judge James E. Doyle ruled that Oshkosh State University could not suspend or expel 94 black students without hearings.

Mr. BRADEMAS. Mr. Speaker, I yield to the gentleman from New York (Mr. REID).

Mr. REID of New York. I thank the gentleman from Indiana for yielding, and I strongly support H.R. 13194, emergency legislation to encourage lenders to participate in the guaranteed student loan program.

I would very simply like to put the basic figures before this House today. The guaranteed student loan program involved in the past fiscal year, a sum of $670 million and some 735,000 students, over half again as many as those receiving direct loans under the NDEA student

loan program. Months ago the Office of Education estimated that a failure to act then to provide incentives to lenders could prevent some 200,000 students from getting loans and attending college. Our failure to act, as a Congress and as a Government, is indefensible. Our inaction means that 200,000 or more students will not be able to go to college. I strongly believe that it was the sense of the committee, irrespective of other questions, that we should not penalize students by our inaction.

Over a year ago, Mr. Speaker, as we were considering the Higher Education Amendments of 1968, we thought ourselves in a unique position as interest rates had risen, and we authorized an increase in the interest ceiling from 6 to 7 percent, in order to encourage banks and other nonprofit lenders to participate in this program. It must be remembered, of course, that this increase made education more expensive to the students receiving the loans.

Once again we find ourselves in that same "unique" position. Interest rates have skyrocketed unpward three times this year, from 7 to 8½ percent, the latter which is the highest prime rate in history of this Nation. And again we must find a loan arrangement which is equitable to lenders and receivers alike.

H.R. 13194 attempts to do just this, by authorizing the Secretary of Health, Education, and Welfare to make payments to lenders of a market allowance of a maximum of 3 percent on loans made after July 1, 1969. This arrangement reveals our hope that the high prime rate we are now experiencing will be temporary, and most important, the arrangement is one which will not overburden the student by imposing a higher interest rate. Under this plan, also, it is our hope that banks and other lenders will continue to make loans to all qualified applicants, and will not be forced to favor those whose families have prior business dealings with the lending institution. The Federal Government will bear the loan costs in excess of 7 percent under this market adjustment allowance plan, so lender and student alike will receive equity.

Mr. Speaker, let me state that this is absolutely essential legislation, and any further delay would be a clear dereliction of our responsibilities.

Mr. BRADEMAS. Mr. Speaker, I thank the gentleman from New York.

I strongly endorse what my colleague the gentleman from Minnesota (Mr. QUIE) has said in support of this bill and what my colleague from New York (Mr. REID) has said.

I think that the students of the country and their families are not particularly interested in our debates here about procedure, important as they may be. I do think that young Americans are interested in having an opportunity to pursue their education.

Therefore Mr. Speaker, I strongly support H.R. 13194. My support of this legislation is based on a careful review of the record and certain statistics which I wish to share with my colleagues. Let us consider these facts:

First. It is estimated that undergraduate enrollment this year will increase more than 3 percent over enrollment last year.

Second. Colleges and universities are presently administering the NDEA student loan program with an allotment based on a $155,000,000 appropriation request, as distinguished from the $190,000,000 available last year, and $229,000,000 approved earlier this year by the House for fiscal year 1970.

Third. The prime interest rate—the rate charged by major lenders to their most important customers—is now 8½ percent.

Fourth. College costs—tuition and fees—have continued to spiral upward, with the increase this year sharper than at any other time.

Mr. Speaker, the fiscal squeeze is on—the student and his parents are caught between higher costs and restricted sources of financial assistance. All of the information we have clearly points to the need for more flexibility in the rate of return if guaranteed student loans—a major source of student financial aid—are to be available in amounts equal to the need. H.R. 13194 responds to this need. Let me just briefly underscore some of the more important aspects of the legislation and certain of its provisions so as to correct what has unfortunately been a misapprehension about the bill.

First, it should be made abundantly clear that this legislation does not authorize the payment of 10 percent interest on a Government guaranteed obligation. The very purpose of the legislation is to keep the cost to student borrowers at an even 7 percent regardless of money market conditions. Some have said that, because of the authority provided in H.R. 13194, the Office of Education will begin to make adjustment allowances equal to the 3 percent. The record, Mr. Speaker, indicates that this is not the case. The Commissioner of Education stated in testimony before the subcommittee that under current conditions, approximately a 2-percent allowance will be paid.

Let us not forget that when projections are made for the program over a 3-year period, we are talking about a reasonable Federal payment which will generate close to $3 billion worth of student loans. One of the most desirable features of this legislation is that the rate of adjustment allowance is tied to monetary conditions, and if these conditions should improve, the amount of the allowance will decrease and perhaps in future months will disappear entirely.

Second, Mr. Speaker, there has been some discussion over the fact that lenders have continued to participate in the program, regardless of the higher interest rate. Let us not be misled into believing that this legislation is not necessary because of the apparently available volume of lending during the last few weeks. The volume is attributed, I believe, almost entirely to the assurances of the administration that Congress would enact this legislation. To know that this is the case, all one has to do is review the committee record, or to go back and look at letters from concerned parents and students which I am sure every Member of the House has received this summer—letters in which we were advised of futile efforts to obtain financial assistance.

When the squeeze is on, as it is, those who are adversely affected are the very ones who are in greatest need—students from families whose financial base does not permit them to have accounts with local banks and students who ordinarily would have received an NDEA student loan, but for the restricted level of funding, and incoming freshmen who have not had an opportunity to establish a satisfactory record in undergraduate work.

I have turned to the record many times, Mr. Speaker, in this statement, and in closing, let me do so one more time. This legislation was reported from the Special Subcommittee on Education unanimously. It was reported from the Committee on Education and Labor unanimously. It had the support of all the witnesses who appeared during hearings. The administration has repeatedly endorsed H.R. 13194.

Therefore I hope, Mr. Speaker, that Members of this body, both Democrats and Republicans, will vote for the bill authored by the gentlewoman from Oregon (Mrs. GREEN) and cosponsored by the gentleman from Minnesota (Mr. QUIE).

The SPEAKER. The time of the gentleman from Indiana has expired. All time of the gentleman from Kentucky has expired.

Mr. SCHERLE. Mr. Speaker, I yield 2 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Iowa for yielding me this time.

I was in favor of bringing up the bill under unanimous consent prior to the recess. I thought it was urgent then that we get action. I was in favor of bringing the bill before the Committee on Rules and was one of those 141, I believe, who urged the chairman of this committee to go to the Committee on Rules and get a rule so that we could let the House work its will. However, for various reasons—and I shall not pass judgment on why the chairman of the committee did not get a rule or somebody objected——

Mr. PERKINS. Mr. Speaker, will the gentleman yield to me?

Mr. GERALD R. FORD. May I finish first?

Mr. PERKINS. You were in the original meeting with me.

Mr. GERALD R. FORD. Mr. Speaker, I am not passing judgment on whether it was right or wrong at this point, although I agreed to the suspension procedure I did urge that you go to the Committee on Rules. There was time to go to the Rules Committee, but I am now in favor of this procedure and I hope and trust that we will get a two-thirds vote today. I am going to do all I can to get a two-thirds vote here, because I think there is some urgency about taking action today.

However, I would like to say also to the distinguished chairman of the Committee on Education and Labor that I hope this bill passes and we do not go to conference with the Senate on it, because

this bill is urgently needed in this form and not in the form that it passed the other body. The Senate should accept this version.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield to me?

Mr. GERALD R. FORD. Mr. Speaker, I refuse to yield.

I want the people who are interested in strong student unrest legislation to know that I am with them.

And when a bill comes up; that is, where we can act affirmatively, I am going to help. But I do not think we should let the problems of the committee interfere with affirmative action today because there are some 200,000 students who want to go to college and who need our help now. We can handle the student unrest proposals in the near future and we will with stronger provisions.

Mr. SCHERLE. Mr. Speaker, I yield 4 minutes to my colleague, the distinguished gentleman from Iowa (Mr. GROSS.)

Mr. WRIGHT. Mr. Speaker will the gentleman yield for a unanimous-consent request?

Mr. GROSS. I yield to the gentleman for a unanimous-consent request.

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

Mr. WRIGHT. Mr. Speaker, I must oppose this motion to suspend the rules and pass this bill in its present form because of the economically harmful effect it would have upon interest rates.

This would be the very first time the Government ever has approved a 10-percent interest rate upon any Government-guaranteed security. Certainly it would cause additional increases in the interest rate structure generally, if this bill were passed in its present form.

Surely I want to do something to be helpful to students who are seeking loans from banks. But it does not seem to me that we are doing a student any favor when we encourage lenders to charge him a 10-percent interest rate.

It would be cheaper and more desirable for both the student and the Government—to say nothing of the whole economy which is hurt by high interest—for the Government to lend the money directly. When interest rates are increased, everyone is hurt. And that, unfortunately, would be the effect of this bill.

Mr. GROSS. Mr. Speaker, I was the original objector to the consideration of this legislation under the gagging procedure of suspension of the rules. And, I have no apology to offer for it. I would object to it again today if I had the opportunity to block this wholly unnecessary procedure.

Mr. Speaker, as the minority leader said a moment ago, some 140 Members of the House long ago signed a letter in the nature of a petition to the chairman of the House Committee on Education and Labor asking him to go to the Committee on Rules and get a rule for the consideration of this legislation. He apparently refused to do so. At least, that is the record.

Now, I ask the gentleman—I see him sitting on the floor—the distinguished chairman of the House Rules Committee (Mr. COLMER), if, had he been approached by the gentleman from Kentucky (Mr. PERKINS) there would have been a time lag of any consequence to the granting of a rule for the consideration of this legislation as it ought to be considered under an open rule, and subject to amendment?

I yield to the gentleman from Mississippi for the purpose of answering the question.

Mr. COLMER. I thank the gentleman from Iowa for both his question and for yielding to me at this time.

This is an entirely new proposition insofar as I am concerned in that there has been no request for a rule on this particular matter.

I will say this, that if it is the will of the chairman of the Committee on Education and Labor to ask for a rule, we shall be glad to consider it on tomorrow.

Mr. GROSS. And, if the House should refuse to approve suspension of the rules and pass the bill?

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

Mr. GROSS. No, I do not yield to the gentleman.

Then, if the House refused to suspend the rules and adopt this legislation, the Committee on Rules would be ready, willing, and able to grant a rule and thereby provide the opportunity to adequately debate and amend this legislation?

Mr. COLMER. Mr. Speaker, if the gentleman will yield further, naturally I cannot speak for the Committee on Rules. I can only say that if this bill is carried over and not passed today, and if a rule is desired, I will put it on the agenda for the regular meeting of the Committee on Rules tomorrow. Then it could be here on the floor of the House on Thursday for debate under an open rule.

Mr. GROSS. I thank my friend from Mississippi. I think it ought to be clear absolutely now that there would be no difficulty in getting this legislation before the House so we could deal with the proposed 10-percent interest rate in this bill, as well as adding an antidemonstration amendment and any other amendments that the House in its wisdom might see fit to adopt.

Long ago, I offered the chairman of the Committee on Education and Labor the option, as I was concerned, of calling up the bill under unanimous consent with consideration in the House as in the Committee of the Whole and open to amendment at any point. The gentleman declined that invitation. He could have had this legislation before the House, subject to amendment, before the congressional recess on August 13.

Mr. PERKINS. Mr. Speaker, will the gentleman yield to me at this point?

Mr. GROSS. No, I will not yield to the gentleman, for he has had more than ample time to make his position clear. Moreover, he imposed this virtual gag rule.

Now, Mr. Speaker, the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas (Mr. PATMAN), says this in the RECORD of September 9, last week:

> If this bill passes it will be the first time Congress has authorized the payment of a 10-percent interest on a Government-guaranteed obligation. The Government will guarantee the payments and the banks will collect the interest.

He further states:

> Establishment of a 10-percent guaranteed interest rate would force banks to increase interest rates on other loans or refuse to make any loans for necessary items such as housing at less than a 10-percent rate.

The gentleman from Texas (Mr. PATMAN) also says the legislation should not be retroactive to July 1 of this year, nor should the interest subsidy be paid more than once on individual loans. I wholeheartedly agree and denounce the procedure that so drastically limits debate on the merits and demerits of the bill.

I urge the Members to vote against suspension of the rules.

The SPEAKER. The time of the gentleman from Iowa has expired.

The gentleman from Iowa (Mr. SCHERLE) has 6 minutes remaining.

Mr. SCHERLE. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. WYMAN).

Mr. WYMAN. Mr. Speaker, I had not intended to speak on this matter but after hearing the discussion here today I do believe it is important that all realize that a vote not to pass this bill on suspension is not a vote to kill the bill. If the bill fails to gain the necessary two-thirds vote on suspension it merely goes to the Rules Committee and we have just heard the chairman of the Rules Committee (Mr. COLMER) advise the House that if a rule is asked for it will be issued and that this same bill will be back before us tomorrow under an open rule where amendments can be offered. By presenting this matter to us under suspension there is neither time for adequate debate nor opportunity to amend and it is clear that amendments are seriously needed. In fact, it is fair comment to observe that there is little question but that the suspension route has been taken to avoid both full debate and amendment, a course of action that does not make for sound legislation.

But two examples of the need for improvement in this legislation are needed to demonstrate the glaring inadequacy of its present provisions. Under this bill whenever the Secretary of Health, Education, and Welfare determines the return to holders of loans to be "less than equitable" he is empowered by regulation to provide for a direct subsidy to holders of loans. This is loose language. It is an invitation to increase interest rates. It is essentially a blank check for quarterly periods of time without any obligation on the part of the borrowers to make repayment. It represents a failure of legislative draftsmanship and an unwillingness to specify conditions amounting to genuine hardship. Yet by suspension no Member is able to offer corrective amendments, even those on the Committee on Education and Labor who are learned in this field. In a time of fiscal crisis and mounting inflation provision for "market adjustments" on such

nebulous terms is an invitation to further fuel inflationary fires.

Second, nowhere in this legislation is there provision to prevent the granting of such subsidies to borrowers who have seriously and willfully disrupted campus affairs, or even to those convicted of crime in connection with such activity. I do not believe that the lawbreaker or the willful troublemaker should receive such Federal subsidies by outright grant, yet the lending institutions have no limitation nor could they initiate such on their own under the language of the bill before us. This matter should be covered by appropriate amendment which is impossible in a consideration of this measure by suspension.

In such an atmosphere Congress cannot fulfill its legislative responsibility in an important and delicate situation without considering the bill under an open rule. I therefore hope the suspension will be defeated and we may have an opportunity to provide appropriate corrective and limiting language by amendment tomorrow under an open rule. In such event I will vote for the bill but I cannot support a suspension lacking such provisions which are in the public interest.

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

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

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the Insured Student Loan Emergency Amendments of 1969. I believe we all realize the importance of this legislation to the further education of our youth in America. I also hope we realize the necessity of passing this bill as soon as possible following the proper consideration and sending it to the President for his signature. Colleges and universities are getting underway throughout the Nation this week. Many students are enrolling on the hope and prayer that Congress will give its approval to the student emergency loan amendments. They need this legislation in order for them to be able to borrow the necessary money to continue or start their education. This bill will be most beneficial to the southern part of my State which was recently ravaged by Hurricane Camille. Mississippi education officials estimate that some 7,400 students from the disaster area face major financial problems requiring large-scale help if they are to stay in college. It is also estimated that the 7,400 students will need about $7½ million to prevent wholesale dropouts. The Insured Student Loan Emergency Amendments of 1969 will provide the needed help for these students and thousands of others across the Nation. I am strongly in favor of the anti-student-riot amendments and wish they were in the bill; however, I will still support the bill because time is of the essence.

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

Mr. WYMAN. I yield to the gentleman from Ohio (Mr. FEIGHAN).

(Mr. FEIGHAN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. FEIGHAN. Mr. Speaker, I rise in support of H.R. 13194 to amend the Higher Education Act of 1965. I consider this bill which authorizes Federal incentive payments to lenders with respect to insured student loans of utmost importance. If it is not enacted, there is little assurance that students will have access to such loans.

Should we fail to raise the maximum interest rate guaranteed to lenders, they will clearly continue to balk at granting of loans to students when they are able to command higher rates from preferred customers. Consequently, as many as 200,000 college-age persons may have to forgo their academic careers, at least temporarily. With the pursuit of higher education a critical factor in the obtaining of attractive and challenging positions subsequent to graduation, there can be no defense for our denying these young people the tools they need to attain this goal.

The editorial, which appeared in the Cleveland Plain Dealer of Thursday, September 11, 1969, encourages the speedy passage of H.R. 13194:

STUDENT LOAN BILL

On Monday the Senate approved bill which allows the government to pay lending institutions as much as 10% interest on student loans will come before the House. House passage of the bill can benefit 200,000 college students who need financial aid to attend school this fall.

The present Guaranteed Student Loan Program allows students to borrow money from banks at no more than 7% interest, with the government paying the interest while students are in school. However, since prime interest rates have climbed to 8½% banks have been reluctant to make student loans at 7%.

The Senate bill temporarily raises the 7% ceiling on interest to 10%. Conditions in the money market will be checked every three months and banks which lend to students will be repaid by the government at the going interest rate.

The Senate bill allows the increased interest rates to be retroactive to Aug. 15.

Banks have responded favorably to the Senate bill and have been lending money to students under the assumption that the House will approve the measure.

The bill will come before the House under suspension of House rules so a two-thirds vote is needed for passage. The House should approve the bill so needy students can continue their education this fall.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, without question the 7-percent interest ceiling must be changed to save the guaranteed student loan program. Without hesitation, then, I give my full support to the bill before us today.

Because of the present unavailability of loans, thousands of students at this point do not have tuition money for the first semester. Undoubtedly some have made the painful decision not to go to college this year. Others have transferred to less expensive schools. And some are waiting anxiously for our vote today, having taken the risk that loans will eventually be available.

The breakdown in the guaranteed loan program has upset more than a large group of college students. It has helped aspirin sales among parents, college and university administration, bankers, and State officials. It is important that this bill be passed immediately. I want to note, however, that this emergency legislation points up once again the inadequacy of the student loan programs administered by the Federal Government. They suffer from several other deficiencies besides the present undoing of the guaranteed loan program because of the current high interest rates. The short-term repayment period, the eligibility requirements, and an inadequate level of funding all cause problems in the national defense student loan program.

The demand for loans is greater than ever before as tuition costs continue to move upward and as more of our population and especially more from low-income families seek a college education. The Congress should do everything possible to encourage this trend toward increased education, for Daniel Webster spoke with much wisdom when he said:

On the diffusion of education among the people rest the preservation and perpetuation of our free institutions.

A more comprehensive solution to deficiencies in the loan programs is required than emergency amendments, however, and has, in fact, been proposed by two groups whose outstanding qualifications compel the Congress to give the closest attention to their views.

In 1967 the President's Panel on Educational Innovation proposed the establishment of an educational opportunity bank. Any student accepted at a postsecondary school, not just a select few, could borrow money from it. The student could borrow as much as he needed for tuition and reasonable living costs. Thus even a poor student would have the chance to attend a private college. Repayment of the loan would be over an extended period of time, and based on subsequent income. A suggested scheme proposed 1 percent of the borrower's gross income over a 30-year period.

In March of last year I introduced a resolution calling for a thorough study of this proposal by the House Education and Labor Committee and the Banking and Currency Committee with the hope that they could provide us with whatever legislation would be necessary to make this proposal a reality.

Since no action was taken on it, I have again introduced that resolution in this session of Congress. For I am more than ever convinced that a way must be found to give every American the opportunity to educate himself to his full potential. This not only leads to a person's own happiness, but enables him to be of most service to his fellow man and make his maximum contribution to the Nation.

Subsequent to the work of the President's Panel on Educational Innovation, the Carnegie Commission on Higher Education issued a proposal similar to the educational opportunity bank. Last December the Commission in their special report entitled "Quality and Equality: New Levels of Federal Responsibility for Higher Education," recommended the establishment of a "national student loan bank." It likewise suggests long-term repayment based on income, the eligibility of all students, and larger loans than present programs allow.

The Commission's report gives additional weight, I believe, to the advisability of taking action on the resolution which I have introduced.

I hope, then, that the present loan crisis will have at least one benefit—that it will bring more recognition to the advantages of a Federal loan bank, such as described by the President's Panel and the Carnegie Commission.

Mr. SCHERLE. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. AYRES).

Mr. AYRES. Mr. Speaker, I agree with most of what has been said here today, but we are up to the wire on this, and I am going to support the suspension.

I would also support student unrest legislation.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I wish to say something in conclusion that I did not have the opportunity to say before.

I want the chairman of this committee to know that, as far as I am concerned, I will not again support a procedure to bring up a bill of this magnitude under suspension of the rules.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, I appreciate the statement just made by the distinguished minority leader.

May I say also to my colleagues that since I have now been given assurance, on my side of the aisle, that bills on education that are controversial will not, I repeat, will not be brought up under suspension and that we will not have to go through this procedure again on education bills out of the Committee on Education and Labor—on that basis, and because the school year is upon us, and because there may be some 200,000 students in this country who are not going to get loans—I will vote for this bill that I originally sponsored and express the hope that without too much further delay it will become the law.

Mr. AYRES. Mr. Speaker, there are several reasons why we should be considering the substance of this bill, and approving it under the suspension, rather than being concerned with procedure, even recognizing that important questions as to procedure have been raised.

There is considerable confusion about the purposes of the various student assistance programs. It helps to think of the insured loan program as being apart from the other programs and distinct in that it is not available only to those in dire financial need. The direct national defense student loans under NDEA, and the work-study assistance, and of course the educational opportunity grants, are all designed for students at the lower end of the economic spectrum. In most colleges they are made available as a sort of package of assistance for the neediest students. The measure of need is stringent and becoming more so as the demand for these funds increase.

This does not mean, however, that the insured loans are merely loans of convenience and are not in fact needed. Quite the opposite is true. Experience with the insured loan program to date indicates that at least three-quarters of the borrowers come from families with less than $10,000 annual income, and would need substantial help in order to attend college.

What this boils down to is that the insured loan program is the only Federal aid available for the children of that great cross-section of America composed of skilled workers in trades and industry, white-collar workers, and business and professional people of moderate income. These are the people who pay the overwhelming bulk of personal income taxes, but who are not eligible to receive many of the benefits of Federal programs. The insured student loan program is an extremely helpful thing for these citizens in their efforts—often at great personal sacrifice—to put their kids through college.

I would also like to point out something that has been pretty much overlooked here today—that this insured loan program also covers thousands of students attending 2-year technical, trade, and industrial schools beyond the high school level, and this is virtually the only aid available up to this point to these students who mostly come from hard-working families at the lower end of the economic ladder. It is true that we have amended the Higher Education Act and the NDEA to make the direct student loans and the work-study available to vocational students, but so far funds have not been made available to carry this out. These students are just as deserving of assistance, and are just as important to the welfare of the country, as any attending college and working for an academic degree. We should never forget that.

The insured loan program has become a vital part of Federal efforts to assure educational opportunity. It became operative during fiscal year 1966 when $77 million in loans were insured. This sum soared the very next year to $248 million for over 330,000 student borrowers, and last year—fiscal 1969—the amount stood at $670 million loaned to about 750,000 students. Clearly, Mr. Speaker, we must not permit this volume of support to collapse because of our failure to enact amendments agreed upon by virtually all Members who have studied this problem.

Mr. SCHERLE. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. MILLER).

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

Mr. MILLER of Ohio. I yield to the gentleman.

Mr. ERLENBORN. Mr. Speaker, I support this bill. I support this procedure as I will support a student unrest amendment at the proper time.

Mr. Speaker, if the bill before us today (H.R. 13194) is not passed and quickly enacted into law, the college education of many thousands of young Americans will be stopped short, and many thousands more will be unable to start their higher education.

These are the collegians or prospective collegians who are dependent on the guaranteed student loan program which enables them to borrow funds directly from banks, savings and loans, credit unions, and other lenders to finance their education needs.

Loans totaling more than $1.6 billion have been made under the guaranteed student loan program since its approval by Congress 4 years ago. Fiscal year 1969 set a new record when 750,000 applicants received loans in the amount of $670 million. Obviously, it is a popular—and vital—program.

It is threatened, however—and the education of these young people is in jeopardy—because the program as it is operated under present law is less than equitable to lenders in the current money market.

During the 4 or 5 years that a student borrower is in school—and longer if he or she joins the Peace Corps, VISTA, or the military—the only payment the lender receives is the interest on the loan. Repayment on the principal is deferred until 9 to 12 months after the students graduate—or returns to civilian life after service with the Federal Government.

Nevertheless, lending institutions have participated willingly.

The year 1969, however, has seen three increases—to 8½ percent in June—in the prime interest rate, the rate at which banks lend to their prime customers. While interest rates on other loans are scaled upward from the prime rate, a top interest of 7 percent is set by law on insured student loans. Additionally, these loans involve considerably more paperwork and servicing by lenders than do other transactions.

Neither they nor your committee are suggesting that the rate of return on these loans should be increased to yield a normal profit. The return, however, should be realistic in terms of both money costs and overhead costs to the end that a breakdown point is attainable. In the present environment, the 7-percent interest rate on such loans does not meet this goal. As a result, and with the current keen competition for loanable funds, lenders are finding it impractical to continue their participation in the insured student loan program.

Congress could—as it did when a similar emergency arose last year—increase the statutory interest limit. This alternative is not acceptable for, besides the obstacle of State usury laws, we would be increasing the cost to the student and setting a permanent inflexible interest rate that would be applicable for the life of the loan.

The solution that we on the Education and Labor Committee present in H.R. 13194 would not do any of these things. Instead it would encourage lenders to participate by providing them with quarterly market adjustment allowances of up to 3 percent beyond the 7 percent interest now allowed. This proposal provides the Secretary of Health, Education, and Welfare, in consultation with others and in the light of current economic conditions and the money market structure, with authority to set the adjustment rate every 3 months. If he determines that economic conditions during the past quarter make 7 percent a fair

return, there will be no adjustment allowance. If he determines that the market is currently bringing 10-percent interest rates, he will authorize a 3-percent allowance and, depending on conditions, he can set the rate anywhere from zero percent to 3 percent. In other words, the allowance will fluctuate with the changing money market within a given geographical area.

H.R. 13194 is both a reasonable approach to the problem and a necessary ingredient to the continued success of the guaranteed student loan program.

A similar proposal has been passed by the other body. On the faith of this action by the other body that a remedy would be forthcoming, the dire consequences we had anticipated because of the failure of this body to act before students returned to the campus this fall have been forestalled to a certain extent.

I am confident that this body will again demonstrate its concern for those of our young people who need this assistance in obtaining their education by passing H.R. 13194 today.

Passage of H.R. 13194 will guarantee that few students will be turned away in the months ahead.

It will not, however, guarantee that we will not in 1970 experience another crisis with the guaranteed student loan program.

Tuitions are escalating, and young people in ever larger numbers are being persuaded to pursue their education beyond high school. Hence, it is likely that $1 billion will be needed annually for insured student loans during the 1970's.

The question is whether sufficient funds will be available.

Insured student loans are relatively long-term assets to lenders, repayment is protracted over 4 to 10 years, and the loans pyramid—that is, the number and total dollar value needed increases each year. As a consequence, the student loan portfolios of lenders lack liquidity—they are not attractive to commercial investors.

The long-range answer to this liquidity problem, I believe, is a secondary market mechanism to tap other financial resources—teacher endowment funds, State and local retirement funds, pension and trust funds, insurance funds—to replenish the supply of funds available for the guaranteed student loan program. It is my intention to bring such a plan before Congress.

Mr. MILLER of Ohio. Mr. Speaker, I take this time to ask the chairman of the Committee on Education and Labor why the bill is brought up so that we do not have an opportunity to consider amendments that would insure that student rioters could not gain the benefits from this program. I think it should be clear for the RECORD.

Mr. PERKINS. Let me say to the distinguished gentleman that I tried to survey the situation in the best way I knew how because I wanted the bill to become law and to pass this body and likewise to pass the other body. After careful deliberation and talking to interested parties, I thought it best to bring it up under suspension of the rules and to let some other vehicle be the place for the student unrest rider instead of this bill.

The SPEAKER. The time of the gentleman from Ohio (Mr. MILLER) has expired.

Mr. SCHERLE. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, the House long ago got the answer to the question that was first asked by the gentleman from Ohio (Mr. MILLER), of the gentlewoman from Oregon (Mrs. GREEN). The gentlewoman said the bill was before the House under suspension of the rules because of the tyranny of certain members of the House Committee on Education and Labor. That is the answer and the only answer why this bill is before the House under the circumstances that exist here today, wherein, the House finds itself gagged and unable to work its free will.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. SCHERLE. Mr. Speaker, I yield myself the time remaining.

Mr. Speaker, everybody talks about expediency. We have evidence that all bills are retroactive and that this is no problem. Now, for this legislative body to be stymied by a gag rule and not allow the Members of this House an opportunity to work their will is completely incomprehensible to me.

We heard the gentleman from Mississippi (Mr. COLMER), the distinguished chairman of the Committee on Rules, say that it would be possible to obtain a rule by tomorrow. The gentlelady from Oregon (Mrs. GREEN) said that this procedure is bad legislation. Most of the Members, even the minority floor leader, the gentleman from Michigan (Mr. GERALD R. FORD) said that this is bad legislation.

Mr. Speaker, let us give the people who elected us to office an opportunity to express their will by handling this controversial bill under normal parliamentary procedure. I ask the Members of this House to vote down the suspension, send it to the Rules Committee and bring back a rule the way it should be done, and debate the measure under the normal legislative process.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of H.R. 13194, to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans, when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education.

As many of our colleagues know, President Nixon last month personally urged the bankers of this Nation to look more kindly on requests for student loans. He pledged support for the legislation before us today, and, in spite of the fact that money for such loans had almost completely "dried up" earlier this year when the prime commercial lending rate climbed to 8.5 percent with the interest ceiling on these students loans staying at 7 percent, lenders have come forward on the basis of his assurances, and many thousands of students who might otherwise not be attending school this fall have now been able to do so.

Mr. Speaker, it obviously would be bad business, and a disservice to the depositors of the banks of this Nation, to loan money at 7 percent interest in today's market. The fact that many bankers around the Nation are doing so is a testimony to the confidence they have placed in the President and in the Congress to fulfill our pledge to make up the 3 percent difference they are losing by making these loans.

This program, I am sure our colleagues agree, has been one of the most successful we have enacted in many years. Many students still have difficulty in obtaining the loans for a variety of reasons, many of which can be alleviated by enabling the Government to be more flexible in offering a premium to the lenders. But college costs are soaring higher each day and enrollments continue to rise, so that we are bound to have an ever-increasing number of students with limited means who must have loans to complete their college work. We cannot afford, if we want to avoid anguished cries from students and their parents for more costly Federal direct-loan and grant funds, to delay action on this most important legislation.

Mr. Speaker, I urge passage of H.R. 13194.

Mr. EILBERG. Mr. Speaker, I rise today to express my support for the bill which we are now considering to revitalize the guaranteed student loan program and allow the advantages of a higher education to be available to hundreds of thousands of youngsters who otherwise would be unable to afford to attend college.

On June 23 of this year, I spoke here about the shortsighted attitude of the administration with respect to its funding requests for the various programs which the Federal Government has to provide help to those students seeking a higher education who cannot afford its full cost. When I spoke on the guaranteed student loan program, I said that I believed this program to be at the crossroads. On trial is the determination which was made some years ago that the Federal Government should withdraw wherever possible from the business of making loans directly to students and instead depend on the private sector to implement the guaranteed student loan program with an interest subsidy to be paid by the Government to lenders.

Last year when we passed the Higher Education Act, we increased the maximum interest rate that banks and other lending institutions could charge students for loans under this program to 7 percent. Yet today, we are faced with a situation where interest rates are considerably above 7 percent and thus banks are not making student loans because they can get higher interest rates on other transactions. Mr. Speaker, I am not one of those who says that the banks and other lending institutions of this Nation should make guaranteed student loans as a public service, and at a loss.

In June, I said that it was essential that a decision be made whether we would want the Government to reassert its role and lend directly to students under the guaranteed student loan program or whether we should make the program more attractive to the lender without in-

creasing the cost of the loan to the student. Happily, H.R. 13194, which we are considering today chooses the latter course and adopts the proposal which I made in June that the Secretary of the Department of Health, Education, and Welfare be authorized to increase the maximum interest rate which banks and other lending institutions can charge for these student loans by from 1 to 3 percent above the statutory figure of 7 percent which we enacted last year. I believe this bill should be passed. I also believe that utilizing this approach will enable banks and other lending institutions to once more be able to afford to make guaranteed student loans without losing money, while the cost of the loan to the student will not increase.

I am, however, alarmed by the continuing tendency of the administration to look at each of the major student loan programs as if it were completely unrelated to another. The facts are that the college work study program and educational opportunities programs, the National Defense Educational Act, and the medical profession's student assistance programs are underfunded by some $200 million and that the students who cannot obtain loans or grants under these programs are expected to get loans under the guaranteed student loan program. I would like to remind all my colleagues that the guaranteed student loan program was set up so that loans could be made to students of families of annual income of under $15,000. It was not set up as the program to help only those from poverty areas in the Nation get higher education.

Now, I do not question the right of each and every student in this Nation to a college education if he has the aptitude. I think that all levels of government should do whatever they can to encourage a student to seek a college education. One way in which this can be done is through programs of loans and grants to those students whose families cannot afford the full cost of a higher education. However, I do question the redirection of the guaranteed student loan program which is taking place without congressional action. This is pointed out by a report which I reviewed on the operation of the guaranteed student loan program for the year ending January 31. I was most surprised to find that 85 percent of the families whose loans are insured by the program and 93 percent of those receiving loans through the State program had incomes of less than $12,000. Even more surprising, in view of the fact that the guaranteed student loan program was designed to provide assistance to families in the middle-income brackets, is the fact that 36 percent of the federally insured loans and 57 percent of the State program loans were made to families of incomes of under $6,000. I would like at this point to include in the RECORD a table which gives the status of the program in this regard. This table points out that fact that the program is not serving the clientele for which the Congress intended it. As a result, many thousands of middle-income youngsters are facing the prospects of not being able to seek a higher education:

Guaranteed student loan program, annual loan volume

Fiscal year:	Amount
1966	$377,000,000
1967	248,000,000
1968	436,000,000
1969 (1st 6 months)	450,000,000+

	Percent	
	State guaranteed	Federally insured
By adjusted family income:		
0 to $2,999	29.55	14.97
$3,000 to $5,999	27.15	21.38
$6,000 to $8,999	22.46	25.33
$9,000 to $11,999	13.38	23.10
$12,000 to $14,999		14.10
$15,000 and over		1.12
Distribution by sex:		
Male		63.96
Female		34.88
No response		1.16
Distribution by race:		
White		87.52
Negro and other		6.54
No response		5.94

LENDER PARTICIPATION

Type of lender	Percent of lenders	Percent of loans
National banks	40.2	46.3
State banks	45.8	40.5
Mutual savings banks	1.5	2.7
Savings and loans	4.6	5.4
Credit unions	7.8	2.6
Other	.1	2.1
Total	100.0	100.0

Because of inadequate funding of other education assistance programs, it has been the middle-income youngster who has been unable to receive assistance to go to college when he is entitled to such assistance under the law in the guaranteed student land program. While the bill which we are considering today will enable the guaranteed student loan program to continue as a viable program making loans to students who need assistance, what is to happen to the increasing number of students who are not from poverty area homes but at the same time whose families cannot afford the cost of a college education? Are these families to be settled with long-term 8 percent loans when under the law they should be able to get 3-percent federally subsidized loans? This is neither realistic nor fair. Obviously, all our student loan programs need to be fully funded so that this practice of robbing Peter to pay Paul can cease.

Therefore, I urge all my colleagues to support H.R. 13194, but at the same time to join with me in seeking ways so that a college education can be made available to all students who cannot afford the full cost of higher education.

Mr. SMITH of Iowa. Mr. Speaker, I fear that many are looking to this bill as the answer for meeting the need for more money for student loans. It simply will not do the job and to the extent that people rely upon it instead of looking at the whole situation may delay adequate action. A review of all the facts indicates clearly to me that the only immediate way to meet the need for more student loans is through more direct loans under the NDEA program where the colleges make loans consisting of 90 percent Federal money and 10 percent of their own money.

It is true that many banks never have used the guaranteed loan program and many that did are now quitting it but the principle reasons do not relate to permitting a 3 percent increase in the interest rate. This is confirmed in a letter from the secretary of the Iowa Bankers Association when he said:

> The primary problem is that of the potential term of these loans and the consequent lack of liquidity in them.

As a member of the Subcommittee on Appropriations for HEW, I sought answers from many bankers as to why they were not making the loans or were quitting the program. In addition to the lack of liquidity and the inability to market the paper when they need money, other reasons include:

First, that the borrower is probably a thousand miles away from the community by the time he is making the repayments and they no longer feel he is their constituent; second, for them to try to go over the need with the student is a complete duplication of what the colleges have already done and requires a great deal of time; and third, many borrowers look at the loan as something they have a right to while many of the bankers thought they should show appreciation like other borrowers of money do. A number of forms have to be filled out and records kept that are different than other records the banks keep and in addition some of them felt that these loans were more like an automobile loan upon which they earn two or three times as much interest. Obviously we are never going to approve a loan rate for this program as high as automobile loans so it is impossible to secure widespread loans for students just by increasing the interest rate 3 percent.

There is an immediate solution under which the President can provide $35 million. Last year $190 million was available under NDEA. The administration's request for this fiscal year was for only $155 million, or a $35 million cut. The House and Senate have already passed a resolution authorizing expenditures of the same amount as last year for each program except where the administration's request is for less. In this case the amount available is only $155 million because the administration requested that amount compared to $190 million the year before. By merely sending up an amendment to his budget request asking for $190 million, an additional $35 million would be immediately available.

I wrote to the President on August 19 urging him to do this but almost a month passed and it has not been done. The House of Representatives has already passed an appropriation for $222 million so it is fairly clear that appropriations when passed by the Senate and House will exceed the $190 million but it will not be available for students that are now entering school this week and next just because the President has not sent up the letter asking for an additional $35 million.

All the talk and attention on this particular bill that is now before us misleads people into thinking that it is the solution and tends to divert attention from the simple action that could imme-

diately be taken this afternoon by the President to make more loans available.

I urge the committee and all the Members of the House to direct their attention toward the practical and effective solution of a substantial part of the problem and that the committee begin to either thoroughly rework and rewrite the guaranteed loan program so that it can fill part of the need or direct attention toward an adequate direct loan program.

The letters to which I referred further details the situation and are as follows:

AUGUST 19, 1969.

Re Appropriations: Students loans.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Last year $190 million was available to college students for loans under the National Defense Education Act. Earlier this year, the Administration requested only $155 million or a cut of $35 million in this program for the current fiscal year and assumed that banks would make additional loans under the Guaranteed Student Loan Program to make up the difference. Instead of banks making more loans, they are actually making less.

The House of Representatives increased the appropriation for NDEA loans to $222 million in a bill that has not yet passed the Senate. Both bodies have passed a continuing resolution which would make available the same amount as last year were it not for the fact that the Administration requested less. By the Administration requesting $190 million or more, an additional $35 million would immediately be available for loans to students.

Although I am confident Congress is going to appropriate more than an additional $35 million and the House of Representatives has already indicated that it would go much above that level, I sincerely urge you to immediately send up a budget amendment for at least an additional $35 million for NDEA student loans, thereby agreeing with Congress to at least this much of the increase we feel is needed. This action would make these additional funds available immediately, without further Congressional action, and provide student aid which will be needed within the next few weeks.

Sincerely,

NEAL SMITH,
Member of Congress.

IOWA BANKERS ASSOCIATION,
Des Moines, August 20, 1969.

Hon. NEAL SMITH,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SMITH: I read with a great deal of interest and appreciation an article in this morning's Register quoting your observations on the Student Loan dilemma.

In view of the impasse which the Congress reached in attempting to deal with this matter before recess the matter has of course become urgent and the "relief" which you suggest is certainly an appropriate one under the circumstance and I commend you for trying to get at the nub of the problem.

I would however call your attention to the fact that the approach taken by the Congress is, in my opinion and I find in the opinion of most Iowa bankers, slightly off dead center. The present 7% interest limitation is, as most Iowa banks and I believe most banks over the country, the secondary problem. The primary problem is that of the potential term of these loans and the consequent lack of liquidity in them.

As you are fully aware, this problem confronted financial institutions and the Congress in connection with VA loans, FHA loans, and to some degree with Small Business Administration loans and as to the first two was solved quite well indeed by the establishment of the Federal National Mortgage Association to provide a secondary market for these loans which in turn would permit the generating financial institutions to maintain their liquidity and still continue to make this type of loan.

In considering the problem posed by student loans I would call your attention to the fact that Iowa financial institutions (this means banks with the exception of one Savings & Loan Association that we are aware has been making student loans) have since inception of the Student Loan Program made almost three times as many loans as the next two states, Texas and Illinois, on a dollar volume basis. As a result, Iowa financial institutions, which have demonstrated their interest and willingness to make this type of loan, have choked themselves in the process and many bank board directors are looking at their portfolios of student loans and commitments on future payouts and have begun to say "perhaps we have committed enough of our bank assets to this type of loan."

This emphasis on the problem of liquidity has been made by President Willis Alexander, American Banker's Association, before the Congressional Committee and for your information I am attaching a copy of a recent article appearing in the American Banker reflecting an additional type of approach being considered in the state of Indiana, which article I believe points up the problem and very well indeed.

When you begin to look around for a secondary market, visions of additional government agencies and expense are brought up and one of the alternatives which is occurring to me is that possibly the Fannie May organization could be brought into this picture.

For all Iowa bankers I express appreciation for your interest and concern in this matter and I hope that this sharing of our thoughts with you will be helpful to you.

Very truly yours,

ARTHUR E. LINDQUIST, Jr.,
Secretary.

INDIANA BANKS WANT TO SELL STUDENT LOANS TO STATE AGENCIES

INDIANAPOLIS.—In a move to stimulate loans, which have been slowed by the tight money situation, a proposal has been made to create a mechanism by which Indiana lending institutions could market such paper and obtain some relief from liquidity problems.

The proposal would enable the institutions to sell their Federally insured student loans to the Indiana Scholarship Commission, a state agency that administers scholarship, and student lending programs, which, in turn, would sell participations in such loans as investments to state retirement funds.

The proposal was made after several weeks of joint study by J. Fred Risk, president of the $808.3 million-deposit Indiana National Bank here, who also is chairman of the commission, and by W. W. Hill, Jr., a senior Indiana administrative officer. It is under study by state Attorney General Theodore L. Sendak, who must approve the plan.

The proposal comes at a time when "banks are in a liquidity crisis and can't significantly expand student loans" without establishing some rediscounting mechanism which would enable them to sell such paper and thus free additional money for more college loans, according to Mr. Risk.

It also comes at a time when in Washington a plan to speed through Congress legislation to permit interest increases for lenders participating in the college student loan guarantee program appears stalled because of opposition from critics of campus rebels and high interest rates. Bills of both houses through Federal support would raise to 10% from 7% the maximum simple interest yield permitted lenders.

Mr. Risk stated that the reason why banks are slowing down in making college loan is not so much a problem of current interest yields, but one of liquidity. They are reluctant to make long-term loans, some of which may range from seven to eight years, he said, without "some release" by which they can resell these loans for cash in order to make additional student loans.

Mr. Risk observed that because of liquidity problems, the state's banks—which he estimates now hold $35 million in such college loans insured by Federal and state agencies and the United Student Aid Funds, Inc., a nonprofit private group—have "slowed down" in making such loans at a time when they are more necessary than ever. This is because fee increases averaging $300–$500 have been imposed at the four state universities. In the past such bank loans have averaged $800–$900, he stated.

Mr. Risk said he is optimistic of getting approval from the Attorney General of the legality of the state retirement funds making investments in such loans, but held out the possibility that if such approval is not forthcoming, legislative action might be sought. A spokesman for the Attorney General noted he is out of town this week and that an opinion is expected late next week. The banker hopes the program will be in action by the time school starts.

Approval of the plan, with the understanding that banks could market the loans they make, would increase the number of loans they are accepting, he said.

Mr. Risk said that a survey of the "top two or three dozen" leading members of the Indiana Bankers Association showed they support his plan, and want to do their part of interviewing applicants and closing loans.

He said he also has talked with representatives of the United States Office of the Education which administers the guaranteed loan program and they are "enthusiastic" about the plan and believe that it might serve as a prototype for other states to follow. On a long-range basis, Mr. Risk said he would like to see the Federal government set up a Federal National Mortgage Association-type arrangement that could create a secondary market for insured college loans.

In operation, his plan would have banks sell either old or new college loans at face value to the Indiana Scholarship Commission for cash, in the "spirit" that they would use the proceeds to make new loans. The commission, in turn, would sell participations in such loans to the retirement funds in bundles of $1 million. The banks would continue as the loan servicers and it would be up to the state or Federal government to determine if the institutions should get a service fee. It would take a $5 million commitment from the funds to implement the program, he said.

[From the Des Moines (Iowa) Register, Aug. 20, 1969]

SMITH URGES CAMPUS LOANS

(By James Risser)

WASHINGTON, D.C.—Representative Neal Smith (Dem., Ia.) asked President Nixon Tuesday to make available $35 million for direct federal loans to college students before classes begin next month.

Smith said in a letter to the White House that the President has the power to make the money available under the National Defense Education Act (NDEA), without any action by Congress.

A bill to increase the allowable interest rate on federally guaranteed loans from banks to students is stalled in Congress, and it is feared that some students who need financial help to attend college may have to drop out this fall.

Even if Congress acts promptly next month to raise the allowable interest rate to 10 per cent, banks "don't want to be bothered with these relatively small loans," Smith warned.

By making more NDEA money available to colleges, additional direct student loans could be made, he said.

Last year, $190 million in NDEA funds were provided for college student loans, said Smith. The Nixon administration has requested only $155 million, or a cut of $35 million, for the next fiscal year.

Under an existing congressional resolution, the President can make the additional $35 million available "within hours merely by sending a budget amendment to Congress," said Smith.

"This would not completely correct the error made by the administration in underestimating the need and reducing the NDEA loan funds, but it would be a big help," he added.

Mr. EDMONDSON. Mr. Speaker, I strongly support this emergency legislation to assure adequate financing of our student loan program.

It is urgently needed, and should be passed by an overwhelming vote.

Thousands of students, all over the Nation, are looking to the Congress to keep its commitment on this program.

I am sure this House will honor that commitment by its vote today.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 13194, the Insured Student Loan Emergency Amendments of 1969.

The legislation before us is directly related to the Higher Education Act of 1965, which established the insured loan program for college students, and to the Higher Education Amendments of 1968, which set an interest ceiling of 7 percent on student guaranteed loans. Today, we are called to consider the current crisis confronting the program as the result of rising interest rates. Because interest rates now exceed the 7 percent maximum which the Congress set last year, banks everywhere are curtailing their participation in this program. Thousands of college students throughout the country will not be able to enroll for the fall term because of the unavailability of funds.

In terms of meeting a very real need of our undergraduates and graduate students, the guaranteed student loan program has proven to be an outstanding success. The total volume of loans reached $77 million in fiscal year 1966. It jumped to $248 million in fiscal year 1967, and to $435 million in fiscal year 1968; it reached $670 million in fiscal year 1969.

Because of current restrictive lending policies of banks and other financial institutions, it is estimated that from 150,000 to 200,000 students who seek financial aid for the first time this fall will not obtain a student guaranteed loan. The curtailment of participation by lending institutions in the guaranteed student loan program is particularly unfortunate in view of greatly increased college costs, especially tuition, and sharp cutbacks in other Federal financial aid programs.

The situation as it affects the lives of college students and members of their immediate family was dramatically told to me in a letter which I received earlier this month from a constituent. He wrote from Hawaii:

As a graduate, out-of-state student at the University of Wisconsin, my year (9 months) expenses total approximately $4,000. This is a tremendous burden to my middle-class parents who must not only finance my studies but also that of my sister who is a University of Hawaii student. Add to this my corrective surgery for a terrible "underbite" that costs $1500, not including separate orthodontic costs, my parents, both in their 50's, have been unusually burdened.

Mr. Speaker, the bill we are considering would open the academic doors, now practically shut tight, for my constituent and thousands of others like him. The market adjustment allowance technique which the bill provides would, on several bases, relieve the present situation which has been fostered by a tight money market and high interest rates.

First, the present interest ceiling of 7 percent would be retained, thus avoiding complicated administrative adjustments of loan records by lending institutions.

Second, the proposed market allowance would be directly related to the money market and would fluctuate with it in accordance with quarterly rate determinations made by the Secretary of Health, Education, and Welfare.

Third, because many States presently have laws which set usury rates at 7 percent, Federal law preemption problems would be avoided.

And, finally, the Federal Government rather than the student would bear the loan costs in excess of 7 percent.

Mr. Speaker, if we are to bring higher education within the reach of the Nation's young people who seek it, and if we are to bring timely emergency relief that H.R. 13194 provides to those who need it this fall, then we ought to act quickly to meet the interest rate crisis which has extended to our college campuses. The other body has already passed similar legislation. We can do no less by giving H.R. 13194 our unanimous vote today.

Mr. MACGREGOR. Mr. Speaker, on July 31 I introduced a bill to amend the Higher Education Act of 1965 so as to authorize Federal incentive payments to lenders with respect to insured student loans. I took this action because recent increases in the interest rates have dried up an increasingly important source of funds for thousands of our young people who without financial help would be prevented from obtaining a college education.

Almost 220,000 students may be denied the opportunity to attend college this year unless a bill is passed to permit larger interest payments under the guaranteed college loan program. I am greatly pleased that the House Education and Labor Committee on August 7 favorably reported this proposal with amendments. On the day this bill was reported, I joined with several of my colleagues in reintroducing a clean bill, H.R. 13400, which incorporates the committee amendments. It is critically important that we act and act now. The higher education careers of thousands of needy students have already been jeopardized by congressional delay.

This bill would not, as some have alleged, automatically raise the student loan interest rate to 10 percent. What the bill does propose is that the Secretary of Health, Education, and Welfare be authorized to permit payment to lenders of a market allowance of a maximum of 3 percent on their student loans made after July 1, 1969. The actual market adjustment allowances over the 7-percent statutory limit will reflect the prevailing money market at the time. In short, we are trying to build in a sufficient amount of flexibility to permit the program to function without the Congress having to periodically rescue the program.

I doubt that anyone here is completely satisfied with the remedy which is contained in this legislation. But the clear alternative of denying educational opportunity to hundreds of thousands of deserving American young men and women is totally unacceptable. I would urge in the strongest possible terms that the House act today to make this vitally important program work.

Mr. MINISH. Mr. Speaker, time and time again I have stood up in this Chamber to express my concern and support for higher education for our young people. Time and again my colleagues have also stood up to be counted as supporters of needed programs to assist in providing a sufficient education to our students. All of us agree that our technology is advancing at unprecedented rates, and we must provide the educational tools to prevent it from grinding to a halt. Nonetheless, it is necessary today for us to act on H.R. 13194, the insured student loan emergency amendments because, and I quote directly from the committee report on this measure:

It is estimated that between 30 and 40 percent of the students who seek a loan for the first time this fall will be denied help . . . about 150,000 to 200,000 students will not obtain a student guaranteed loan.

This is a distress call which we must answer. We want to improve and advance the conditions of our citizens. How can this be done if we do not provide them with the necessary education? I submit that the amendment to the Higher Education Act of 1965 that we are considering here today will in no wise erase the problems that we now are facing. All it will do is help to make loans from commercial lenders to students more feasible. Although I feel that the measure before the House is insufficient, it can help alleviate the distressful situation of qualified students who are accepted to colleges only to find themselves unable to beg or borrow the money for tuition.

The House in late July displayed its attitude toward the pressing matter of inadequate funding for education. At that time we increased the appropriation for the Office of Education by some $894 million. We felt it was necessary to support the increased appropriation for the programs of the Office of Education. It is also vital to vote in favor of Fedral incentive payments for the student guaranteed loan program. The cost for the Federal incentive payments under this act is estimated to fall between $5 and $15 million, if interest rates remain above 7 percent. We have no alternative but to support the measure.

Mr. FREY. Mr. Speaker, many qualified students are unable to begin or con-

tinue their college education this month due to the lack of grant and loan funds. While all of us want a substantial reduction in the Federal budget and have so voted on previous occasions, it seems to me that loans which allow the individual to help himself are critically needed.

As one of 22 Congressmen who visited various college and university campuses late last spring, I can tell you from personal contact with representatives of all facets of the campus that this type of program is vital to higher education in America. Any student who desires to enter college and devote 4 years of hard work for a degree should not be deprived of this opportunity by lack of finances. I support H.R. 13194, a necessary measure to allow worthy students to obtain financial loans. This is not a handout, but is the type of program needed in this country which permits people to help themselves.

Mr. BOLAND. Mr. Speaker, millions of students in this country are now returning to college or entering it for the first time. But many students are not—students who planned to go to college this fall, who are otherwise eligible and academically qualified, but do not have the necessary funds, and who had been led to believe they could borrow the money through the Federal Government's student loan program. These students may be—quite understandably—discouraged and disillusioned. And many other students—these, too, without necessary funds—are in colleges or universities under temporary financial arrangements, hoping that Congress will pass helpful legislation. And what about the leading institutions who have cooperated in this student loan program despite the lack of economic incentive? Should they be penalized for their public service?

The banks are performing a genuine public service in making student loans. After all, they are in competition for survival and they cannot make money on student loans. All they can hope for is to break even. To a lending institution a student loan means the commitment of money for as long as 14 years—with no return on the principal for from 5 to 8 years. The cost of the administrative work involved in each loan is very high compared to the small amount of the loan. At the present rate of interest, it has been estimated that a bank suffers a loss of $30 on each $1,000 student loan. In fact, one State pays its lending institutions $25 per student loan as an incentive.

A number of factors contribute to the present problems concerning student loans. Demand for these loans has soared—principally because of the normal increase in student population and the greater awareness of the programs. In the first year, 1965–66, banks loaned students $77,000,000. Last year, 1967–68, banks loaned students $670,000,000 and were expected to lend $794,000,000 in 1969–70. Moreover, as the Office of Education estimates, the cost of tuition has risen 20 percent in the past 2 years—still another factor in the increased demand for loans. And, finally, cutbacks in other Government programs have put a greater burden on the guaranteed student loan program.

The private bank loan program was begun to hold down direct Federal outlays to do the job at less cost. For instance, last year 730,000 students borrowed $670,000,000 from lending institutions at a cost to the Government of $60,000,000 for interest and default payments. This compares with about $200,000,000 spent on the 440,000 students for direct loans. Cutbacks in other programs were made on the assumption that there would be more bank loans. And an estimated 900,000 students sought loans this year under the private lending institution loan program.

But the heart of today's problem is the high interest rate—an interest rate so steep that it has almost literally destroyed the college student bank loan program. Even as a public service, banks cannot expand their loans to the $794,000,000 anticipated for this year, let alone meet the needs of 900,000 applicants.

There are suggestions for secondary markets for student loans—such as warehousing—to increase available funds. But this proposed solution is too long range for the present crisis. And it does not solve the interest-rate problem. When the guaranteed student loan program was initiated, the maximum allowable interest rate on these student loans was 6 percent with the prime interest rate in the market of 4½ percent. This variation gave an incentive to compensate for the administrative difficulties. Now the maximum interest rate on student loans has been raised to 7 percent but the prime rate is 8½ percent with lending institutions getting as much as 12 percent.

I believe the Insured Student Loan Emergency Amendments of 1969 are the best solution to our problem. They will provide the lending institutions with the necessary means to be, as Secretary Finch put it, the "literal difference" between many students continuing their education or dropping out. It is not a subsidy of banks but a subsidy of students.

Mr. Martin, Chairman of the Federal Reserve Board, has been quoted as saying there are indications that we may be getting to the end "of the period of very high interest rates." These amendments do not call for a change in the interest rate, but for an adjustment allowance lasting a short period of time. Let us see that qualified students can get their education.

Mr. COHELAN. I rise in support of the amendments to the Higher Education Act, H.R. 13194, which will enable students to secure guaranteed student loans. This program has grown from $77 million in 1966 to $670 million in 1969, but the current tight money situation has cut down the availability of these loans.

The lack of money coupled with administration cutbacks in funding for education, rising college costs, and increased student population has created a serious and critical problem for potential and current students.

The amendments before the House today seek to moderate the guaranteed student loan problem by allowing the Secretary of Health, Education, and Welfare to allow payments to lenders that better reflect the total monetary situation. I support these amendments in order to alleviate some of the problems of the guaranteed student loan program.

These amendments represent an important opportunity for the Congress to rectify another critical problem in education. I urge the support of my colleagues for this measure.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge and hope the House will overwhelmingly approve this bill now before us, H.R. 13194, very promptly and without any extended attempt to add crippling amendments.

The very title of this bill, the Emergency Insured Student Loan Act of 1969 emphasizes its vital importance.

Without any question there is an immediate and emergency need of student loan legislation to enable tremendous numbers of qualified American students to begin and continue their higher education studies.

Mr. Speaker, increasing numbers of parents in my district have been contacting me for a long time on this subject because of their natural desire to have their sons and daughters continue their higher education and because they, themselves, are economically unable to fully provide the increasingly high tuition costs. I am certain that the same situation prevails in the congressional districts of every other Member in this House.

That is why I have persistently urged, in all the educational measures coming before us, that the student loan program be expanded. That is why I stated here, last June 18, that a "realistic, strengthened student loan program is imperatively needed by the parents and eligible children of our middle-income families who have been too long and too greatly overlooked in this and other areas of appropriate Federal Government assistance."

That is why I stated, when we were here considering the extension of the surcharge tax, last June 30, that I could not vote to do so, when among other things, "worthy students cannot obtain adequate financial assistance."

That is why I stated here, last August 6, when we were acting upon the Tax Reform Act of 1969, that many of us were "deeply disturbed and disappointed that this measure contains no provision for any relief or consideration at all of the increasingly burdensome expense of rapidly rising college tuition costs that fall most heavily upon the moderate- and middle-income family head."

That is why I have introduced legislation in this Congress, H.R. 5512, and past Congresses to grant parents tax allowances for their children's tuition costs.

Mr. Speaker, in past action on higher education legislative measures, the Congress pledged continued full student loan assistance to qualified students. This bill is designed to keep that pledge. The bill is supported by practically every higher educational authority, institution, and association throughout the country. It is intended to help the students from low- and middle-income families who are in desperate need of that help. Most educational institutions have begun or are about to begin the new scholastic year;

action by colleges and universities on a great many student loan applications is being held in abeyance pending our legislative action here today. The hour is late and the need is imperative; it is unfortunately very clear that the loans will not be made available without this legislative action.

Surely there is no higher priority in prudent Government spending than the encouragement to qualified students to continue their higher educational studies and ambitions.

Surely this is a most opportune time to aid in the restoration of youthful confidence and trust in legislative government through congressional fulfillment of a congressional promise and pledge. Let us, therefore, meet the emergency need of so many worthy and qualified students in this country and let us do it now by voicing our overwhelming acceptance and approval of this wholesome measure, in the national interest.

Mr. FOUNTAIN. Mr. Speaker, I am for this legislation. It will benefit thousands of our college students. I had planned to vote for it today until I learned of the way in which it has been handled.

However, the student loan measure came before this House under a closed rule, a suspension of the rules which prevents any amendments from being offered.

The gentlewoman from Oregon (Mrs. GREEN) has stated that 18 members of the House Education and Labor Committee have taken a position that all legislation reported out of that committee will be brought before this House under a closed rule without the opportunity for appropriate amendments being considered.

Mrs. GREEN described this decision of the 18 as the "tyranny of a minority" telling the House how legislation coming from that committee must be handled. It is my understanding that certain amendments would have been offered for consideration. There is one in particular which Members would like to hear debated and that is the one providing for a cutoff of loan funds to students who willfully participate in riots on college and university campuses and are convicted of such misconduct. The question of interest rates is another. Whatever may have been the outcome of such amendments, the procedure under which we are operating today has prevented such amendments and all others from even being offered and debated.

In recent years we from my section of the country have been subjected to quite a bit of dictatorship from Washington. Now it is charged that we may have it right here in the House of Representatives. I do not know all of the facts, but full debate would have disclosed them all.

My recorded vote, therefore, will not be a vote against the substance of the bill but against the closed rule procedure under which it is being considered—the two-thirds suspension rule which prevents any amendments.

Notwithstanding my concern, however, over this failure to follow the usual procedures and permit this kind of legislation to come to the floor of the House under normal procedures with an open rule for decision by a majority, if I thought this legislation would not be expeditiously disposed of by this body and the Senate, I would, as many of you have indicated you are going to do, yield my convictions on this subject of procedure and refrain from expressing my protest in this manner.

But the chairman of the Rules Committee, the distinguished gentleman from Mississippi (Mr. COLMER), in response to a direct question here on the floor of the House, has just stated that, if requested by the legislative committee, he would call the Rules Committee into session tomorrow, at which time the committee could then act on this legislation and report it out for consideration on Thursday, September 18, of this week. If this should be done, I expect to vote for the legislation.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 13194, which is an amendment of the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans, when necessary, in the light of economic conditions. I would hope that there would be few Members of this House that would take the position that students should not have reasonable access to such loans for financing their education.

Of course, the purpose of this bill is to meet an emergency created by the rise in interest rates which, unless something is done, threatens to completely disrupt or cause an absolute breakdown in the guaranteed student loan program. It is true that the Higher Education amendments of 1968—Public Law 90–9075—set an interest ceiling of 7 percent on student guaranteed loans. Notwithstanding, current interest rates are above that figure with the result that banks all across the Nation are curtailing their participation in this program.

H.R. 13194 before us today is designed and intended to meet this emergency by allowing a maximum 3-percent market adjustment allowance to be determined by the secretary of HEW at the end of each 3-month quarter. The mechanics of this plan are not complicated. The allowance would simply be paid by the Government to the lender.

In my opinion, since the inception of this program since the fall of 1965, the guaranteed student loan program has become one of the most important items of Federal assistance in the field of education. Because of a rise in interest rates there is not only the probability but even the likelihood of a reduction in the number or volume of loans to be made to students right now during this current fall school term of 1969.

When money is short, students are hurt because banks will make loans only to very special or preferred customers. The prime rate, which means the rate charged by bankers to their best customers, has increased several times since January 1 this year. I am not sure of the accuracy of an observation which was made recently, but it has been expressed in the press that the current prime rates are the highest in all history.

This amendment to the insured loan program is necessary because there is very definitely a tight squeeze on our students who must be provided with some loans if they are to continue their education. Pressure comes from two directions. First, there is an increased need for loans, which would place a greater than ordinary demand on the money market, even if that market were operating under normal conditions of former years. But there is another pressure point that puts the squeeze on our students and that is, in the face of this increased need for loans, banks throughout the Nation are in fact, actually reducing their participation in the loan program.

With these two forces pressing upon the student, the committee report shows that between 30 and 40 percent of the students who seek a loan for the first time this fall will be denied help. The report accompanying H.R. 13194 suggests that as many as 200,000 students will not receive a loan unless this measure is enacted to law. This bill is a reasonable one. That is true because it simply provides a limited device for increasing the rate of return to lenders during times of money stringency. The Secretary of Health, Education, and Welfare may authorize payments to lenders, a market allowance up to the maximum of 3 percent on loans made after July 1, 1969. This allowance is to be determined at the end of each quarter. The bill has a good feature which permits the Secretary to determine the adjustment allowance to be paid for the 3-month period on either a national, regional, or other basis.

Although I was unavoidably absent from the floor during portions of the debate because the subcommittee, of which I am chairman, was authorized to sit during general debate, I learned on the floor when the vote was being taken that there were two or three objections raised in opposition to the bill. First, I heard that there was objection to considering this measure under suspension of the rules. It was argued the rule should have been granted to permit amendment to provide for cutoff of loans to those students involved in campus disturbances. While I am in sympathy with such restrictions, there is already on the Federal statute books an amendment to the Higher Education Act in 1968, and also a provision added to the appropriation bill which, if enforced, will be effective without need for any further provisions.

I heard the complaint that this adjustment allowance, or a payment to lenders by the Government, was setting a bad precedent. It was alleged it would further support the highest interest rates in all our history. My appraisal of this object is that there is a self-contained provision in the bill which gives the Secretary the discretion to keep this market allowance directly related to the money market and to fluctuate it on quarterly intervals. There is nothing that requires the payment of this allowance. It only gives the authority to the Secretary in the event that without it student loan sources would dry up and be nonexistent.

I, for one, am always reluctant to have to debate a measure under suspension of the rules, but this is an emergency. The measure should have been enacted at

the very beginning of the school year or the day after we returned from the August recess. If this measure is not perfect in the sense that it could be further amended if a rule had been granted, we just cannot stand by, doing nothing, while up to 40 percent of our students will be denied help. These worthy students are not to blame for the present conditions in the money market. They need the help of Congress and need it now. This bill should be enacted without any further delay.

Mr. GAYDOS. Mr. Speaker, H.R. 13194 opens an avenue for an additional 200,000 Americans to begin or continue their college education.

The bill loosens the financial stranglehold placed around the necks of these students by financial institutions unwilling to lend money at the 7-percent interest rate permitted under present law.

H.R. 13194 provides for a 3-percent market adjustment allowance to be paid the lenders, thus giving them a better return on college loans, which have been stifled by the rising prime interest rate, now pegged at 8½ percent, on loans of other types.

It contains a safeguard against being interpreted as a new Government-backed interest rate of 10 percent or as an endorsement of a higher prime interest rate. The bill specifically provides that the Secretary of Health, Education, and Welfare prescribe the extent of the adjustment allowance on a quarterly basis with a maximum of 3 percent per year.

Because of H.R. 13194 our college students again will be able to borrow money for their education. This has been impossible for most of them over the past several months. Many, I know, were unable to obtain the funds and were forced to change their minds about college this fall. Others, I believe, are sitting on pins and needles in their classrooms, uncertain if financial aid will be forthcoming and committed to other arrangements on other loans.

Mr. Speaker, in my own 20th Congressional District money for college loans is at a premium. I checked with several banking firms in one city and found only one actively participating in the program at the existing 7-percent interest rate. This bank informed me it was flooded with applications for loans from area students and has had to draw a line. It is limiting loans to preferred customers—depositors or persons with whom it has done business in the past. H.R. 13194 will encourage participation in the student loan program by other money lending firms.

It is a good bill. It received unanimous support in the subcommittee and in the full committee. Its worth and its merit were not questioned. Mr. Speaker, I stand in support of this legislation and urge my colleagues to do the same.

Mr. THOMPSON of Georgia. Mr. Speaker, as an advocate of the student loan program, it was my intention to vote for H.R. 13194 with appropriate amendments when it reached the House floor. However, I was apalled to learn that this bill was being brought before the House under a closed rule which would prevent the Congress providing for the cutting off of loan funds to students who willfully participate in riots on college and university campuses. The Congresswoman from Oregon, Mrs. GREEN, described this action as the "tyranny of a minority." The chairman of the Rules Committee, Mr. COLMER, in response to a direct question here on the floor of the House, stated that if requested by the legislative committee he would call the Rules Committee into session tomorrow at which time the committee could act to have the Congress consider this legislation on Thursday, September 18, in a manner in which funds could be denied to student rioters.

I would rather, therefore, Mr. Speaker, see this motion to suspend the rule and pass the bill under suspension be defeated in order that the bill may be brought back before the House in a form wherein the Congress may work the will of the people in putting meaningful restrictions as to the use of these loan funds by student rioters.

Therefore, the action of the committee places me in an untenable position. While wanting to represent my constituents and their interests in both dealing with campus riots and opening the way for the approval of more loans by banks, I was absolutely prevented from presenting their viewpoints on this matter. My recorded vote, therefore, is not against the substance of the bill, but is an outright protest against the closed rule procedure. I have supported the student loan program in the past and shall do so in the future, but I cannot in good conscience allow a minority to impose on the majority of this House a procedure which prevents me from expressing the will and the views of my constituents. This is the reason that my vote will be against suspending the rule to pass the bill and I am certain other Members who may vote against the measure share my views.

The SPEAKER. The time of the gentleman from Iowa (Mr. SCHERLE) has expired. All time has expired.

The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 13194, as amended.

Mr. PERKINS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 322, nays 60, answered "present" 3, not voting 45, as follows:

[Roll No. 169]

YEAS—322

Adair	Berry	Burton, Calif.
Adams	Betts	Burton, Utah
Addabbo	Bevill	Button
Albert	Biaggi	Byrne, Pa.
Alexander	Biester	Byrnes, Wis.
Anderson, Calif.	Bingham	Caffery
	Blatnik	Cahill
Anderson, Tenn.	Boggs	Camp
	Boland	Carey
Andrews, Ala.	Bolling	Carter
Andrews, N. Dak.	Brademas	Cederberg
	Brasco	Celler
Annunzio	Bray	Chamberlain
Arends	Brinkley	Chisholm
Ashley	Broomfield	Clancy
Aspinall	Brown, Mich.	Clark
Ayres	Brown, Ohio	Clausen, Don H.
Beall, Md.	Broyhill, N.C.	
Belcher	Broyhill, Va.	Clay
Bell, Calif.	Buchanan	Cleveland
Bennett	Burke, Mass.	Cohelan
Collins	Hosmer	Price, Tex.
Conte	Howard	Pryor, Ark.
Conyers	Hutchinson	Pucinski
Corbett	Jacobs	Purcell
Corman	Johnson, Calif.	Quie
Coughlin	Johnson, Pa.	Railsback
Cowger	Jones, Ala.	Randall
Culver	Jones, Tenn.	Rees
Cunningham	Karth	Reid, Ill.
Daniels, N.J.	Kastenmeier	Reid, N.Y.
Dawson	Kazen	Reifel
de la Garza	Kee	Reuss
Delaney	Keith	Rhodes
Dellenback	King	Riegle
Denney	Kleppe	Robison
Dennis	Kluczynski	Rodino
Dent	Koch	Rogers, Colo.
Derwinski	Kuykendall	Rooney, N.Y.
Dickinson	Kyl	Rooney, Pa.
Diggs	Kyros	Rosenthal
Donohue	Langen	Roth
Dorn	Latta	Roudebush
Downing	Leggett	Ruppe
Dulski	Lloyd	Ruth
Duncan	Long, La.	Ryan
Dwyer	Long, Md.	St Germain
Eckhardt	Lowenstein	St. Onge
Edmondson	Lujan	Saylor
Edwards, Ala.	Lukens	Schadeberg
Edwards, Calif.	McCarthy	Scheuer
Edwards, La.	McClory	Schneebeli
Eilberg	McCloskey	Schwengel
Erlenborn	McClure	Sebelius
Esch	McCulloch	Shipley
Eshleman	McDade	Shriver
Evans, Colo.	McDonald, Mich.	Skubitz
Evins, Tenn.		Slack
Fallon	McEwen	Smith, Calif.
Farbstein	McFall	Smith, Iowa
Feighan	McKneally	Smith, N.Y.
Findley	Macdonald, Mass.	Snyder
Fish		Stafford
Flood	MacGregor	Stanton
Flowers	Madden	Steed
Foley	Mahon	Steiger, Ariz.
Ford, Gerald R.	Mailliard	Steiger, Wis.
Ford, William D.	Mann	Stephens
	Matsunaga	Stokes
Foreman	May	Stratton
Fraser	Mayne	Stubblefield
Frey	Meeds	Stuckey
Friedel	Melcher	Symington
Fulton, Pa.	Meskill	Taft
Fulton, Tenn.	Mikva	Talcott
Galifianakis	Miller, Ohio	Taylor
Gallagher	Mills	Teague, Calif.
Garmatz	Minish	Thompson, N.J.
Gaydos	Mink	Thomson, Wis.
Giaimo	Mize	Tunney
Gilbert	Mizell	Udall
Goldwater	Mollohan	Van Deerlin
Gonzalez	Monagan	Vander Jagt
Goodling	Montgomery	Vanik
Gray	Moorhead	Waggonner
Green, Oreg.	Morgan	Waldie
Green, Pa.	Morse	Wampler
Griffiths	Mosher	Watson
Grover	Murphy, Ill.	Watts
Gubser	Murphy, N.Y.	Whalen
Gude	Myers	White
Hamilton	Natcher	Whitehurst
Hammer-schmidt	Nedzi	Widnall
	Nelsen	Wiggins
Hanley	Nix	Williams
Hanna	Obey	Wilson, Bob
Hansen, Idaho	O'Hara	Wilson, Charles H.
Hansen, Wash.	Olsen	
Harsha	O'Neill, Mass.	Winn
Harvey	Ottinger	Wolff
Hastings	Patten	Wyatt
Hathaway	Pepper	Wydler
Hawkins	Perkins	Wylie
Hays	Pettis	Yates
Hechler, W. Va.	Philbin	Yatron
Heckler, Mass.	Pickle	Young
Helstoski	Pike	Zablocki
Hicks	Pirnie	Zion
Hogan	Podell	Zwach
Holifield	Preyer, N.C.	
Horton	Price, Ill.	

NAYS—60

Abbitt	Daniel, Va.	Hall
Abernethy	Davis, Ga.	Hébert
Ashbrook	Davis, Wis.	Henderson
Barrett	Devine	Huil
Blackburn	Dowdy	Ichord
Bow	Flynt	Jarman
Burke, Fla.	Fountain	Jonas
Burleson, Tex.	Fuqua	Jones, N.C.
Burlison, Mo.	Gibbons	Landgrebe
Casey	Griffin	Lennon
Clawson, Del	Gross	McMillan
Colmer	Hagan	Marsh
Cramer	Haley	Martin

Miller, Calif.	Rivers	Sullivan
Moss	Roberts	Teague, Tex.
Nichols	Rogers, Fla.	Thompson, Ga.
O'Neal, Ga.	Satterfield	Utt
Poage	Scherle	Wold
Poff	Scott	Wright
Rarick	Sikes	Wyman

ANSWERED "PRESENT"—3

Brooks	Pelly	Quillen

NOT VOTING—45

Anderson, Ill.	Frelinghuysen	Pollock
Baring	Gettys	Powell
Blanton	Halpern	Rostenkowski
Brock	Hungate	Roybal
Brotzman	Hunt	Sandman
Brown, Calif.	Kirwan	Sisk
Bush	Landrum	Springer
Cabell	Lipscomb	Staggers
Chappell	Mathias	Tiernan
Collier	Michel	Ullman
Conable	Minshall	Vigorito
Daddario	Morton	Watkins
Dingell	O'Konski	Weicker
Fascell	Passman	Whalley
Fisher	Patman	Whitten

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

The Clerk announced the following pairs:

Mr. Daddario with Mr. Anderson of Illinois.
Mr. Passman with Mr. Mathias.
Mr. Patman with Mr. Sandman.
Mr. Fascell with Mr. Michel.
Mr. Roybal with Mr. Lipscomb.
Mr. Kirwan with Mr. Brock.
Mr. Tiernan with Mr. Frelinghuysen.
Mr. Whitten with Mr. Halpern.
Mr. Brown of California with Mr. Whalley.
Mr. Chappell with Mr. Bush.
Mr. Dingell with Mr. Morton.
Mr. Gettys with Mr. Hunt.
Mr. Vigorito with Mr. Minshall.
Mr. Hungate with Mr. Brotzman.
Mr. Baring with Mr. Watkins.
Mr. Rostenkowski with Mr. Springer.
Mr. Ullman with Mr. Collier.
Mr. Landrum with Mr. Weicker.
Mr. Fisher with Mr. Conable.
Mr. Sisk with Mr. Pollock.
Mr. Cabell with Mr. Staggers.
Mr. Blanton with Mr. O'Konski.

Mr. BROOKS changed his vote from "yea" to "present."

Mr. MILLER of Ohio changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks, and include extraneous material, on the bill just passed.

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

There was no objection.

REQUEST TO CONSIDER S. 2721, COLLEGE STUDENT LOANS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2721) to increase funds for college student loans by increasing the authorization of appropriations for the national defense student loan program, and by providing for an incentive allowance for insured loans under title IV–B of the Higher Education Act of 1965 on a temporary basis, and for other purposes.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman whether I am correct in understanding that the gentleman said that the Senate bill is similar to the one just passed by the House?

Mr. PERKINS. With respect to revision of the guaranteed student loan program, the Senate bill is quite similar. However, the Senate bill also contains provisions increasing authorizations for the national defense student loan program, the educational opportunity grant program, and the college-work-study program.

Mr. GROSS. Would the gentleman admit that it is similar because it is so dissimilar?

Mr. PERKINS. Let me say to the gentleman that it is my intention with this request to amend the Senate bill with the language just approved by the House. It is my hope that the Senate will accept the House amendment. But, if they do not, we should have one bill so that we will be able to go to conference.

Mr. GROSS. That we will go where?

Mr. PERKINS. That we will go to conference. There will be a conference between the two bodies to iron out the differences if the Senate will not accept the House amendment.

Mr. GROSS. If the Senate does not accept the bill as just approved by the House?

Mr. PERKINS. That is correct.

Mr. GROSS. The gentleman does not think the Senate is going to do that, does he?

Mr. PERKINS. I hope that they will.

Mr. GROSS. Having added at least three programs in the other body, with a tremendously increased expenditure?

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

AUTHORIZING THE PRESIDENT TO AWARD APPROPRIATE MEDALS HONORING THOSE ASTRONAUTS WHOSE PARTICULAR EFFORTS AND CONTRIBUTIONS TO THE WELFARE OF THE NATION AND OF MANKIND HAVE BEEN EXCEPTIONALLY MERITORIOUS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 775) to authorize the President to award appppropriate medals honoring those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious, as amended.

The Clerk read as follows:

H.J. RES. 775

Whereas the United States has established and maintains a highly successful manned space flight program, dedicated to the peaceful exploration of space for the benefit of all mankind; and

Whereas the full strength of America's political, industrial, and technological capacity has been effectively teamed to create and support that program, but it cannot be carried out without the intelligence, the dedication, the bravery, and the self-sacrifice of the astronauts who test the hardware and who fly the missions into the hostile environment of space; and

Whereas the United States in its moments of triumph over the success of its space exploration must not forget those brave astronauts who have given their lives in the fullest measure of man's dedication to space exploration: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President may award, and present in the name of Congress, a medal of appropriate design, which shall be known as the Congressional Space Medal of Honor, to any astronaut who in the performance of his duties has distinguished himself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of mankind.

SEC. 2. There is authorized to be appropriated from time to time such sums of money as may be necessary to carry out the purposes of this joint resolution.

The SPEAKER. Is a second demanded?

Mr. FULTON of Pennsylvania. Mr. Speaker, I demand a second.

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE of Texas. Mr. Speaker, this legislation is very simple. It provides that the President of the United States may award to the astronauts a medal in the name of the Congress of the United States.

Mr. Speaker, tomorrow the crew of Apollo 11 will be guests of the Congress at a joint session.

For this reason, I have asked to call up and pass House Joint Resolution 775 with amendments under suspension.

The purpose of this joint resolution is to authorize the President to award a medal of appropriate design to any astronaut who, in the performance of his duties, has distinguished himself by exceptionally meritorious efforts and contributions to the welfare of the Nation and mankind. It would be permanent legislation covering actions in the future as well as authorizing the President to award such medals posthumously and retroactively.

The resolution has been amended to designate the medal as the Congressional Space Medal of Honor to be awarded by the President on behalf of the Congress. The title was amended to conform.

I believe most Members are aware that the present Congressional Medal of Honor can only be awarded for "conspicuous gallantry and intrepidity in combat at the risk of his life above and beyond the call of duty."

Up until now space exploration, although hazardous, has not been considered an appropriate basis for that award because, for one reason, the Congressional Medal of Honor requires the act of the recipient to have been performed in combat.

Now it is true that in some few instances the Congress, by special act, have

awarded the Congressional Medal of Honor to a person for acts of heroism performed not in combat. The most famous example is the act of Congress which awarded the Congressional Medal of Honor to Col. Charles A. Lindbergh.

We all know that NASA has a Distinguished Service Medal, which may be and has been awarded to astronauts, but this award was designed for and also been made for any person in the Federal service who distinguishes himself and has personally made a contribution representing substantial progress to aeronautical and space exploration in the interest of the United States.

NASA recognizes, and so do we all, that the work of space exploration is in its essence a team endeavor involving the dedication of many people in the military services, in the civilian branches of Government service, and in industry. Such contributions may be recognized under other awards, but it is believed that the unique status of the astronauts and the unique burdens placed upon them justify the award of a special medal that would be authorized by the joint resolution as amended.

Since there appears to be no medal which can be used to squarely recognize the unique role of astronauts and the special kind of courage that it takes to pit one's life, stamina, intelligence, and experience against the hazards of space exploration, I urge the passage of House Joint Resolution 775, which would provide a proper authorization for such recognition.

If the joint resolution is enacted, it is expected that the President would call upon the Institute of Heraldry, U.S. Army (10 U.S.C. 4594), to provide appropriate services in connection with the design of the medal and that he would request the Philadelphia mint to strike appropriate dies for the medals so designed.

I think it particularly appropriate that the medal be called the Congressional Space Medal of Honor to place it on the same level as the Congressional Medal of Honor, and that it be awarded in the name of Congress, who are the representatives of all of the people of the United States of America.

The National Aeronautics and Space Administration favors the enactment of this joint resolution.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania (Mr. FULTON).

Mr. FULTON of Pennsylvania. Mr. Speaker, I am one of the cosponsors of this House joint resolution to honor our U.S. astronauts. I believe the resolution should be passed by the U.S. Congress.

These astronauts are men who are risking their lives for the honor of the country, and who bravely face the unknown universe of space, where no men have gone before. We have U.S. astronauts who are the new heroes of our country. To those who have been giving exceptional national service as astronauts, I believe it is wise that we do authorize a Congressional Medal of Honor which is awarded by the President of the United States.

We must remember that our U.S. space program is a tremendous research program, not only a program to land the first men on the moon, but it is a program to find where earth really fits in our whole universe of space. What effects do these tremendous forces, distances, and energetic particles of the solar river, as well as radiation and cosmic rays, have on the very existence of human beings on this earth planet?

Likewise we build up our full U.S. strength of our industrial and technological capacity in this kind of program. Space and research programs for space exploration benefit us at home as well as help us in our defense. It also helps us with our image in the whole world reflecting so well on the technological and scientific competence in America.

Therefore, Mr. Speaker, I strongly feel that this resolution should be passed and I hope that it is passed unanimously.

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

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. ROUDEBUSH. Mr. Speaker, three men, three Americans, Astronauts Armstrong, Aldrin, and Collins have distinguished themselves in a manner that is without precedence in history.

They have faced unknown perils, they have flown unknown skies, and have set foot where previously man had been able only to vaguely observe through the far reaches of space. They have ignited the spirit of all nations with their accomplishments and have opened the door of space for all future generations.

It is certainly in keeping with their great deeds and those of the other astronauts that the Congress establish a Congressional Space Medal to be awarded by the President to those who especially distinguish themselves in this bold and important venture.

Mrs. SULLIVAN. Mr. Speaker, in case there is any question as to whether House Joint Resolution 775 circumvents the jurisdiction of the Committee on Banking and Currency, I do not believe it does. We have no objection to the consideration of the bill, as called up under suspension of the rules, to provide for the striking of medals to be awarded by the President to any astronaut who in the performance of his duties has distinguished himself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of mankind.

These are not commemorative medals. They are much the same as the medals awarded by the military services. NASA has among its astronauts members of the armed services who have been awarded military medals for some of their space exploits; there are also civilians among the astronauts. I think it is appropriate to have a distinctive medal to honor those who perform exceptional service. Most of the Government departments already issue distinctive medals to their outstanding officials or employees for exceptionally meritorious service.

I want to make clear that this bill is not the same as the measure which passed the Senate on July 30, 1969, Senate Joint Resolution 140, which would have called for the automatic award of a gold medal to any astronaut whoever has flown in a vehicle in outer space, or to his widow, with duplicate bronze medals being sold to the public. The House Committee on Banking and Currency did not act on that bill.

Mr. Speaker, I am submitting for the RECORD the reports to the Committee on Banking and Currency from the Department of Defense and the National Aeronautics and Space Administration on two other bills introduced by the gentleman from Texas, H.R. 6052 and H.R. 6055. These reports recommended the enactment of House Joint Resolution 775, which was referred to a different committee. Those reports follow:

DEPARTMENT OF THE AIR FORCE,
Washington, June 30, 1969.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H.R. 6052, 91st Congress, a bill "To foster the exploration of outer space by providing for the award by the President of the United States, in the name of the Congress, of the Congressional Space Medal to astronauts who contribute thereto." The Secretary of Defense has delegated to the Department of the Air Force the responsibility for expressing the views of the Department of Defense.

The purpose of H.R. 6052 is to authorize the President of the United States to present, in the name of the Congress, the Congressional Space Medal to each astronaut designated by concurrent resolution in recognition of his contribution to the exploration of outer space. Medals awarded would be made of gold by the Secretary of the Treasury acting through the Bureau of the Mint. The medals would be designed as the Secretary of the Treasury determines to be appropriate after consultation with the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Science of the Senate.

H.J. Res. 775, introduced on June 11, 1969, and pending before the House Committee on Science and Astronautics, is appropriate to recognize the heroic courage and outstanding skill of the Nation's astronauts. The Department of the Air Force, on behalf of the Department of Defense, recommends enactment of H.J. Res. 775 instead of H.R. 6052.

The Bureau of the Budget advises that there is no objection to the presentation of this report to the Congress and enactment of H.J. Res. 775 would be in accord with the program of the President.

Sincerely,

CURTIS W. TARR,
Assistant Secretary of the Air Force Manpower and Reserve Affairs.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, D.C., June 25, 1969.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for comments from the National Aeronautics and Space Administration on the bills H.R. 6052, "To foster the exploration of outer space by providing for the award by the President of the United States, in the name of the Congress, of the Congressional Space Medal to astronauts who contribute thereto," and H.R. 6055, "To provide for the striking of medals in honor of Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee."

H.R. 6052 would empower the President of the United States to present, in the name of the Congress, the Congressional Space Medal to astronauts so designated by concurrent resolution of the Congress. The medal would be made of gold by the Bureau of the

Mint, and would be of an appropriate design to be determined after consultation between the Secretary of the Treasury and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate. Section 3 of the legislation would authorize to be appropriated such sums as may be necessary to carry out the Act.

H.R. 6055 would provide for the striking of medals in honor of Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee, to commemorate their distinguished service and ultimate sacrifice in furthering the United States space program.

The Secretary of the Treasury, acting through the Bureau of the Mint, would be directed to make three identical medals of such design as might be determined to be appropriate after consultation with the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate.

Section 3 of the legislation would authorize an appropriation of $4,500 to carry out the above provisions.

Section 4 would empower the Secretary of the Treasury, acting through the Bureau of the Mint, to strike duplicates of the medals and sell them under such regulations as he might prescribe at a price sufficient to cover the cost thereof. The proceeds of the sale of such bronze medals would be reimbursed to the appropriation thus current for the expenditures of the Bureau of the Mint chargeable for the cost of the manufacture of the medals.

Over the past several years a number of suggestions have been made for ways in which the contributions of astronauts could and should be officially recognized. Suggestions have been made that military awards or decorations be given them, that special medals be awarded and that memorials or other permanent structures recording their work be erected.

NASA, along with other agencies in the Executive and Legislative branches of the Government, has given careful consideration to a wide variety of such proposals. It has concluded that the efforts of the astronauts in risking their lives to accomplish the goals of the United States space program is a unique service to the country and to mankind, and that it should be specifically recognized by the Government. It has also been concluded that such recognition properly should take the form of a medal to be awarded by the President in appropriate cases of outstanding service.

House Joint Resolution 775 now pending before the House Committee on Science and Astronautics appears to NASA to embody the basic principles upon which such awards should be based. It would authorize the President to award a medal of appropriate design to any astronaut who, in the performance of his duties, shall have distinguished himself by exceptional meritorious efforts and contributions to the welfare of the Nation and of mankind. It would be permanent legislation covering actions in the future. It would also authorize the President to award such medals posthumously and retroactively. A report recommending favorable action on H.J. Res. 775 has been submitted to the House Committee on Science and Astronautics.

Accordingly, it is suggested that H.J. Res. 775 be enacted and that no further action be taken on H.R. 6052 and H.R. 6055.

The Bureau of the Budget has advised that there is no objection to the presentation of this report to the Congress and that enactment of H.J. Res. 775 would be in accord with the program of the President.

Sincerely yours,

ROBERT F. ALLNUTT,
Assistant Administrator for Legislative Affairs.

Mr. BURLESON of Texas. Mr. Speaker, the Apollo lunar landing culminated a decade of supreme achievement by hundreds of thousands of Americans. All the intrepid journey of the three astronauts—Armstrong, Aldrin, and Collins—carried with them not only the fruits of the labors of these many Americans, but the hopes and aspirations of millions of people everywhere in this world.

It is only fitting that the Congress of the United States lead in a tribute to the courage and bravery of these three great Americans. I, therefore, join my colleague, the gentleman from Texas (Mr. TEAGUE) in the support and sponsorship of the House Joint Resolution 775 which will establish the Congressional Space Medal for this purpose.

Mr. ROBERTS. Mr. Speaker, the Congressional Medal of Honor is the highest symbol of recognition for extraordinary valor and heroism in actions of war.

The space program has provided an arena for peaceful competition. This competition has been keen and constructive. It has demonstrated a way to achieve great strides in technological progress and human understanding.

The accomplishments of our space program have been a source of pride to all of us on earth. Extraordinary courage and valor have been demonstrated. I believe it very fitting that this assembled body have a symbol of recognition for heroism in space.

I, therefore, wish to endorse and urge your support of Joint Resolution 775 introduced by my colleague, the gentleman from Texas (Mr. TEAGUE) which will establish the Congressional Space Medal.

Mr. PRICE of Texas. Mr. Speaker, the United States has conducted, with great success and credit, an open program of peaceful exploration of space. On July 21 the highlight of one of the most ambitious and courageous efforts of man was viewed by the world.

The courage required to reach this unprecedented height can only be known to a few. The environment, equipment, concepts and way of thinking in the conduct of our space program were all necessarily new.

The sacrifice and dedication required to achieve the level of proficiency necessary to experience success were also new.

The people of this Nation have shared in the program, in its successes and failures.

I feel confident that this Nation also wishes to share in its recognition and commendation of the exceptional deeds and achievements of our astronauts.

This opportunity to voice my support of House Joint Resolution 775 is one of true privilege and pride.

Mr. PODELL. Mr. Speaker, in view of the tremendous favorable national and international reaction to our manned space program, and particularly to the Apollo 11 mission, it seems fitting that the Congress should establish the Congressional Space Medal Award. This award will authorize the President to provide recognition of our astronauts whose heroism, courage, and contributions have been largely responsible for this wonderful world reaction and inspiration. I, therefore, join in support of this resolution.

Mr. TEAGUE of Texas. Mr. Speaker, a number of my colleagues on the Committee on Science and Astronautics have wished to associate themselves with House Joint Resolution 775. These distinguished Members share with me the view that this award provides a valuable contribution to the recognition of the achievements of astronauts in our national space program. The names are as follows:

Mr. HECHLER of West Virginia, Mr. DADDARIO of Connecticut, Mr. DOWNING of Virginia, Mr. WAGGONNER of Louisiana, Mr. FUQUA of Florida, Mr. BROWN of California, Mr. CABELL of Texas, Mr. PODELL of New York, Mr. ASPINALL of Colorado, Mr. TAYLOR of North Carolina, Mr. HELSTOSKI of New Jersey, Mr. BIAGGI of New York, Mr. SYMINGTON of Missouri, Mr. FULTON of Pennsylvania Mr. ROUDEBUSH of Indiana, Mr. BELL of California, Mr. PELLY of Washington, Mr. WYDLER of New York, Mr. VANDER JAGT of Michigan, Mr. WINN of Kansas, Mr. PETTIS of California, Mr. LUKENS of Ohio, Mr. PRICE of Texas, Mr. WEICKER of Connecticut, Mr. FREY of Florida, and Mr. GOLDWATER of California.

Mr. CASEY. Mr. Speaker, our Nation has long needed a special award to honor those of our great astronauts whose exceptionally meritorious efforts brought distinction to themselves, and contributed greatly to the welfare of our Nation and all mankind.

The Congressional Space Medal, authorized by House Joint Resolution 775 for presentation by the President, would meet this need. It is indeed my privilege to rise in full support of this measure, and I commend its author, my friend and colleague, Representative OLIN TEAGUE, and the members of the House Science and Astronautics Committee for bringing it before us today.

As a strong supporter of the space program, and as the Representative in whose district our Manned Spacecraft Center and our astronauts reside, it has been my privilege to know these valiant men as friends and neighbors. Each has that special breed of courage which has marked the great progress of our Nation from its very beginning. And by his very participation in this tremendous program, each has carved his place in our Nation's history.

But some, of course, have been given a greater opportunity in their selection for specific missions. And of the many who have so distinguished themselves during the evolution of this great program during its early space flights, tomorrow we pause in a joint session to pay honor and tribute to three of the most valiant—our Apollo 11 crew which journeyed to the moon and back: Neil A. Armstrong, Michael Collins, and Edwin E. "Buzz" Aldrin, Jr.

The magnificent flight of Apollo 11 shall stand forever as a brilliant milestone along mankind's road of technological and scientific achievement. Through it all, with courage and valor—and humor—these three men endeared themselves to the world at large.

Mr. Speaker, it is indeed fitting that today we act to pass this measure to show in one small way our Nation's grateful appreciation for the dedication, skill, and perseverance displayed by the men in this program. I am proud to express my support for the measure.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the joint resolution (H.J. Res. 775), as amended.

The question was taken; and (two-thirds having voted in favor thereof), the Committee on Science and Astronautics was discharged from the further consideration of the joint resolution, the rules were suspended and the joint resolution, as amended, was passed.

The title was amended so as to read: "To authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DIRECT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 681), with Mr. MILLS in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. Before the Committee rose on Thursday, September 11, it had agreed that the joint resolution would be considered as read and be open to amendment at any point.

Are there any amendments?

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

Almost everyone, both in and out of Congress, admits that reform of our electoral college system is long overdue. The present procedure, which permits any elector to switch his vote and frustrate the wishes of the electorate, should be corrected. With luck, we have, so far, escaped a situation in which the defection of electors in violation of their moral obligation has significantly affected the results of our election. We should not and cannot afford to tempt fate further. It is also imperative that we revise the constitutional provisions applicable to deadlocks. The provision that in a deadlock the House should elect the President with one vote cast by each State delegation, as it did on two occasions in the past certainly could prove harmful in the future.

It is possible, for example, that if a congressional delegation should split evenly, the population of an entire State would lose all voice in choosing a President. It is also possible that a candidate who decisively trailed in the popular vote could be elected President. Also under the present system the other body could elect as Vice President a candidate from a party different from that of the President-elect. Thus the present second election procedures are plainly archaic and, in fact, could be dangerous as the House stands today at the threshold of reforming its electoral process. We must bear in mind that the Office of President of the United States is the most powerful Office in the world. The process by which our people elect the Chief Executive must be attuned to the needs of not only today but of tomorrow, and not of decades gone by.

The electorate no longer needs a group of intermediaries known as electors to register their choice.

In selecting a method to correct the present deficiencies, the Judiciary Committee has done well. I congratulate the chairman and all the members of the committee, both Democrats and Republicans. Direct election of the President, it must be acknowledged, is the only method by which the democratic principle of one man, one vote can be effectuated.

The proposed amendment also would conform the contingent election procedures to those of the initial election. The people would elect the President under all circumstances. Only the direct popular election will assure, in the first instance and in a contingency, that the candidate with the greatest popular vote would become President. The direct popular election method which the House is called upon to approve will substitute clarity for confusion and decisiveness for danger, and assure that the popular choice, rather than political chance, will determine the winner and will obviate any future constitutional crisis.

The debate has been on a very high plane. We all know what the history of presidential elections in our country is. For example, in the 46 presidential elections, under the electoral college system, three candidates who received less than the popular vote were elected President: Adams in 1824, Hayes in 1876, and Harrison in 1888. Two Presidents were elected by the House: Jefferson in 1800 and Adams in 1824. We know what happened in 1876 in the case of the Hayes election and the Special Electoral Commission appointed by the Congress. Each one of those cases had the potential of constitutional instability. If it were not for the bigness of the men who had received the popular vote but who were not elected President, there could have been a constitutional crisis in any one of those elections.

The emotionalism that existed could have divided our country. They were big men who assumed the responsibility of unity within our country rather than take the pathway that might have led to emotionalism and disunity.

Mr. Chairman, I recognize the sincerity of those who favor the other plans. I might say in all frankness any one of the two substantial ones are better than the present system, but in my opinion the resolution reported out by the Committee on the Judiciary is the best assurance that we can have that we are giving to the country in the future the maximum of constitutional stability. It seems to me on the basic ground of constitutional stability, and making every contribution we can to assure it in the future, the resolution reported by the Committee commands the respect, the attention, the support, and the vote of at least two-thirds of the Members of this House. So with all respect to the other methods, I urge that they not be adopted and that the resolution reported by the committee pass this body. It is one means that will give to the maximum extent possible assurances to the people of America and the people of tomorrow that there will be constitutional stability, and that is a matter of vital importance.

Mr. ALBERT. Mr. Chairman, I move to strike the necessary number of words.

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

Mr. ALBERT. Mr. Chairman, first of all, I compliment the distinguished Speaker on the leadership which he has given this matter, as I do the distinguished chairman of the Committee on the Judiciary and the distinguished ranking Republican member.

Mr. Chairman, I join this great committee in urging that the time has come for the President and for the Vice President of the United States to be elected by the people directly and without any separation from the election process. This, in my opinion, is a right which the people want. It is a right which the people ought to have.

The American people elect their State legislators. They elect their Senators and Representatives in Congress. They elect their chief executive officers in every State in the Union. They want also the right to elect the Chief Executive Officer of the Nation.

In May 1912, the Congress submitted the 17th amendment to the legislatures of the several States. In May 1913, just 1 year later, the necessary 36 States had ratified it. Under a mandate from the American people, the State legislatures gave up this power entrusted to them by article I, section 3, of the Constitution. In 1912, the American people wanted no intermediary in the election of their U.S. Senators, not even their own directly elected, directly responsible well-known members of their own State legislatures. In 1969, they want no anomalous intermediary, selected by a political convention, responsible to no one, and unknown to 90 percent of the electorate, to choose

the most important public official in the land.

The heart and soul of this amendment is representative government itself. This more than anything else persuades me to its support. Through the years, the office of President has grown in responsibility; it has grown in power. The President sends men into battle and determines the policy—yes, the strategy—under which they fight. The President presides over all the executive departments of Government now embracing a vast bureaucracy dealing with the rights, liberties, and welfare of our people. This country has changed since 1787, and the vital interests of the American people require that they have in their own hands direct control of the executive as well as of the legislative branch of the Government.

With the National Government involved in the lives of our people as it is today, with the speed of communication and the efficiency of the news media being what they are today, a crisis of major proportions would arise in this country if a presidential election were thrown into the House of Representatives, or if a third party candidate were able to control the electoral college, or if the winner of the popular vote were to become the loser, or worse than all, if unfaithful electors were able to determine the outcome of an election.

On this matter of the turncoat elector, although it has been discussed at length, I think a little emphasis is still in order. I remember in my own State, in the Kennedy-Nixon campaign, the then Vice President Nixon carried Oklahoma by a substantial majority, yet one of the Republican electors cast his vote not for Vice President Nixon, not for any other contender in the Republican National Convention, not for Senator Kennedy or any of his opponents in the Democratic National Convention, not for any third party candidate, but for a man who was not even a candidate and had not even submitted himself to the American people for consideration for the office of President of the United States.

This is wrong. It is wrong in principle and it is fraught with danger. The danger is not limited to cases where a third party candidate may hold the balance of power. The peril is present even when an election is confined to the two major party candidates. The indicated electoral college vote might in some future election well be so close that one, three, or five unfaithful electors could defeat the candidate who was the apparent winner of a majority of the electoral vote. If an election should result in a situation where a handful of untrustworthy electors could change the result of an election, the American people would await the final count in horror.

The pending resolution, more nearly than any other proposal advanced by able colleagues, will remedy the defects in our present system of presidential elections. It will abolish the electoral college. It will end the faithless presidential elector. It will prevent power struggles within the electoral college or in the House of Representatives. It will eliminate the "winner take all" feature and thus make every vote count. It will make the winner the winner and the loser the loser and thus enhance the cause of democracy. The adoption and ratification of this resolution will make sure that the leader of our people is our people's leader.

I urge my colleagues to support the resolution as reported by the committee and to reject all substitutes and crippling amendments.

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

Mr. Chairman, the proposed direct nationwide popular vote plan to elect a President and Vice President of the United States is already under heavy attack and should not be passed without amendment.

Strong opposition was registered by many during my visit to the district this past weekend when I sounded out their opinions and my mail in Washington reflects the same feeling. It is obvious that the people want their vote to count.

The matter is receiving national attention and is one of the most important measures coming before the Congress in many years.

The people's concern is that such a plan would make the candidates concentrate on the big cities and the populous States and ignore the smaller areas of the country.

And the people do not want to be ignored—that is it, plain and simple.

In the past we have had presidential candidates who made campaign appearances in the First District of Tennessee. Adoption of the popular vote plan might preclude us from ever seeing a presidential candidate there again.

I share the same concern in opposition to a direct nationwide popular vote. At the same time, I realize that our electoral college system needs to be overhauled, and the evils of our winner-take-all practice, which is the most criticized feature of our electoral college system, needs to be corrected.

I want the vote of every citizen in my district and every citizen of the United States to count in the election of the President and Vice President and I will fight for an amendment to the popular vote proposal to change it to a district plan which will guarantee that each vote will count.

The district plan brings the presidential election closer to the people by making electoral votes available to both parties in all States having more than three electoral votes.

This would also eliminate a much-criticized feature of our current system which is the overwhelming attention devoted to the larger, so-called pivotal States in which "swing minorities" have disproportionate power.

Under the district plan, while presidential electors as individuals would be abolished, the electoral votes of the several States would be retained. Two of these votes would automatically be assigned to the presidential candidacy which carries the State as a whole; the remaining electoral votes of the State would be assigned to the presidential candidacy which carries each separate electoral or congressional district within the State, one electoral vote per district. If no candidate receives the majority of the electoral vote, election shall be by a joint session of the Senate and the House of Representatives, with the Members voting as individuals, a majority of the whole number of Senators and Representatives being necessary to a choice. The district plan is embodied in House Joint Resolution 791.

Both the popular vote and district plans require an amendment to the Constitution. To pass the House, it takes a two-thirds majority and it will be necessary to be ratified by the legislature of three-fourths of the several States within 7 years after the date of final passage.

The district plan will do all this without destroying our federal system, and under a plan pronounced by James Madison as "mostly, if not exclusively, in view when the Constitution was framed and adopted."

The district plan, unlike the direct vote system, will give due weight to the entire country and will not unduly favor the large metropolitan areas.

As a result, it stands the best chance of ratification by three-fourths of the States. And it preserves the essence of the federal system of Madison, Hamilton, Jefferson, and Adams, which has served us well for almost 200 years.

Further, the district plan has the best proposal for preserving our federal system. I regard this unique system as the greatest single strength of our form of government.

The direct electoral plan could be very destructive of this federalism. I believe it could produce splinter parties, injurious to the effectiveness of the two party system. It could, in fact, have an unfavorable impact upon our whole political system, including party structure. It inevitably could result in federalizing such matters as election procedures and voter qualifications.

I am happy that the people of my district are concerned about their vote for President and Vice President of the United States. I do not want to see any county in my entire district or any district in the United States ignored by the candidates, nor do I want to see the State of Tennessee bypassed.

Before any popular vote plan is enacted, many factors should be taken into consideration. For instance, the polls close on the east coast 3 hours before they do on the west coast. This would give the populous States in the West an opportunity to get on the bandwagon and swing their votes to a winner.

Also, under the popular vote plan, the TV networks could put a candidate on a white charger and elect him President of the United States, irrespective of qualifications.

There must be some safeguards in any change of our electoral college system and the district plan would be the best protection to guarantee that every vote would count.

The direct election plan goes too far. It is not reform but a total break with our constitutional history with vast im-

plications deserving most careful consideration.

The district plan is none of these. It is consistent with our history and our political institutions as they have developed.

Therefore, Mr. Chairman, I urge adoption of the district plan as a substitute for the joint resolution now under consideration.

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

Mr. QUILLEN. I would be happy to yield to the gentleman from Minnesota.

Mr. MACGREGOR. Let me pose this question. If we had the district plan what of a Republican voter in a district that goes traditionally 60 percent Democratic, what would be the situation? The gentleman stated he wanted a plan under which every vote would count. Would the gentleman explain how my Republican vote would count for President and Vice President if I lived in a Democratic district where the Democratic candidate for President traditionally gets 60 percent of the vote?

Mr. QUILLEN. Let me explain it this way. The gentleman has been in the House of Representatives for the period of four terms. When Senator GOLDWATER ran for President of the United States he was losing the congressional districts in the other parts of Tennessee and throughout the country. Yet in my congressional district he received one of the greatest majorities, because the people tied the congressional candidate in with the presidential candidate. Therefore, it is my firm conviction that you, in doing the fine job that you are performing now for your district, can assure the people of that district the proper vote in the election of a President and Vice President of the United States.

Mr. MACGREGOR. I thank the gentleman for his compliment, but I am not at all sure that his answer is responsive to my question.

SUBSTITUTE AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY as a substitute for the pending joint resolution: Strike out all after the resolving clause, and insert the following:

"That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"'ARTICLE —

"'SECTION 1. In each State and in the District constituting the seat of Government of the United States (hereafter in this article referred to as the "District") an election shall be held in which the people thereof shall vote for President and Vice President. Each voter shall cast a single vote for two persons (referred to in this article as a "presidential candidacy") who have consented to the joining of their names as candidates for the offices of President and Vice President. No person may consent that his name appear with that of more than one other person or as a candidate for both offices. Both of the persons comprising a presidential candidacy may not be residents of the same State nor may both of them be residents of the District. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President.

"'SEC. 2. Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. Each State shall establish a number of electoral districts equal to the number of Representatives to which such State is entitled in the Congress. The Congress shall establish in the District a number of electoral districts equal to the number by which the electoral votes of the District exceed two. Electoral districts within each State or the District shall be, insofar as practicable, of compact territory, and shall be of contiguous territory, and shall contain substantially equal numbers of inhabitants. Electoral districts in a State or the District shall be reapportioned following each decennial census, and shall not thereafter be altered until another decennial census of the United States has been taken.

"'The presidential candidacy which receives the greatest number of popular votes in a State or in the District shall receive two of the electoral votes of such State or of the District. For each electoral district in which a presidential candidacy receives the greatest number of popular votes, it shall receive one electoral vote.

"'SEC. 3. Within forty-five days after the election, the official custodian of the election returns of each State and of the District shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all presidential candidates for which popular votes are cast in such State or in the District, together with the number of popular votes received by each presidential candidacy in such State or in the District and in each electoral district therein.

"'SEC. 4. On such day between the 3d day and the 20th day of January following the election as Congress may provide by law, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral votes shall then be counted. The persons comprising the presidential candidacy receiving a majority of the electoral votes shall be the President and the Vice President. If no presidential candidacy receives a majority, then from the presidential candidacies having the two highest numbers of electoral votes, the Senate and House of Representatives together, each Member having one vote, shall choose immediately, by ballot, a presidential candidacy. A majority of the whole number of Senators and Representatives shall be necessary to a choice.'"

Mr. GROSS. Mr. Chairman, since there was not time to debate in the House the 10-percent interest rate, perhaps there is time for a quorum call.

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

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

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

[Roll No. 170]

Anderson, Ill.	Blanton	Chappell
Anderson, Tenn.	Bolling	Clark
Ashley	Broomfield	Clay
Baring	Brotzman	Culver
Barrett	Brown, Calif.	Daddario
Betts	Bush	Dent
	Cabell	Diggs
Dwyer	Kirwan	Roybal
Eckhardt	Landrum	Sandman
Fascell	Lipscomb	Scheuer
Fisher	Michel	Sisk
Ford, William D.	Morton	Slack
Foreman	Murphy, N.Y.	Springer
Gray	O'Konski	Staggers
Halpern	Ottinger	Teague, Tex.
Hays	Passman	Thomson, Wis.
Hébert	Patman	Tiernan
Holifield	Podell	Ullman
Howard	Pollock	Vigorito
Hungate	Powell	Watkins
Hunt	Reid, N.Y.	Weicker
Jones, Ala.	Rosenthal	Whalley
	Rostenkowski	Whitten

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 681), and finding itself without a quorum, he had directed the roll to be called, when 363 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the Clerk had read through section 4 of the substitute amendment offered by the gentleman from Texas (Mr. DOWDY).

The Clerk will continue the reading of the substitute amendment.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent that the reading clerk again start from the beginning of the substitute amendment so that the Members may have the benefit of the entire text at this time.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DOWDY as a substitute for the pending joint resolution: On page 1, strike out all after the resolving clause, and insert the following:

"That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"'ARTICLE —

"'SECTION 1. In each State and in the District constituting the seat of Government of the United States (hereafter in this article referred to as the 'District') an election shall be held in which the people thereof shall vote for President and Vice President. Each voter shall cast a single vote for two persons (referred to in this article as a 'presidential candidacy') who have consented to the joining of their names as candidates for the offices of President and Vice President. No person may consent that his name appear with that of more than one other person or as a candidate for both offices. Both of the persons comprising a presidential candidacy may not be residents of the same State nor may both of them be residents of the District. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President.

"'SEC. 2. Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to

which the District would be entitled if it were a State, but in no event more than the least populous State. Each State shall establish a number of electoral districts equal to the number of Representatives to which such State is entitled in the Congress. The Congress shall establish in the District a number of electoral districts equal to the number by which the electoral votes of the District exceed two. Electoral districts within each State or the District shall be, insofar as practicable, of compact territory, and shall be of contiguous territory, and shall contain substantially equal numbers of inhabitants. Electoral districts in a State or the District shall be reapportioned following each decennial census, and shall not thereafter be altered until another decennial census of the United States has been taken.

" 'The presidential candidacy which receives the greatest number of popular votes in a State or in the District shall receive two of the electoral votes of such State or of the District. For each electoral district in which a presidential candidacy receives the greatest number of popular votes, it shall receive one electoral vote.

" 'SEC. 3. Within forty-five days after the election, the official custodian of the election returns of each State and of the District shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all presidential candidates for which popular votes are cast in such State or in the District, together with the number of popular votes received by each presidential candidacy in such State or in the District and in each electoral district therein.

" 'SEC. 4. On such day between the 3d day and the 20th day of January following the election as Congress may provide by law, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral votes shall then be counted. The persons comprising the presidential candidacy receiving a majority of the electoral votes shall be the President and the Vice President. If no presidential candidacy receives a majority, then from the presidential candidacies having the two highest numbers of electoral votes, the Senate and House of Representatives together, each Member having one vote, shall choose immediately, by ballot, a presidential candidacy. A majority of the whole number of Senators and Representatives shall be necessary to a choice.

" 'SEC. 5. The place and manner of holding any election under section 1 in a State shall be prescribed by the legislature thereof. The place and manner of holding such an election in the District shall be prescribed by Congress. An election held under section 1 shall be held on a day which is uniform throughout the United States, determined in such manner as the Congress shall by law prescribe.

" 'SEC. 6. The voters in such elections in each State shall have the qualification requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe less restrictive residence qualifications for voting for presidential candidacies. Congress shall prescribe by law the qualifications for voters in the District of Columbia.

" 'SEC. 7. The Congress shall have power to enforce this article by appropriate legislation. The Congress may by law provide procedures to be followed in case of (1) the death, disability, or withdrawal of a candidate on or before the time of an election under this article, (2) a tie in the popular vote in a State or in the District or in an electoral district which affects the number of electoral votes received by a presidential candidacy, or (3) the death of both the President-elect and the Vice-President-elect.

" 'SEC. 8. This article shall take effect one year after the 21st day of January following its ratification.' "

The CHAIRMAN. The gentleman from Texas (Mr. DOWDY) is recognized in support of his amendment.

(By unanimous consent, Mr. DOWDY was allowed to proceed for 10 additional minutes.)

Mr. DOWDY. Mr. Chairman, this substitute which you have just heard read is the substitute which we discussed during general debate. It is set forth on page 24890 of the CONGRESSIONAL RECORD for September 9, and is identical with House Joint Resolution 897 which I introduced for myself, Mr. POFF, and Mr. DENNIS. It is our proposal in lieu of the direct election proposal, and without its attending evils, as outlined in general debate.

Its provisions are simply this: A return to the basic unit of representation in Congress and in presidential elections—electoral districts, and each with one vote. Just as states are divided and elect their members of the House of Representatives, let the States be divided for electoral votes. This would be a return to the original constitutional concept, a return to constituencies at an acceptable level, where the local voter has an equal voice, and can have this voice recorded, and not be swept away in disenfranchisement under the present custom of statewide election and not have it drowned in the mass of votes as contemplated in the 40 percent direct election proposal.

Let the winning parties on a statewide basis receive the two electoral votes corresponding to each State's two Senators. This is the best mechanism for the maintenance of federalism in presidential elections, which we would protect.

It would keep the constituence local for the recognition of local views of national interests and feelings. This brings the election back to the people. A mass election, as contemplated by House Joint Resolution 681, with no local constituency of force, represents a danger which many will recognize, and make its ratification by the States even less possible.

In the end, we must recognize the essential force that is represented in the office of President in our political structure which makes its elective process so overwhelmingly important.

The recent decades have seen an aggrandizement of the powers of this office. The President's power in recommending, shaping, and pursuing congressional adoption of his legislative proposals is well recognized. Its growth is one of the outstanding political developments of this century. It is an essential aspect of the growth of power in Washington. Even at this moment there is widespread division and corresponding conviction and heat in the land, and in Congress, arising out of opinions on the limits, if any, of the power of the Presidency in foreign affairs. It is not too strong to state that there are many in our land today who sense and fear a trend toward autocracy built on an absolutism of simply majority rule. How much greater it would be were that changed to a 40-percent rule.

One great defense has been built against such autocratic rule. It is the creation and maintenance of a Federal policy. The direct election proposal, and especially with its 40-percent provision, represents an overwhelming attack upon the Federal system. That is its essential evil and danger. Our approach, in this substitute proposal, to making the Presidency constitutionally representative of the United States, as Congress is, is in strict accord with the Constitution.

The heart of the complaints against the electoral college is the statewide winner-take-all election of the electors who are apportioned with Representatives in Congress. For each Member of Congress, there is one elector.

Their statewide election came about piecemeal over some 40 years, by directions of the State legislatures. The constitutional provision, contained in article 2, section 1, as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

The clause, "in such manner as the legislature thereof may direct" is omitted from our proposal. Instead of that broad power, we substitute our section 2, which, in its material part reads:

> Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in Congress. Each State shall establish a number of electoral districts equal to the number of Representatives to which such State is entitled in the Congress. The presidential candidacy which receives the greatest number of popular votes in a State shall receive two of the electoral votes of such State. For each electoral district in which a presidential candidacy receives the greatest number of popular votes, it shall receive one electoral vote.

This effectively abolishes the statewide election of electors, and assures that each vote cast would have equal weight. Each voter would know that his vote would apply to three electoral votes, one for his district, and two for his State, whether he lived in a large or small State.

The substitute provides for a contingency election at a joint session of the House and Senate, each Representative and each Senator having one vote. The substitute assures that a President-elect will have a majority-mandate, one way or the other—not just a 40-percent mandate as would be provided by House Joint Resolution 681.

I would briefly review with you the workings of our substitute proposal.

At present, and for the purposes of this debate considering the District of Columbia as a State, 102 electoral votes would be determined, two from each State, and 436 electoral votes would come from equal districts, established by the various States.

It is a fact which cannot be disputed, mathematically or otherwise, the greater the number of districts or units in which a plurality is to determine an electoral vote, the smaller will be the population of each unit. The smaller the population of the district, the greater will be

the individual voter's chance to have an effective voice in the national election; at the same time, there will be a less number of voters within the district who will be adversely affected by being on the losing side. Furthermore, any local election fraud will be much more limited in its affect on the national election. Highly important is the fact that any severe weather condition affecting voter turnout would not lessen the weight to which the involved area is entitled in the national results by reason of its population. The affect of any local misrepresentation, misinformation, or "dirty politics," would be limited in its scope to one electoral vote, or perhaps three.

In all these respects, as well as others, the plan to assign 436 electoral votes to districts is much preferable to the present system. It is even more desirable and preferable in comparison to the direct vote for election of the President by a 40-percent vote, because that proposal creates the greatest possible premium for election fraud in any area, the greatest potential effect of any splinter group, the greatest potential effect of any severe weather condition or other occurrence affecting voter turnout in any given area, and the most serious consequences of any local misinformation that misleads the voters.

Now, in conclusion, I would like to comment briefly on some of the statements that were made during general debate. It was stated that the American Bar Association, the chamber of commerce, and the National Federation of Independent Business are strongly in favor of this House Joint Resolution 681, direct election of the President by 40 percent of the voters.

The approval by the bar association was by one of its committees. It is my understanding that American lawyers have not had an opportunity to express themselves. They have not been polled. It is my further understanding that a large percentage of them, if not a majority, are opposed to this 40-percent proposal.

The U.S. Chamber of Commerce did not take a stand between the district plan, as I propose, and the direct election. The chamber would be for either. However, I do know, that some of the State chambers and many local chambers of commerce are opposed to the direct election, and favor the district plan.

As far as the claim that the members of the National Federation of Independent Business expressed strong support for House Joint Resolution 681, I have obtained the question that was posed in the poll of the membership.

That question was, "Do you favor presidential election by majority popular vote of the people?" Now majority is far different than the 40 percent called for in House Joint Resolution 681. Who can say that those who voted for a majority election would vote for a 40-percent election. I doubt that most of them would, and I believe you share that opinion.

Then the point was raised that had the district plan been in effect in 1960, Mr. Nixon would have been elected over Mr. Kennedy. That is irrelevant, a mere play with words, a pleasant exercise in a "numbers game," for this reason:

All of us have been in politics a long time, and have conducted many election campaigns. Each campaign is different, conducted under the rules existing at the time of each campaign, and planned according to the circumstances then prevailing. That is my experience and yours—no two campaigns are alike—the work is done in areas where needed. I have not investigated to determine whether it is true Mr. Nixon would have been elected, as the votes were cast in 1960, but let us assume it is true, as has been stated.

That campaign was conducted under the winner-take-all rule then in effect in each State. The campaign was conducted, directed to the groups of voters in the States which were important to election, and we Democrats were successful.

Are you going to assume that Jack Kennedy, Lyndon Johnson, Bobby Kennedy, and their strategists in that campaign were stupid? Do you not know, if the rules had been different, the campaign would have been conducted to fit the rules. Had the district plan been in force, the campaign would have been directed to prevail in the districts, rather than just certain States. This would have produced a different voting pattern. The same is true had the 40 percent direct election plan been in effect. The campaign would have been directed even more to the big city voting masses. You might as well say—it is the same numbers game—that because Mr. Nixon defeated Mr. Humphrey in 1968, he would have defeated anyone else the Democratic Party might have nominated; or that because Mr. Kennedy defeated Mr. Nixon in 1960, that he would have defeated Mr. Eisenhower, had he been permitted to run for reelection. Mere play on words and numbers. The campaigns would have been differently planned in each case.

In any event, if the rules are changed, however they are changed, campaign strategy will be altered to fit those rules. If the district plan is adopted, you can know that election campaigns will be mapped with full knowledge that every voter in the Nation will be voting for three electoral votes—one for his district and two for his State—rather than for varying numbers of electors according to his State. If the 40 percent direct election plan is adopted, you know that campaigns will be directed to the voters massed in the cities.

In conclusion, I will call your attention that our proposal does all that needs to be done about electing a President. It is a simple amendment that affects no other elements of the Constitution. It is a rearrangement of familiar things. It introduces no novel ideas. Nor does it bring any evils in its train. At the same time, it would effectively isolate the effect of any possible election fraud. Any contest of an electoral vote would be confined to the district or State in which it was charged. It could be settled in the courts having jurisdiction in the State or district; this should be contrasted with the overwhelming impossibility of a nationwide contest, involving more than 75 million votes.

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

Mr. DOWDY. I am glad to yield to the gentleman from North Carolina.

Mr. LENNON. I thank the gentleman for yielding and commend him for his remarks.

I wish to make the very flat statement that I regret so much that so few Members of the House were here to hear what you have to say today.

Like most Members of the House, after the election of last November most of us became greatly concerned about the general attitude of the American public concerning the election and especially the so-called electoral college. I was concerned about it enough to involve myself in it to the extent that I was almost buried from then until we came back in January trying to do research to find out not only what was in the minds of the people but what was in the best interest of our Nation. When I came back in January I spent most of my time until mid-April, specifically until April 28 of this year, trying to decide what was best.

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

(By unanimous consent, Mr. DOWDY, at the request of Mr. LENNON, was allowed to proceed for 5 additional minutes.)

Mr. LENNON. Mr. Chairman, will the gentleman yield further?

Mr. DOWDY. I am happy to yield to the gentleman.

Mr. LENNON. So on that date I introduced House Joint Resolution 680, which is almost identical with the substitute now offered by the gentleman from Texas. Has it been disputed or has it been denied or has it been questioned by anyone in this House that the statistics found in this report which are taken verbatim from the May 29 issue of U.S. News & World Report are correct, that the direct election plan proposed under the committee's joint resolution will inure to the benefit of 15 States of the 50 States in the Union?

Mr. DOWDY. It has not been.

Mr. LENNON. And it will do more, if I may be permitted to say this. It will work an irreparable damage—and who denies these statistics—to 34 States of the Union. Only in one will it have a practically nil effect, Oregon. No one has denied that. I appeal to the Members of the House on this. Do you not want to go into your congressional district and say to the people of your district, "Come on now and let us work for our candidate and our nominee, whether he is a Democrat or a Republican, in order that our vote may be counted effectively as one vote from this congressional district"? That is the historical concept on which this Republic was founded—one vote from each congressional district and two from the State at large. This was because all of us know that the Constitution provided that the Senators should represent the

State. They were either appointed by the Governor of the State or by the joint action of the legislatures of those several States until a constitutional amendment was enacted providing for the popular election of Senators. I cannot see how anyone in good conscience or morality can fail to support this concept. I do not believe in the winner-take-all concept or in the electoral college. Your bill gets rid of the electoral college.

Mr. DOWDY. It does.

Mr. LENNON. And it gets rid of the concept of winner take all, I do not see how anyone can say the concept you have brought here in your substitute is not the best thing for America. I will concede it is not the best thing for New York State or California or Pennsylvania or perhaps for Ohio or Illinois or a total of 15 States, but for the rest of us it is the best for us and is best for the individual responsibility of each person in the congressional district who knows that if he gets out and works and if we carry our district, regardless of how the other parts or the State or the nation will go, then we will be recognized. I just cannot understand it.

I did not mean to take up too much of the gentleman's time, and I appreciate his yielding to me. I enclose as part of my remarks, a copy of House Joint Res. 680 which I introduced on April 28, 1969, and a statement of explanation of this measure which I issued on April 30, 1969:

H.J. RES. 680

Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during a term of four years, and, together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"The office of elector of the President and Vice President, as established by section 1 of article II of this Constitution and the twelfth and twenty-third articles of amendment to this Constitution, is hereby abolished. The President and Vice President shall be elected by the people of the several States and the district constituting the seat of government of the United States (hereafter in this article referred to as 'District'). The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein. The electors in the District shall have such qualifications as the Congress may prescribe. The places and manner of holding such election in each State shall be prescribed by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The place and manner of holding such election in the District shall be prescribed by the Congress. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State.

"Within forty-five days after such election, or at such time as Congress shall direct, the official custodian of the election returns of each State and the District shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State or the District. The lists shall also include the total vote of the electors in each of the congressional districts of the State, and the total number of votes cast for each of the persons for President. The official custodian of the lists shall sign and certify and transmit sealed to the seat of the Government of the United States the lists, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted. The person who receives the greatest number of votes cast for President in a State shall be credited with two of the electoral votes of such State (plus, in the case of a State which elects one or more of its Representatives at large, an additional number of the electoral votes of such State equal to the number of Representatives so elected). A person who receives the greatest number of votes cast for President in a congressional district in a State shall be credited with one electoral vote of such State (or, in the case of a congressional district from which more than one Representative is elected, with a number of the electoral votes of such State equal to the number of Representatives elected from such congressional district). The person who receives the greatest number of votes cast in the District shall be credited with all of the electoral votes of the District. The person credited with the greatest number of electoral votes for President shall be President. If two or more persons are credited with the same number of electoral votes and no other person is credited with a greater number of electoral votes, then the Senate and the House of Representatives sitting in joint session shall choose the President immediately, by ballot, from among the persons having the same number of electoral votes, each Member having one vote. A majority of the votes of the combined authorized membership of the Senate and the House of Representatives shall be necessary for a choice.

"The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them. The Congress shall have the power to enforce this article by appropriate legislation.

"SEC. 2. This article shall take effect on the 10th day of February next after one year shall have elapsed following its ratification."

EXPLANATION OF HOUSE JOINT RESOLUTION 680

Congressman Alton Lennon has introduced H.J. Res. 680, proposing an amendment to the U.S. Constitution which he believes will bring the individual voter closer to the election of the President and Vice President of the United States.

The amendment provides that two electoral votes be credited to the candidate receiving the greatest number of popular votes in a state, and one electoral vote to the candidate receiving the greatest number of popular votes in each congressional district.

Mr. Lennon believes this method would create greater incentive and political efficacy among the populace in congressional districts, resulting in higher voter turn-out and involvement. He stated: "The voters in one section of a state would receive credit for their efforts in carrying their congressional district, regardless of the votes cast in another part of the state."

The official custodian of the election returns of each state would, within forty-five days after the election, compile the official results and transmit them to the President of the Senate of the United States. There the electoral votes would be counted and the candidate receiving the greatest number of electoral votes would be President of the United States.

In the event two candidates received the same number of electoral votes, the Senate and House of Representatives, in a joint session, would elect the President of the United States by a majority vote of the joint membership.

Representative Lennon pointed out that his proposal can be easily understood by the citzens and represents a workable solution to the present inadequate electoral system. The possibilities of corruption and uncertainties are best averted in a system that is fundamentally democratic and readily understood.

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

Mr. DOWDY. I am glad to yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, my greatest concern about the popular election method is the 40-percent provision, which would continue the possibility of having a minority President. And, I fear also that it would promote the proliferation of splinter parties that have been the Achilles heel of so many great democracies that have flourished and then fallen in the past.

As I understand the district plan, the contingency mechanism of a separate vote of not only the Members of the House but also the Members of the Senate would come into operation if no candidate carries a majority of the districts; is that correct?

Mr. DOWDY. I believe that somewhere along the line a President should have a majority vote and a contingency election here would be the 435 Members of the House and the 100 Members of the Senate, each with one vote to make it a contingency election. A majority would be required for the contingency election.

Mr. ICHORD. Mr. Chairman, if the gentleman will yield further, I support the plan of the gentleman in the well.

Mr. Chairman, the debate on House Joint Resolution 681 is, indeed, a historical occasion for we have embarked on the long journey to amend the supreme law of our land, the Constitution of the United States. It is not a matter to be given light or cursory consideration, but thorough, deep, and deliberate study. I compliment the Members of the House, and especially the members of the Judiciary Committee, for the tone and quality of the debate that has characterized this most momentous deliberation.

I favor a change in our method of electing the Chief Executive of our Nation. I do believe that the present system contains deficiencies which could frustrate the will of the people and result in disastrous and disruptive consequences. Especially is this true of the aspect of the "faithless elector" who is not constrained to follow the will of the majority of the State which chooses him as an elector. Also, the contingency mechanism where the members of each congressional delegation are compelled to vote under the unit rule in the event that no candidate receives a majority of the electoral vote is in dire need of amendment. Despite its deficiencies, however, we must recognize that the present system throughout the history of our Nation has served us well. With the possible exception of one or two Presidents, it has given us no really bad Presidents. On the other hand, it has given us many truly great Chief Executives. Granted the present system is not perfect and we are in need of change but we must be careful that we do not reform the present system by putting something in its place which will be worse than what we have. The present system, despite its shortcomings, has nurtured the two-party system which has been the great stabilizing factor of our democracy. The growth of splinter parties, resulting in the inability of any party to obtain a majority or a substantial plurality and unite the country has been the "Achilles heel" of altogether too many free governments that have flourished and fallen in the past.

This debate has made clear that no system is perfect. All the methods we have considered contain deficiencies and the sponsors of the popular vote system have admitted that their system is not perfect. It is thus incumbent upon us to choose the best system. The Judiciary Committee has considered five general plans: (1) The popular vote plan; (2) the proportional plan; (3) the district plan; (4) the automatic electoral plan; and (5) the present system with corrective changes.

The popular election plan appears to appeal to more people than any other method. However, I doubt that a majority of the people would choose the plan when they are presented with a choice of one of the five plans.

The principal argument advanced against the present system is that it makes it possible to elect a minority President and we have had 14 minority Presidents in our history with three Presidents who actually received less votes than their nearest opponent—John Quincy Adams in 1824; Rutherford Hayes in 1876, and Benjamin Harrison in 1888. This deficiency is not cured by the popular vote plan now before us. It permits the election of a minority President with only 40 percent of the popular vote. I have serious reservations about the 40-percent plurality vote provision as this I believe is the provision that could encourage the proliferation of splinter parties. Let us proceed with great caution. Let us be certain that we do not discard a system in favor of another which will cause more problems than it solves.

The district plan also is not perfect, but I prefer the contingency mechanism of the Members of Congress voting separately in the event that a candidate fails to carry a majority of the districts rather than permit a minority President to assume office with only 40 percent of the vote.

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

Mr. DOWDY. I yield to my chairman.

Mr. CELLER. Is it not true that no State votes; is it not true that no district votes? It is the individual that votes, and we must, as far as we may, assure equality among individual voters. But under the present system we have a plethora of factors which make for inequality among the influence certain voters exercise in the election of a presidential candidate.

Mr. DOWDY. Well, under the present system; yes. That is the reason why I have proposed the district plan which would make everyone equal. Everyone in the United States would vote for three electors, one for his district and two for his State.

Mr. CELLER. Mr. Chairman, if the gentleman will yield further, I should like to comment on the inquiry which was posed to the gentleman from Texas by the gentleman from North Carolina (Mr. LENNON). He feels that only some 15 States will benefit by the direct election method. If that were the case then, I do not think one need worry much about ratification. But I am convinced, in view of the great groundswell of support for this measure by the AFL–CIO and other great labor organizations—I just received a letter this morning from Mr. Walter Reuther representing the automotive unions—in view of the support by the U.S. Chamber of Commerce, in view of the support by the American Bar Association, the Federal Bar Association, and many similar organizations, I am not worried about ratification. I am not worried whether the plan envisaged by the resolution reported by the Judiciary Committee helps smaller States or will help larger States. That is not the issue. The issue before the United States is equality of voting. I do not give two tinker's damns whether your proposal or my proposal or the proposal of anyone else helps this State or that State. That is not the criterion. We must consider the entire Nation and what is best for the welfare of the entire country and not for just a few States.

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

(By unanimous consent, Mr. DOWDY was allowed to proceed for 2 additional minutes.)

Mr. DOWDY. I might comment to this extent: That was the import of my remarks which I made to the gentleman from North Carolina (Mr. LENNON). It is for that reason that I am supporting and offering this amendment because it is my opinion that the district vote is in the best interest of the people of the United States. I commented also about some of the other organizations who have an interest in this legislation. I had a copy of Mr. Reuther's letter this morning also and I read it and what he said is this: He says that this direct popular election would give victory to the majority candidate. Again it is majority election considered—I think this is something that the people of the United States should know. It is the majority candidate that they are interested in seeing elected—they are not interested in seeing a President elected by 40 percent of the vote.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I would like to ask the distinguished gentleman from Texas this question: Under his proposal, how frequently is a determination made as to the number of electoral districts in each State?

Mr. DOWDY. It would be made after each decennial census.

Mr. GERALD R. FORD. In other words, once every 10 years, after the census there would be an allocation as to the number of electoral districts in each State?

Mr. DOWDY. That is right.

Mr. GERALD R. FORD. If that is the case, do you not freeze the number of electors for each State for a period of 10 years?

Mr. DOWDY. Well, we have been doing that ever since we have had a country here for Members of Congress.

I do not know that it has destroyed us yet. Maybe it is on its way, but it has not done it yet.

Mr. GERALD R. FORD. I will not argue that point, but according to your answer as I understand it, the number of electors that each State gets is frozen for a 10-year period.

Mr. DOWDY. Certainly it is. You have to have some cutoff date.

Mr. GERALD R. FORD. If I might just ask the next question, then, if that is the case, under your proposal are you not penalizing the States and the voters in those States that have an increase in population?

Mr. DOWDY. I do not think so.

Mr. GERALD R. FORD. When a State receives electoral votes based on the decennial census, that particular State may have a 50- or a 60-percent population increase and those people are penalized because their vote does not count as much as it does in other States. Is that not right?

Mr. PUCINSKI. They do that now.

Mr. DOWDY. I think what you are trying to do——

Mr. GERALD R. FORD. I am not de-

fending the present system. Not at all. I want to go to a system where the vote of a person who lives in Nevada, for example, which has a rapidly rising population, is counted as equal. Under the proposition offered by the gentleman from Texas, for 10 years you would not take into consideration the increased population in those States.

Mr. DOWDY. But you are saying that because a person moves from one State to another that he will change the way in which he votes.

Mr. GERALD R. FORD. No. That is not the point.

Mr. DOWDY. The proposal that we have proposed here is the finest system that can be conceived. It carries forward the concept of the founders of this country.

It seems to me that the gentleman from Michigan is saying that he is for change just for the sake of change. I am not. I believe with things that have been working wonderfully in this country that we ought to keep them as closely as we can without having a complete change—a 190-degree reverse.

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

(On request of Mr. GERALD R. FORD, and by unanimous consent, Mr. DOWDY was allowed to proceed for 2 additional minutes.)

Mr. GERALD R. FORD. But the gentleman cannot deny, if the gentleman will yield further, that under your proposal you freeze the number of electors for each State for 10 years regardless of population shifts. And during the 10-year span there might be three elections for the Presidency.

Mr. DOWDY. Probably two.

Mr. GERALD R. FORD. Two or three. But in no national presidential election would you have taken into consideration the population growth in those States that have a rapidly rising population. And the net result is you are diminishing the impact of the voters in those States.

Mr. DOWDY. The gentleman from Michigan knows that there is more than one thing to be considered in this.

Let us take, if you have the 40-percent factor, which the gentleman seems to want, if you have the 40-percent factor then what happens to some of the States in the Middle West, in the northern Middle West, when possibly on election day they are frozen in, they cannot get out, too much snow is on the ground or too much ice is on the ground, and they cannot get to the polls, and then they have lost their voice in the election of the President.

You are going to deprive maybe a whole State when a hard snowstorm has hit that State. My substitute protects the States, and the congressional districts in this vote. You would deprive them of it. There are arguments, of course, on both sides. You can stand up and argue about a lot of things, but there are more sides than one to this question.

Mr. GERALD R. FORD. I certainly would seriously differ with the gentleman. I am not saying that his proposition is one that we should not consider, for it is far better than the system we have today. But I am very concerned about your freezing the electoral vote of a State and thus denying people in a particular State with a rising population the true impact of their vote during that period. I think that is fundamentally wrong.

Mr. DOWDY. I am not impressed with the argument presented by the gentleman from Michigan.

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

Mr. DOWDY. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, let us just for example say, assuming that the argument advanced by the distinguished gentleman from Michigan is so, that these people with a rising population would be penalized. Would it not be equally true that these States whose rate of growth is below the national norm would lose as well? We are talking about protecting the populace as a whole, not just registered voters.

Mr. DOWDY. Oh, yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. ROGERS of Colorado. Did I understand you to say to the minority leader that if there is a shift in population, an electoral district that is established after the decennial census under your proposal would remain intact regardless of such changes in population; is that correct?

Mr. DOWDY. The electoral districts as they are established under the provisions which would be written in the Constitution and would exist until the next census.

Mr. ROGERS of Colorado. Let us assume that the Federal courts, as they have done in other cases, set aside the districts that have been apportioned by the legislature.

Mr. DOWDY. That is according to the present population, then you have to go back to 1960.

Mr. ROGERS of Colorado. No, but the State legislature then sets up the electoral districts under your plan.

Mr. DOWDY. That is right.

Mr. ROGERS of Colorado. Now let us assume that the districts do not satisfy the "one-man, one-vote" rule, as happened in the State of Missouri—the latest case before the Supreme Court, the courts then set that apportionment aside and the legislature never sets up the electoral districts. Then at the election, would you have the whole State of Missouri, for example, voting and casting all of their electoral votes in a bloc?

Mr. DOWDY. What the gentleman is getting to, I think, would be a question for the courts.

Mr. ROGERS of Colorado. Yes.

Mr. DOWDY. I do not contemplate that myself.

Mr. ROGERS of Colorado. You will admit that the courts under the "one-man, one-vote" principle, whether right or wrong, have upset legislative apportionment of congressional districts.

Mr. DOWDY. Then you would go back to requirements for redistricting?

Mr. ROGERS of Colorado. Yes, and if the legislature does not come up with a plan, then the court (I think this occurred in the State of Illinois) can order an at-large election.

Mr. DOWDY. You might wind up with a judicial redistricting.

In other words, I would not contemplate at all a statewide election of electors. They are going to have to be districts under my plan.

Mr. ROGERS of Colorado. There is one other matter that has not been discussed at least while I was here.

On page 2 of your amendment it reads:

> Electoral districts within each State or the District shall be, insofar as practicable, of compact territory, and shall be of contiguous territory, and shall contain substantially equal numbers of inhabitants.

Now you feel this standard should be frozen in the Constitution rather than be enacted in a legislative act, of the type which we were unable to pass in the previous Congress.

Mr. DOWDY. Under the district plan, we have to provide districts.

Mr. ROGERS of Colorado. It provides for electoral districts within a State.

Mr. DOWDY. That is right.

Mr. ROGERS of Colorado. But a court eventually determines whether or not it is a compact territory or a contiguous territory. The courts must make that determination.

Mr. DOWDY. That is right.

Mr. ROGERS of Colorado. And suppose they make a determination that this territory is not contiguous and it is not compact, then what happens under your amendment?

Mr. DOWDY. Your State legislature not having made an effective districting would have to redistrict or else the court would do it itself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of the Dowdy amendment. While I join many of our colleagues in congratulating the chairman and members of the Committee on the Judiciary on their arduous effort to eliminate inequities in our electoral system, and while I agree with the majority that the electoral college has outlived its usefulness and should be abolished, I am not convinced that House Joint Resolution 681 is the best answer to the problem. I intend, therefore, to evaluate carefully, and probably support, some of the amendments offered on the House floor. But since I believe that any of the three main plans now under active consideration would be superior to the present one, I will support the final bill as approved by the House.

We have, as our colleagues know, almost as many ideas as to what should be done about the election of President and Vice President as we have Members of this body. Shortly after the 1968 elections I toyed briefly with a plan of my

own, which might have merited some support in this House. While my plan would not have guaranteed the "one-man, one-vote" so widely demanded today, it would, in my opinion, have done even more. It would have guaranteed the farmer stuck behind a snowbank in North Dakota that his views would be expressed at the polls. It would, while removing from the smaller States their advantage, imagined or otherwise, of two additional votes in the electoral college, guarantee them that their votes would not be further diluted by the votes cast by 18-year-old voters in Georgia or skid row bums in Chicago. My plan, simply, was that each State should cast a vote in the exact amount of its total population in the most recent census. This total vote would be cast regardless of how many eligible voters were on the rolls, or of how many individuals actually went to the polls, or of how many individuals actually went to the polls and voted. Differences in weather conditions, available transportation, or conditions of eligibility in the several States would be overcome by the fact that each State's total vote would be cast in direct proportion to the number of men, women, and children living in the State.

For example, in a State of 4 million persons, if a total of 400,000 persons actually went to the polls their votes would be cast as if all 4 million had voted. In a State of 4 million, with 400,000 voting, the vote in 1968 might have been 150,000 for the candidates of one major party; 175,000 for the candidates of the other major party; and 75,000 for an assorted number of third-party and independent candidates. In such a State, under my plan, 1.5 million votes would have been cast for the first candidate; 1.75 million for the second; and 750,000 for the assorted third group.

The advantage of the plan I had considered which is lacking in the committee bill, is that voting frauds in one city, or voting age, literacy tests or some other regulation of one State, would not in any way affect the vote of the residents of the other 49 States.

We are no longer an agrarian, poorly informed Nation. No longer can we claim that our people do not understand the issues. Computers can, with uncanny accuracy, tell us on the basis of a few votes in key precincts, who we are in the process of electing to office. Since we can now determine on the basis of a sampling of a few thousand, how the vast majority in a given area feel about a given issue, why can we not also assume that the voters actually casting their votes in any given district reflect the feeling of all the residents, even those who because of transportation, health, or other difficulties, cannot cast their vote for themselves.

As I said, Mr. Chairman, I toyed briefly with the plan. But in view of the clamor for "one man, one vote" in this country today, I doubt if it would meet with the approval of the majority of this House, regardless of its merit.

Most all Members of the House agree that our present system needs revision. It has permitted candidates with fewer popular votes to be elected President; it has permitted, and even encouraged in the early years, electors to disregard a mandate of their election; it has required the House of Representatives, with an arbitrarily uneven distribution of the weight of its votes, to determine the election of the President when the electoral college has failed; it has permitted the winner of a plurality in a State to win all the electoral votes of the State; and it makes no provision for selection of a successor in the event of the death of either a President or Vice-President-elect.

It is my opinion, Mr. Chairman, that we can eliminate the major inequities in the present system without completely scrapping the provisions written into our Constitution. The development of political parties, and the resultant commitment, stated or implied, of electors to a given slate, created the so-called winner-take-all inequity. This inequity could be eliminated by adoption of either the district or proportional plans under consideration here. The inequity, if indeed one exists, in giving each State two electors in addition to those to which it would be entitled on basis of population, could also be eliminated under either of these plans by simple amendment.

Again, Mr. Chairman, I am not convinced that direct popular elections as provided under House Joint Resolution 681, are the best answer. If we are to have honest and equitable direct popular elections we are going to need honest and equitable voting regulations. Today each State fixes its own qualifications for voting and supervises its own election. In spite of the drawbacks of such a system, and it is obvious that there are some, there are also advantages in that the people of each State, through their elected representatives, choose the method by which they shall conduct their elections.

We cannot help but anticipate, however, that under the provisions of House joint resolution we will, in the foreseeable future, be faced with a runoff election in which Congress, not the States, would fix minimum residency requirements, set the time and regulations for the runoff, and generally preempt the field of election laws now reserved to the States. I know the people of my own district of northern Virginia would demand that their votes be counted equally with those of the residents of other States, and they would protest loud and long that 18-year-old voters were casting votes in Georgia, and skid row bums casting votes in Chicago, and 40-day residents casting votes in Maryland, while they could vote only at 21, only after a year of residence, and only after showing some proof of residence and some proof of literacy.

It may be that the people of this Nation want the Federal Government to take over regulation of all voting within the United States. I do not know. But if we enact this House joint resolution in its present form it is only a matter of time before Federal voting regulations, enacted initially in response to the need for presidential runoff regulations or in response to demands for reform, will dictate residency, age, literacy, and eligibility for every voter in this Nation.

As I said before, Mr. Chairman, I intend to evaluate with care, and probably support, some amendments offered here to improve on the legislation we have before us. However, since I firmly believe that we must act to eliminate an archaic system, I intend to support the final bill as approved by the House, and to work for its ratification by the required three-fourths of the States.

Mr. DENNIS. Mr. Chairman, I rise in support of the amendment.

(On request of Mr. POFF, and by unanimous consent, Mr. DENNIS was allowed to proceed for an additional 5 minutes.)

The CHAIRMAN. The gentleman from Indiana is recognized for 10 minutes.

Mr. DENNIS. Mr. Chairman, I rise in support of the substitute district plan amendment, of which I am a coauthor, along with the gentleman from Texas (Mr. DOWDY) and the gentleman from Virginia (Mr. POFF). Some distinguished Members of this body have spoken against our substitute amendment, but this is a fundamental proposition of constitutional law and political philosophy on which each Member of this body, preeminently, must make up his own mind.

I support the substitute district plan basically for three reasons:

First, it is the plan which, in my judgment, would effect the necessary reform with the least constitutional change;

Second, because, in my judgment, it is the most representative of the plans proposed.

Finally—and this is a practical point—because it is the plan most likely to receive approval by the other body and ultimate ratification by three-fourths of the States of the Union.

The district plan effects reform because, in the form proposed in our substitute, it does away with the elector as an individual, retaining only the electoral votes, and therefore it cures the first objective of reform; it cures the problem of the so-called faithless elector.

The second problem is that of the winner-take-all provision under the present system, and it addresses itself to that problem and cures it because, under the district plan proposed, no longer can a large city, such as the city of New York, determine all the electoral votes of the State. At the most it might be able to determine two, plus whatever districts might be in the city, but most of the electoral votes of each State will be determined by the vote in the several electoral districts of that State.

Finally, the district plan presents an improved method of contingency election in the event of the failure of an electoral majority, and it does that by substituting for the present unsatisfactory system a joint session of the House and the Senate, voting as individuals, thus utilizing two elected representative bodies, which are available, for the purpose of resolving the situation in the event no electoral majority has been achieved.

This plan presents the least constitutional change because it retains the essence of the electoral system, with which we have been familiar for almost 200

years, in an improved form, and it installs the district plan of the determination of the electoral vote—not a choice of electors—which James Madison, who is known generally as the father of the Constitution, said was mostly, if not exclusively, in view when the Constitution was framed and adopted.

Moreover, it adopts the contingent election proposal, which was also favored by James Madison, who wrote:

> Of the different remedies you propose for the failure of a majority of an electoral votes for any one candidate, I like best that which refers the final choice to a joint vote of the two Houses of the Congress restricted to the two highest names on the electoral list.

That is exactly what our proposal does.

I say it is the most representative method, and I submit it is the most representative method proposed because it provides for the election of the President by districts all over these United States in the same manner and method that this representative body is elected by districts.

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

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

Mr. MIKVA. Does the election of Members of the House of Representatives in any way turn on the senatorial contest in the various States?

Mr. DENNIS. No; I think not.

Mr. MIKVA. Your seat was not in any way determined by how the senatorial race in Indiana came out?

Mr. DENNIS. The gentleman, I take it, is addressing himself to the two senatorial electoral votes, and they do remain in my plan as drawn, that is true.

Mr. MIKVA. Is it not fair to say that while you have taken care of one inequity—the winner-take-all provision which benefits the big cities and the great population centers—you have not taken care of the present countervailing inequity of the two bonus votes which help the smaller States; is that not a fair statement of your views?

Mr. DENNIS. No, I would not agree with the gentleman. I think the present system, if the gentleman wants to say it that way, has an inequity for the big States and also one for the little States. The direct method removes the present big State inequity and writes in another one for the big State, because it gives us a situation where about 12 cities in about nine big States can decide the election by a few votes regardless of what happens in the rest of the country. I say the district plan is more fair to both than either of the other systems.

Mr. MIKVA. One other question I would like to ask the gentleman: Does the gentleman know of any pattern of that kind of homogeneity of the big cities which would indicate that at any time since 1948 the big cities have been consistent in being able to control the big State, to control an election even under the present plan?

Mr. DENNIS. I think the big cities and some of the big States do quite a bit to control the election under the present plan, and as I understand it, that is what the supporters of the direct popular vote reform contend also.

Mr. MIKVA. Did the city of Indianapolis in the last election control the State of Indiana?

Mr. DENNIS. The city of Indianapolis is not all that big in Indiana, but the fact is that Chicago and the State of Illinois, while they did not manage to do it the last time, have had fair success in the past.

Mr. MIKVA. How about in 1956 or in 1952?

Mr. DENNIS. How about in 1960?

Mr. MIKVA. One time out of all these last elections I would not say is a very good record.

Am I correct in saying that the plan which the gentleman is sponsoring makes it very possible that the electoral districts will not be the same as the congressional districts?

Mr. DENNIS. They could or they could not be. In my judgment ordinarily they should be. The joint resolution calls for electoral districts, as much as possible, of compact territory, contiguous territory, and as nearly as possible of equal population. If the congressional district meets those standards—which under the decisions it should—there is no reason why the two districts cannot be the same. But we do want that type of district in order to avoid any criticism and that is why it is written that way.

Mr. MIKVA. In fact, that language is so close to what the court has held must be the case in a congressional district, there is great likelihood that the question as to whether an electoral district meets those standards would have to be decided by a court decision.

Mr. DENNIS. It is always possible to have court litigation. I think one of the fatal defects, even if the plan was otherwise good, in the committee's proposal is this runoff provision, if no candidate receives 40 percent of the popular vote. We are going to have court actions and contests all over the United States, and no one yet has explained how to resolve them between election day and inauguration day.

Mr. MIKVA. I would say to the gentleman in the well that we know what a compact and equal and contiguous person is without having to go to court, but I do not think that we can find out what a contiguous, compact, and equal congressional district is without going to court.

Mr. DENNIS. I think we have had pretty good decisions on that.

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

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

Mr. RYAN. Mr. Chairman, I believe the gentleman in his earlier remarks stated that the winner-take-all State unit vote in the present system was a defect which should be cured. Is that correct?

Mr. DENNIS. I agree.

Mr. RYAN. Is the gentleman not concerned about continuing a winner-take-all unit system at the district level, where again the voter would be disenfranchised and not have his vote count if he were in the minority?

Mr. DENNIS. It is true one can say it is a winner-take-all system at the district level. However, I say certainly it is an improvement over the present system, and I say for other reasons it is preferable to the nationwide direct popular vote.

Mr. RYAN. Will the gentleman concede that under his district plan a candidate for President could achieve a popular plurality and nevertheless be defeated in the final electoral vote, and, conversely, that a candidate who received less popular votes could be declared elected because he received the most electoral votes.

Mr. DENNIS. As I said the other day in general debate, as long as we have an electoral vote, it is mathematically possible in a very close election for that to happen. It has not happened as a matter of fact since 1888.

It is not going to happen except in a very unusual situation, if it ever does.

I say, as against that theoretical possibility, we would set up the representative character of the election under the district plan. I know it is said one does not vote for trees and so forth, but one does vote for sections of the country, and interests in the population, and points of view. That is where we get a representative system under the district plan, which we cannot get if New York City and Chicago, possibly, in an occasional case win an election by 102 votes.

Mr. RYAN. Is the gentleman aware of the study which shows that in 1960 under the district plan John F. Kennedy would have been defeated on an electoral vote count?

The CHAIRMAN pro tempore (Mr. GIBBONS). The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. DENNIS was allowed to proceed for 2 additional minutes.)

Mr. DENNIS. In answer to the gentleman, I understand the 1960 election would have been won by Mr. Nixon. As was said a moment ago, I believe that is rather irrelevant to the merits of the plan as such.

Mr. RYAN. The point is not the personalities involved. The point is the fact that a presidential candidate—Richard Nixon—who did not receive a plurality of the popular vote would have been elected, whereas the winner of a plurality of the popular vote—John F. Kennedy— would have been defeated.

Mr. DENNIS. That was probably the closest election we have had since 1888.

Finally, I should like to say, while we are on this, we ought to have a majority somewhere for a President, as the gentleman from Texas said. Under our plan we would have it, either an electoral majority or a majority in the joint session. We would not write into the Constitution that we elect a President to whom 60 percent of the people are opposed, which the committee proposal would do.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield briefly to my colleague on the committee.

Mr. ROGERS of Colorado. Let me pose this question. Suppose I am elected from a district and I am elected by, say, 10,000 votes, but the opposition party's presidential candidate carries my district by

20,000 votes. When I am in the House of Representatives voting, in a contingent election under your plan am I obligated to vote as my voters did in casting their vote for the President, or should I exercise independent judgment?

Mr. DENNIS. The gentleman from Colorado will have to resolve that for himself, of course. Personally, I think he ought to exercise his own judgment, but that is just my view.

Mr. ROGERS of Colorado. Yes, but would a Representative be under any obligation whatsoever to vote according to how his district had voted for President?

Mr. DENNIS. I believe a man in this House, if the gentleman wants my personal opinion, is always entitled to exercise his own best judgment on grave issues of that kind.

Mr. ROGERS of Colorado. If that judgment should result in the election of a President who was the loser of the popular vote, would the gentleman approve of that system?

Mr. DENNIS. That comes back to the same thing. I agreed that as long as there is an electoral vote there is a theoretical possibility for that to happen. It has not happened for 80 years.

Mr. ROGERS of Colorado. That is one of the defects under this plan, is it not?

Mr. DENNIS. I should like to finish my remarks, and I do not believe I will yield what little time I have left.

A further point I should like to make to the Committee is this: We can talk here as long as we want, but we have to adopt something which is going to be enacted into law. The other body has brought out a district bill. I leave it to the Committee how much likelihood there is that the other body is going to approve a direct popular vote. It has been brought out here, a while ago, that under surveys, 34 of the 50 States which would have to ratify what we do by a three-fourths vote are going to lose political power under a direct popular vote.

This would not be true under the district plan. It follows that you cannot ratify the direct vote plan.

I also think this, Mr. Chairman, I think every member of this Committee, regardless of what plan he prefers, will concede that the district plan is a big improvement over what we have now. Therefore I suggest the following to you: If you really want a plan which will became part of the basic law, if you really want reform instead of just rhetoric for the RECORD, then this substitute is entitled to your vote and your support.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have heard the last speaker express some perturbation of mind as to whether or not the direct popular method, which is contained in the joint resolution reported out by the Committee on the Judiciary, could be ratified. However, we have indicated that there are many organizations which have expressed approval of that method. I challenge the gentleman who has just spoken to tell us what organizations, what groups, what aggregations are in favor of the district plan. If the gentleman is worried about ratification of the popular method, how much more should he be disturbed about ratification of the district plan concerning which we have heard very little, if any, approbation anywhere.

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

Mr. CELLER. I yield to the gentleman.

Mr. DENNIS. I would say in answer to the question of the distinguished chairman that the chamber of commerce has endorsed equally the district plan and your plan. The American Farm Bureau Federation endorsed the district plan and, while a vote, as I understand it, of the House of Delegates of the American Bar Association apparently endorsed the direct-voting plan, my visceral feeling, as an ordinary, common garden-variety member of the bar, is that you will find most of the bar back in the hinterland of the other opinion.

Mr. CELLER. I would say to the gentleman that the U.S. Chamber of Commerce was most active in conjunction with the American Bar Association in endeavoring to secure wavering votes directed toward the approval of this popular method. I have been in conference with representatives of the U.S. Chamber of Commerce, and they have indicated very strong approval of the measure before us.

It might interest the gentleman also to know that it was the American Bar Association that issued a pamphlet entitled "Who Favors the Direct Popular Election of the President of the United States," speaking of the people. The Gallup poll of November 1968 showed nationally 81 percent of the Nation favors it. They broke the poll down regionally as follows: in the East, 82 percent, in the Midwest, 81 percent, in the South, 76 percent, and in the West, 81 percent favor the direct election system.

With reference to the population size, in areas of over 1 million population the approval was 78 percent; in areas of 2,500 population the approval was 78 percent.

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

Mr. CELLER. Yes, sir.

Mr. RAILSBACK. Mr. Chairman, there has been a great deal of talk about compact and contiguous districts and I note that the amendment which has been offered by my friend, the distinguished gentleman from Texas (Mr. DOWDY), contains language that would provide that these electoral districts would be compact and contiguous.

Am I correct in saying that you have attempted in the past few years to introduce language that would provide that congressional districts would be compact and contiguous? If so, I wonder if you would tell us the result of your endeavors along that line?

Mr. CELLER. Not only in the past few years but for the last 20 years I have endeavored to get such legislation passed containing the words "contiguous and compact," and also requiring a fair degree of equality of population.

I have failed in this endeavor. It might interest the gentlemen of this committee to know that when we were in conference when the last reapportionment bill—and I am sure the gentleman from Illinois and the gentleman from Minnesota will bear me out, as well as the gentleman from Ohio (Mr. MCCULLOCH), who are now in the Chamber, we succeeded in getting the conferees—the committee on conference—to accept a provision that there would be no reapportionment until there shall be a decennial census, and then there was added also language to the effect that there would not be any reapportionment until 2 years after the census. One of the senatorial conferees then took that particularly up with the Senate and the Senate decisively rejected it. So, now we have the anomalous situation of the Senate refusing to accept a provision that is now embodied in this substitute amendment. Not only that, it is proposed as an amendment to the Constitution. It has no place in the Constitution. If it should be adopted it should be adopted as a statute.

The CHAIRMAN. The time of the gentleman from New York has expired.

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

Mr. CELLER. The Senate has already rejected this reapportionment standard. Therefore, what will they do when they are confronted with the same provision embodied in the constitutional amendment? Furthermore, as the very distinguished minority leader pointed out, you embalm, as it were, gerrymandered districts for 10 years. In other words, for a period of 10 years you could not reapportion those districts. Congress would be powerless to do anything. The Constitution would forbid this—that is if we accept the amendment in the nature of a substitute which has been offered by the gentleman from Texas. I feel that that is dead wrong, and to me it is as irritating as a hangnail. Therefore, I hope the amendment in the form of a substitute will be defeated.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield further to the gentleman.

Mr. RAILSBACK. I thank the chairman for yielding. I concur in the remarks which he has made on the floor.

I want to commend the gentleman who has introduced the substitute amendment because in my opinion it is somewhat of an improvement. It would cure the problem of the faithless elector. It would eliminate the statewide unit rule and would partially improve the contingent-election procedure. But what it does not do is this: It does not eliminate one of the other inequities which is continually referred to in any debate on the question—that of the bonus votes. The failure to eliminate the bonus votes would, in my opinion, make it more difficult to obtain ratification. In addition, it would preserve a winner-take-all system within the congressional districts. For instance, in my district, if 120,000 votes were cast and 61,000 were cast for one candidate and 59,000 were cast for the other, the candidate who received the 61,000 votes

would get the entire vote. In other words, he would get everything and the minority voters, the 59,000 voters who voted for the other presidential candidate, would get nothing. I think it is an improvement, but I do not think it goes as far as it should.

Further, I have yet to hear any arguments that have been convincing to me at least that the direct-election process does not do away with all inequities.

Mr. CELLER. I would say also that this district plan was the subject of considerable debate in the earlier days of the Republic. There was a full-stage debate in this Chamber in 1826, and Martin van Buren was among those who opposed it. It is interesting to note that as far back as 1826 the House rejected the district plan, a proposal comparable to that which is involved in the amendment offered in the nature of a substitute by the gentleman from Texas (Mr. DOWDY), by a vote of 90 to 102.

The district plan had its vogue, as it were, in the early days of the Republic in the beginning of the 19th century, but this idea has long since gone aglimmering, and I do not feel that we should try to resurrect it now. As was indicated by the gentleman from Illinois, it is an improvement, but if we are going to take a step forward let it be a bold and courageous step, let it be involving something real and concrete that the Nation can put its teeth into, and embody what is known as the one-person, one-vote principle. There may be some people who disagree with that theory, but that is the theory embraced by the body politic, by the Supreme Court, and is generally accepted.

Of all the plans, only a direct popular vote plan embodies the principle of "one man, one vote."

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

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

Mr. EVANS of Colorado. Mr. Chairman, I wish to associate myself with the remarks made by the gentleman from New York.

I wonder if the gentleman from New York would be sufficiently courteous so as to allow me to ask a question. I would like to pose this question to either the gentleman from Indiana (Mr. DENNIS), or the gentleman from Texas (Mr. DOWDY).

The gentleman from Indiana (Mr. DENNIS) was the one who brought it out, and I thought we should talk about it some more so that we in the House can understand it, and so that the Nation as a whole can understand it.

The gentleman from Indiana (Mr. DENNIS) stated that there were some 34 States who would lose their political power if we went to the direct election, so that we could not get the approval of the necessary three-quarters of the States.

So, Mr. Chairman, I would like to ask the gentleman from Indiana (Mr. DENNIS) or the gentleman from Texas (Mr. DOWDY) what political advantages those 34 States now have, and what is it that can now be done with this political power that they will be giving up if we go to a direct election of the President?

Mr. DENNIS. Mr. Chairman, will the gentleman from New York yield?

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

Mr. DENNIS. The argument is set out in great detail in the individual views of the gentleman from Michigan (Mr. HUTCHINSON) in the committee report. Basically, it is a mathematical calculation which compares the percent of the popular vote as against the percent of the electoral vote in the several States.

Mr. EVANS of Colorado. My question is what can they do with this power?

Mr. DENNIS. My point is not so much whether they are right or even whether it has great merit. I am considering the practicality of it. If we have 34 States who either lose power or who think they lose power under the direct plan, then it is very difficult to see where Congress can get them to ratify it.

Mr. EVANS of Colorado. My point is that they think they have a power, but that this power is illusory. They do not have it. They do not have it today, and to give up nothing if we adopt a direct presidential election is not going to discourage those 34 States from ratifying a provision for a direct presidential election.

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield, I do not believe that it is illusory at all. The gentleman asked a pointed question of what the States now have that they might lose if we would go to a direct popular vote for the Presidency with only a 40 percent plurality required to elect a President, without a runoff.

Under the present system the States elect the President; the people do not do it. This represents a radical departure from the present system, which is written into the Constitution, and there is geographic protection given to the States and to the districts in a State with the two at large seats corresponding to the two senatorial seats as well as the individual district votes.

This would preserve this and would give them a semblance of geographical protection that the proposed resolution would destroy.

Does that answer the gentleman's question?

The CHAIRMAN. The time of the gentleman from New York has again expired.

(Mr. CELLER asked and was given permission to proceed for 5 additional minutes.)

Mr. CELLER. Mr. Chairman, I think the best way to indicate the defect of the so-called winner-take-all system is to reread the remarks made way back in 1824 by Senator Thomas Hart Benton, who said:

> To lose their votes is the fate of all minorities, and it is their duty to submit; but this is not a case of votes lost, but votes taken away, added to those of the majority, and given to the person to whom the minority is opposed.

That was, to the Senator in question, rather barbarious and it is barbarious to me to have these votes filched from the minority and given, as it were, to the majority.

We have heard much against this winner-take-all formula. It is resident in the present system. It would continue to be in the system proposed by the district plan. There would be 430 separate so-called electoral districts. There would be 100 districts representing the Senate and there would be eight additional districts representing three electors from the District of Columbia and five electors from States where there is only one Congressman. So 108 of the electors would be elected at-large under this district plan, and 430 would be elected in the districts. Now in those districts the winner-take-all principle would prevail, and to my mind it would prevail to a more dangerous degree than is the situation today under the present system.

For this reason alone, I cannot conceive how one can endorse the district plan. It is highly unfair because minorities in those 430 districts would lose their voting power regardless of the size of the vote, or the closeness of result. That is not fair. That is unsporting. It is uncivilized. For this reason alone, aside from the many other reasons, the district plan should be rejected.

Furthermore, it still contains the so-called bonus vote. Each State would have the advantage of two electoral votes regardless of the State's population.

Facts were presented to show how lopsided indeed is the value under those circumstances of the electoral vote in the various States.

Alaska and the smaller States would have electoral votes that would have significantly greater value than the value of electoral votes in the larger States that have the metropolitan centers.

Mr. Chairman, for all these reasons I hope that the substitute amendment containing the district plan will fail.

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

Mr. CELLER. I yield to the gentleman.

Mr. MACGREGOR. Mr. Chairman, I think the chairman of the Committee on the Judiciary has made some excellent points.

It seems as though it is generally agreed in this debate by the proponents of both the district plan and the direct popular-vote plan that the unit rule, or the winner-take-all feature, of our present system is a bad thing. Yet, the district plan would retain the winner-take-all or unit vote feature in future presidential elections. Under the district plan, in five of our States—Delaware, Vermont, Wyoming, Nevada, and Alaska, which are one-congressional-district States—and in the district there would be cast three at-large votes. In the 45 other States, there would be two at-large votes for each—a total of 90. There is thus a grand total of 108 electoral votes which would be determined by a mere plurality of the statewide popular vote, by the same system that we have at the present time. So if winner-take-all is bad, if the unit rule is bad, please note that the adoption of the district plan will perpetuate that evil.

Mr. Chairman, finally, the idea, which

the chairman has expressed, of taking a voter's precious vote cast for the presidential candidate of his choice and adding to the total, in effect, of the candidate that he does not favor is a particularly mischievous and upsetting thing. It was upsetting to me in 1968, for example, that in my congressional district my vote for Richard Nixon was registered as having been cast for Hubert Humphrey, although good Democrats in the adjoining district, which went for Richard Nixon, probably felt the same way. But, as a general matter, the adoption of the district plan would perpetuate the disenfranchisement of the minority, which is admittedly a vice of the status quo. I hope we will not adopt the district plan as a substitute for the direct popular vote.

Mr. CELLER. Is it not true that under the district plan there is a possibility that the loser may become the winner and the winner the loser?

Mr. MACGREGOR. There certainly is. I will say to the chairman that I am pleased with the candor of those who have proposed this plan in that they have readily agreed that under the district plan the popular-vote loser could be, unlike the situation under the direct popular-vote plan, the winner and become President of the United States.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Chairman, I agree wholeheartedly with the chairman, the gentleman from New York (Mr. CELLER), and also the gentleman from Minnesota (Mr. MACGREGOR) that this substitute should not be accepted.

The district plan is unacceptable because the basic undesirable feature of the present system would not be eliminated; namely, a candidate having the greatest popular vote could still lose the election.

Moreover, each individual's vote would not have the same weight. Because of the two bonus votes possessed by each State, residents of the smaller States would have an advantage since they would have a smaller ratio of voters to electors than the larger States.

Also, the relationship between popular votes and electoral votes within each State would depend on the geographical distribution of party strength. A minority without concentrated power in certain districts might not win any electoral votes in a State, while having a substantial popular vote.

This was very graphically illustrated by our distinguished colleague from Illinois (Mr. RAILSBACK).

The district amendment would not diminish present inequities in State laws relating to voting qualifications.

The State would cast a fixed number of electoral votes regardless of the size of the popular vote. Though 590,000 more people voted in Connecticut than in South Carolina, both would have the same number of electoral votes. This happened in 1968 and could happen again under the district plan.

Finally, the district plan would give greater recognition to possible undesirable third parties than the present system. Almost any small party would find it easier to win congressional districts than to carry whole States. Once such parties won a few electoral votes, they might be encouraged to try for more in order to throw the election into Congress where greater bargaining power would exist. This would work to weaken the two party system.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, I associate myself with the remarks of the previous speaker, and also I point out that in the discussion of the winner-take-all feature of the present system, we seem to be replaying some of the original constitutional debates and some of the history of those early presidential elections.

The name of Mr. Madison has been bandied about a great deal. He took a very strong position for the popular election of the President. As he pointed out:

> The President is to act for the people, not the States.

He recognized the direct election conceivably could cost his State some power; yet he was willing to make that sacrifice for the general good.

But an interesting thing is that the positions changed in 1800, when Mr. Jefferson's popularity began to be in the ascendancy and people then took all kinds of differing positions. In Virginia, they had had the district plan for some time in the selection of presidential electors. Mr. Madison introduced a bill to shift to the "general ticket" plan or the winner-take-all position. His concern was that otherwise the strength of Mr. Jefferson would be diluted. On the other hand, Alexander Hamilton had been strongly in favor of the winner-take-all principle which had been adopted in New York. When Mr. Jefferson made inroads in New York, Mr. Hamilton proposed and urged the adoption of the district plan so there would not be a solid electoral vote for Jefferson. He acknowledged there were weighty objections to the measure but said that "In times like this in which we live, it will not do to be overscrupulous."

The point of the matter is that even in 1800 the winner-take-all position turned on whose ox was being gored.

If we want to get over that weighty objection and get to the kind of President we are electing, then it seems to me the only system which does not weigh the power of the cities against the States or one faction against another would be the election in which each person's vote is given equal weight with that of every other voter in the country. The only method by which that would be secured is the direct election of the President. Any other method—district or proportional, or any combination or hybrid of those methods is going to involve the same examination of whether one faction is getting an advantage over another. None of them except direct election will select the President of all the people that Mr. Madison suggested.

Mr. McCLORY. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Texas (Mr. DOWDY) and the gentleman from Indiana (Mr. DENNIS). I can speak with some conviction, it seems to me, because I was previously the author of a constitutional amendment to provide for a district plan identical to or extremely similar to that offered by the gentleman from Texas (Mr. DOWDY) and the gentleman from Indiana (Mr. DENNIS). It had seemed to me that the district plan would provide a more representative and a more accurate expression of the popular will.

Yet, after the extensive hearings which were held by the full Committee on the Judiciary, as well as independent study and research, I am convinced that the only way in which we can overcome the evils and the inequities which exist in the present system is through the direct popular election plan.

I came to that conclusion, because I recognized that under the existing system, first and foremost, the winner can be the loser, and also under the district plan and the proportional plan—the winner could be the loser.

It seems to me if there is anything which is more compelling in the expression of the American people today, it is for the right to vote for President and Vice President of the United States, and that the persons they vote for, who get the most votes, whatever the percentage might be that we agree upon, should be the next President of the United States and the next Vice President.

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

Mr. McCLORY. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, I ask the question simply for illustrative purposes. I think I know what the response will be. How does the gentleman feel about the contingency mechanism in the Dowdy-Dennis substitute as compared with the contingency mechanism in the committee proposal?

Mr. McCLORY. Mr. Chairman, although the contingency provision in the Dowdy-Dennis substitute is an improvement over the status quo, it is substantially inferior to the method provided in House Joint Resolution 681. The Dowdy-Dennis proposal meets the contingency by referring the choice to the Congress, whereas House Joint Resolution 681 refers the choice to the people where it properly belongs. I think there is real danger in the subject of a runoff, and, as the gentleman knows, I propose at a later time to offer an amendment which would reduce the minimum required vote from 40 to 35 percent, to try to avoid the problems that are inherent in the runoff.

There may be other methods which might be an improvement over the general popular election runoff. The question which we are considering at this time, it seems to me, is what we want to do insofar as offering to the American people initially the opportunity to elect a President of the United States through their votes.

Mr. POFF. Mr. Chairman, will the gentleman yield on that point?

Mr. McCLORY. What I should like to do is to express my overall objection to

the district plan, and then I would be glad to discuss other aspects.

As the gentleman knows, at a later time I would suggest amendments which I believe might improve the direct election plan. It may be that there are other amendments for improvement of the direct election plan which might have my support.

Let me say that the broad principle of the direct election plan—and I believe it is substantially embodied in the committee measure—provides answers to the objections which the American people have to the electoral college system, and which we are trying to correct.

It seems to me also, what we want to do through our action here is to provide that every American voter should have his vote counted equally with that of every other American voter. That could not possibly be done under the district plan which is presented here. The value of a voter in the State of Alaska, for instance, would be much greater than that of a voter in the State of Illinois, or California, or Georgia, or some other examples we might give.

It seems to me also there has been a great change, an evolution, in the thinking of the American people. We know at the time the Constitution was adopted there was a question of the influence of States, particularly small States, which was something the framers of the Constitution considered. They did not consider seriously the popular election plan.

Since that time we have provided for the popular election of Members of the U.S. Senate.

It seems to me today, with the mobility of the American people and with the interest of the American people in voting for their national President, it is incumbent upon us to provide them with the opportunity to elect a President and Vice President.

We are responding, it seems to me, not to some historic arguments made at the Constitutional Convention in 1787. We are responding to popular sentiment which exists in the Nation today as to what the American people want the Constitution to provide. That is consistent. We have provided for an amending process. The amending process enables us to give expression to what is the overwhelming opinion of the American people, better than 80 percent of the population, according to my view.

In my own district we find this kind of support for the direct popular election. More than 75 percent favor a plan for the popular election of the President and Vice President. Only 5.6 percent support a district plan.

It is my hope that the amendment may be defeated.

Mr. RYAN. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the substitute.

The present electoral college system, with its winner-take-all State unit vote, is really a balance of inequities. It was described by Gus Tyler, assistant president, International Ladies' Garment Workers' Union, at the Judiciary Committee hearings as one of "countervailing inequities."

The district plan would imbalance the inequities.

While it would remove the winner-take-all State unit vote, it would substitute a winner-take-all electoral district unit vote. The disenfranchisement of voters who voted in the minority in the electoral district would be as invidious as it is now for voters who vote in the minority in the State. And in five States, where there is one congressional district, the present system would remain in effect.

The advantage would lie with the small, low voter participation States. The voter in a small State would have greater leverage over the two at-large bonus votes than the voter in a large State.

The district plan also poses the grave danger of a gerrymandered Presidency. Moreover, under the Dowdy substitute, the electoral districts would be frozen and have exactly the same one electoral vote for 10 years, regardless of increases or decreases in population.

Even if by some miracle the electoral districts were compact, contiguous, and of equal population—not gerrymand, the unequal distribution of voting strength within a State would still make the district plan inequitable—more inequitable than the present system.

The only proposal which will insure that the winner will actually be the winner is a direct, popular national election of the President and Vice President.

I believe that we must bear in mind the major defect in the present electoral college system about which the American people are most concerned. It is the fact that under the present electoral college system a presidential candidate who does not receive a plurality of the popular vote may be declared elected. That possibility runs counter to fundamental democratic principles. That is of more concern than any other question before us, because most voters are under the illusion that they do in fact vote directly. If under any plan the winner should be declared the loser, the Nation would confront a grave constitutional crisis.

The district plan preserves that possibility, as the gentleman from Indiana (Mr. DENNIS), stated quite candidly. In my judgment it would make more likely the possibility that the popular will would not be reflected than the present system under which that is exactly what happened upon three occasions—1824, 1876, and 1888.

Mr. POFF. Mr. Chairman, will the gentleman yield at that point?

Mr. RYAN. I am glad to yield to the gentleman from Virginia.

Mr. POFF. It appears clear that this will be one of the arguments repeatedly leveled against the district plan, and I believe it would be appropriate to put it in proper focus at this time.

It is true, as has been said repeatedly, that mathematically it is possible under the district plan for the popular vote loser to become the winner. I am sure the gentleman will also agree with me, however, that this infirmity is not unknown to the other plan.

Specifically, it is not possible under the direct plan that the plurality of the popular vote winner in the general election, if his plurality is less than 40 percent, may make him become the loser in the run-off election?

Mr. RYAN. That is inherent in any runoff election. But the people themselves will make the decision directly. Both the preliminary and the runoff elections will be popular elections in which every vote will be equally weighted—if there are uniform national qualifications for voting and inclusion on the ballot. That is the point here.

Now, here it is more than theoretically possible that the loser would become the winner, because we know in 1960 it would have happened under the district plan. If we look at election results in various States, we should recognize that it is even more possible under the district plan. It happened three times in our Nation's history under the present system. It is more likely under the district plan, in my opinion.

Mr. POFF. Will the gentleman yield further?

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

Mr. POFF. Is it not also true under the direct plan that whose who voted for the third candidate dropout would, following the general election, be effectively disenfranchised insofar as the run-off election is concerned just as much as the minority in a district would be disenfranchised under the district plan?

Mr. RYAN. No. Quite the contrary.

Mr. POFF. I wish the gentleman would explain it.

Mr. RYAN. Because every voter will have an equal opportunity to vote in the runoff, and his vote will not be weighted to advantage either the large or small States. The one-man, one-vote principle will apply.

Mr. POFF. But he would not have a chance to vote for the candidate of his choice. He would be confined to one of the two candidates.

Mr. RYAN. Under the circumstances if there is a runoff, under the direct plan as proposed in House Joint Resolution 681 a voter may find his choice is not even on the ballot in some States as I pointed out in my additional views in the report.

Mr. POFF. The gentleman is correct. And this illustrates again that all plans must necessarily have some infirmity. As much as we would like to enact a perfect plan here, it is impossible. I want the gentleman to understand that I am not criticizing the direct plan, because as I said earlier, if all others fail, I expect to support it. But in fairness I do think that we must take into inventory the faults and frailties of each plan.

Mr. RYAN. There is only one plan, and that is the direct plan, whereby the popular will may be expressed, and the vote of every voter is equalized. That is the one-man, one-vote theory which is now the law of the land by virtue of the decisions of the U.S. Supreme Court.

Mr. POFF. I say again that those who voted for the dropout candidate in the general election are as effectively disenfranchised as the minority whose votes were not counted in the district under the district plan.

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

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

Mr. CELLER. In the proposal offered by the gentleman from Texas, if in the event the election is thrown into a joint session of the House and Senate, certainly the individual citizen has no vote at all, because the gentleman from Virginia is very much concerned about the vote of the individual, but under that contingency he would be deprived of a choice. He would have no choice whatsoever, and each person could have an agent vote for him; namely, his Congressman or his Senator. Is that not correct?

Mr. RYAN. That is correct. I thank the distinguished chairman for making that point.

May I make a further point; namely, that under the district plan the present inequity is continued whereby in those States in which there is a small voter turnout the electoral vote is recorded exactly as it is in States on which there is a large voter turnout.

That is another infirmity which deprives the voter of an equal right with every other voter, and which gives an advantage to the electoral district or State where there is low voter participation.

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

Mr. RYAN. I yield to the gentleman from Texas.

Mr. DOWDY. I discussed this the last time that you talked about it, and you repeatedly said that the direct plan represents the one-man, one-vote principle but not in a 40-percent election. Is it not true that the only time the one-man, one-vote principle could apply under the direct plan is in a runoff election here? That is the only time that the one-man, one-vote could come into it. Is that not true?

Mr. RYAN. No. I disagree with the gentleman. The one-man, one-vote principle applies at any time in a direct popular election whether it is for President, Congressman, or U.S. Senator; it applies to the preliminary as well as the runoff election.

Mr. DOWDY. Not with 40 percent of the electoral vote. In that case you have one man and one and a half votes.

Mr. RYAN. We are talking about the one-man, one-vote principle in an election—a direct popular election—whether a plurality or a majority of the votes cast is necessary to win.

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

Mr. Chairman, I intend to support the election reform constitutional amendment but there are some serious misgivings which I have about the provisions of the amendment. Nor am I sure that the substitute offered by the gentleman from Texas, which we are now debating, is going to do the job any better.

I do not believe we can address ourselves to this entire question of election reform without taking into consideration the most recent Supreme Court decision on how a political party can get on the ballot.

In Williams against Rhodes, which is the most recent U.S. Supreme Court decision on the matter, handed down last October 15, and which involved the placement of the Ohio American Independent Party on the ballot, the Court substantially liberalized the manner under which a political party can get on the ballot. The facts in that decision were as follows:

> Under the Ohio election laws a new political party seeking ballot position in Presidential elections must obtain petitions signed by qualified electors totaling 15 percent of the number of ballots cast in the last gubernatorial election and must file these petitions early in February of the election year. In addition, Ohio laws do not permit independent candidates to qualify for ballot positions. The Republican and Democratic parties, however, may retain their ballot positions by polling 10 percent of the votes in the last gubernatorial election and need not obtain signature petitions. The Ohio American Independent Party was formed in January, 1968, and during the next six months by securing over 450,000 signatures exceeded the 15-percent requirement but was denied ballot position because the February deadline had expired.

The reason I believe that this decision is very germane to this debate is because it sets the pace for a proliferation of new political parties in the future. The Court held in the decision as follows:

> State laws regulating selection of Presidential electors must meet the requirements of the Equal Protection Clause of the 14th Amendment. Ohio's restrictive election laws taken as a whole are invidiously discriminatory and violate the Equal Protection Clause because they give the two old established parties a decided advantage over new parties. The Ohio laws heavily burden the right of individuals to associate for the advancement of political beliefs and the right of qualified voters to cast their votes effectively. Ohio has shown no "compelling interest" justifying these burdens. Therefore, Ohio must allow the Independent Party and its candidates for President and Vice President to remain on the ballot.

What this decision indicates to me is that we are going to see a proliferation of independent political parties regardless of what we do here or achieve as a result of this debate and the constitutional amendment could conceivably create more problems than it will attempt to solve with the increase in independent political parties.

By 1972, you will see a proliferation of various independent political movements which will seek expression on a national ballot regardless of what we do here today. Of course, the more parties you have on the ballot, the lesser are the chances of any one party or candidate getting the 40-percent vote in that particular election needed to be proclaimed the winner under the amendment being offered by the gentleman from New York (Mr. CELLER).

Therefore, I fear that within the framework which we are now debating here, the proposition before the House may very well inadvertently provide nothing more than the machinery for a national primary to eliminate all but the two top vote getters. The runoff, as proposed in the amendment would decide the winner.

I have nothing against proliferation of political parties, but I should like to recall to the House the tragedy of multiparty elections in many of the European countries, where they have to wheel and deal and make all sorts of coalitions in order to get enough votes to put together a winning combination.

I think we in the House, in good faith, should give possible consequences of this amendment careful consideration.

One of the things that disturbs me about the proposal now pending before the Committee of the Whole House on the State of the Union is this runoff; this business of a candidate or a political party failing to get enough votes the first time around and then being compelled, as is common, to make agreements whereby one group will help the other along. I am wondering whether or not we want to be confronted with a repetition of what happened in France when at one time they had 26 political parties.

On the German Republic before World War II—a great tragedy occurred there.

I believe we in this House ought to really seriously look at the Williams against Rhodes decision because it is germane, and because it sets the stage for more independent splinter parties finding their way on the ballot hereafter.

As I said at the outset of my remarks, even if we do not do anything here I suspect that in 1972 you will see a lot of parties that you did not see before running on the national ticket for President and Vice President.

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

(By unanimous consent, Mr. PUCINSKI was allowed to proceed for 2 additional minutes.)

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

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

Mr. McCLORY. Mr. Chairman, I would like to point out to the gentleman that in the 1860 election the third-party candidate got over 30 percent of the vote. Also in 1912 they had a very strong third party here whose candidate got over 30 percent of the vote. There have been six such elections, including of course the 1968 election, where the candidate got 13.5 percent of the vote. So that we have had the threat of third-party strength in the past, and I am not sure but that third parties may have a greater strength under whatever rule or plan we develop, but they also have great strength under the present system.

Mr. PUCINSKI. Certainly they do.

I will be happy to insert into the RECORD, if anybody is interested in it, a report on the nominating procedures in all the 50 States and territories.

In section IV of the Celler amendment it says that the times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature thereof, and my judgment is——

Mr. CELLER. It also provides that Congress may at any time by law make or alter such regulations.

Mr. PUCINSKI. The gentleman is cor-

rect. It says that the Congress may at any time by law make or alter such regulations. But the point I think we cannot lose sight of is that even if the Congress does so, or the legislatures of the 50 States, that the whole method of an independent political party getting on the ballot has been historically very restrictive. That is why I want to call attention to the case of Williams against Rhodes, because it changes the whole ball game from now on, as to the restrictions that we have adopted for over a century in this country. In my own State, if you want to run on a State ticket as an independent you have got to get at least 50 signatures in each of at least 50 of the 102 counties.

What I am saying here is that you cannot engage in this debate on this constitutional proposal without first addressing yourself to the fact that the Supreme Court has set down a whole new set of guidelines and rules for independent splinter parties. You are going to see a proliferation of these parties. And with this provision here that a candidate has to get 40 percent, my judgment is—and I may be wrong, time may prove me wrong—but my judgment is that you are going to have almost a certainty for a runoff in every presidential election after this machinery becomes operative, so long as the Williams against Rhodes decision stands by the Supreme Court.

The CHAIRMAN. The time of the gentlemen from Illinois has again expired.

(By unanimous consent, Mr. PUCINSKI was allowed to proceed for 2 additional minutes.)

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

Mr. PUCINSKI. I yield to the distinguished chairman.

Mr. CELLER. Mr. Chairman, I wish to call the attention of the gentleman from Illinois to the fact that the decision that he has averted to would be qualified by section IV, which reads that the times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature threof; but the Congress may at any time by law make or alter such regulations.

Whatever the Supreme Court decision was in the case to which the gentleman referred, under the direct election proposal, the States will have the initial responsibility to determine whose name shall appear on the ballot. If the States do not live up to the measure of their duty in determining whose name shall appear on the ballot, we in Congress have reserve power under section 4, and can set uniform regulations concerning access to the ballot.

That is the complete answer to the gentleman's argument on that decision.

Mr. PUCINSKI. Yes, but I do not accept it as a complete answer because the distinguished chairman of the Committee on the Judiciary cannot escape the fact that the Supreme Court based its whole Williams against Rhodes decision on the equal protection of the law clause. The chairman cannot stand here and tell me that this House and this Senate and this Congress is going to pass legislation affecting eligibility for placement in a ballot that will be contrary to the equal protection clause—not after the record that this Congress has written on civil rights.

Mr. CELLER. The gentleman is putting words in my mouth. I did not say that. I said that if we approve the resolution, it contains a constitutional amendment which is binding upon the Supreme Court.

Mr. PUCINSKI. I respectfully submit that it does not do what the distinguished chairman says it will, because this language says that the time and place and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed by the State legislature and the Congress may at any time by law make or alter such regulations.

I do not dispute that statement but the distinguished chairman is not going to tell me and this House that we would pass a law here that would impose any more severe limitations on a political movement in getting on the national ballot than the Supreme Court spelled out in Williams against Rhodes, when the Supreme Court based its holding on the Williams against Rhodes decision on the equal protection clause.

So what I am pointing out here is that for the distinguished chairman to say that—Well, we can set up rules and regulations which will not make it not quite that easy for independent political parties to find their way to the ballot—I doubt very much if this Congress would want to engage in that kind of practice.

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

Mr. PUCINSKI. I yield to the gentleman.

Mr. RYAN. I should like, inasmuch as the gentleman from Illinois raised the question about the Williams against Rhodes decision to refer him to my additional views on page 17 of the report, at which point I argue in favor of national standards for inclusion on the ballot rather having a proliferation of State requirements with a reserve power in the Congress.

If Congress were to set national standards for inclusion on the ballot initially, I think that probably would settle some of the problems that seem to be disturbing the gentleman.

Mr. PUCINSKI. You are going to find in this country a greater number of independent political movements seeking expression on the ballot, and you are not going to be able to deny them that opportunity as we have done for 100 years for various reasons within the restrictive limitations of individual State laws. Regardless of what kind of guidelines or national standards you want to set, or this Congress wants to set, the fact of the matter is that the Supreme Court already has pointed out that a political ideology or a political movement has a right to seek expression on the ballot and I doubt if Congress ever will want to be more restrictive than the Court in this issue.

Mr. RYAN. That is a sound proposition.

Mr. PUCINSKI. That is right. What I am pointing out is that there will be a growth in independent political parties whether you add this amendment or do not have it.

Now what you are saying is, if I read your amendment correctly, and if I look downrange correctly, you are going to have runoffs almost as a rule and not the exception.

It will be difficult for any one candidate to get 40 percent of the vote in the first go-around if you have a large number of independent candidates and you will almost always see a runoff to determine the final victor.

So, Mr. Chairman, I believe we ought to be aware of this and try to find a way to make room for independent parties and at the same time elect a President the first time around. I am sure we can find an amendment here that will do the job of elective reform. Perhaps the original language of this amendment will do it. Maybe I am wrong. But I do believe this, that it would be a great mistake for this House not to take into consideration the principles laid down in Williams against Rhodes in the debate on this amendment.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. ROGERS of Colorado. First, I want to say to the gentleman that the case of Williams against Rhodes has no relation to the subject we are talking about.

Mr. PUCINSKI. I would remind my good friend that it got Mr. Wallace on the ballot. What is the gentleman saying—that it has no relationship to what we are talking about?

Mr. ROGERS of Colorado. Would the gentleman wait for an explanation?

The Supreme Court decision in Williams against Rhodes held that the State of Ohio could not arbitrarily violate the 14th amendment by denying an individual the right to go on the presidential ballot. That is all that it did.

Mr. PUCINSKI. The main thrust of my argument has totally escaped the gentleman. I have said here that Williams against Rhodes has opened the door for a proliferation of independent political movements, and you had better recognize that fact as you move forward on this amendment. I am not opposed to a proliferation of political parties but I am saying that an amendment which will have to meet America's election needs in the 21st century should recognize this fact and anticipate the problems such proliferation will create in trying to select a President.

(Mr. FISHER (at the request of Mr. DOWDY) was granted permission to extend his remarks at this point in the RECORD.)

Mr. FISHER. Mr. Chairman, I support the Dowdy-Poff-Dennis proposal—House Joint Resolution 897—as a substitute for the pending resolution.

The pending measure calls for the election of the President and the Vice President by direct vote of the people. The Dowdy-Dennis substitute would have these officials chosen by the district plan. Under that proposal each congres-

sional district would be allotted one electoral vote. The candidate who receives a plurality of votes in a particular district would be credited with that one electoral vote. Since there are two Senators for each State, the leading candidates would be credited with those two electoral votes.

That proposal is sound. It is fair and it is democratic. It is simple and easy to understand. It would cure the evils of the present winner-take-all electoral college method. And it would undoubtedly have the best chance of receiving the necessary two-thirds majority in the Congress and then being ratified by the States.

On the other hand, the direct vote plan, in my judgment, can never be adopted. The smaller States would not go for it, for reasons that are understandable. It would concentrate too much power in the more populous States, at the expense of the less populous ones.

Mr. Chairman, it is not often we get a chance to vote on electoral reform. The American people are clamoring for this reform, and the updating of the Constitution in that respect is long overdue. We all know that. And the only practical plan, which will stand any reasonable chance of approval, that this Congress is going to have a chance to submit to the States this year is the Dowdy-Dennis proposal. The eyes of the Nation are upon us as we face up to this responsibility.

Mr. ANNUNZIO. Mr. Chairman, if ever there was an idea whose time had come, it is the proposal we are considering, House Joint Resolution 681, the resolution to amend the Constitution to reform our antiquated electoral college system in recognition of the realities of today's American political life. Its defects and dangers have been chronicled again and again, but efforts to change it, until now, have met with little success.

Today, hopefully, we will take a step forward in ridding our Nation of the outmoded electoral machinery by which we elect our President and Vice President—machinery which at best is unfair, unrepresentative, and undemocratic, and which at worst could precipitate a constitutional crisis of very grave proportions.

On three occasions in our history, the man who assumed the high office of President actually received fewer popular votes than his opponent, and in 12 instances—twice in this decade alone—a President was elected with a plurality but less than a majority of the popular ballots cast. In 1968 the strong third-party candidacy of George Wallace, which is a very real possibility for 1972 as well, engendered all sorts of talk about "deals" and "bargains" in the House of Representatives to prevent a complete breakdown of the system.

These kinds of situations result, of course, from the inequities built into the electoral system, and from the customs which have evolved over the years. The winner-take-all division of the electoral vote in each State, which transforms a 1-percent popular vote margin into a landslide victory in terms of the electoral college vote, is perhaps the most unrepresentative feature of our present system. Other major defects are the "independent" nature of the presidential elector, the exaggerated importance the system places on the larger States whose great blocks of electoral votes could swing the balance in a close election, and the provision for election by the House if no candidate receives a majority of the electoral vote. Perhaps not quite so important, but equally as frustrating, is the sheer incomprehensibility of the electoral college system to millions of American citizens.

To paraphrase a popular Madison Avenue slogan: Is this any way to elect a President?

I do not think it is—and from the weight of testimony on the subject, both from politicians and from scholarly critics—I do not think many other people believe it is either. Certainly the public does not think so—a Gallup poll taken last November showed that 81 percent of the people surveyed favored direct election of the President, and a Harris poll taken at the same time was close behind with a total of 79 percent in favor of such a reform. Even State legislators, to whom this proposal will go if it is approved by the Congress, favor direct election by almost two-thirds, according to a poll recently conducted by Senator GRIFFIN of Michigan—indicating perhaps that there is not so much unwillingness in the smaller States to approve a direct election proposal as is sometimes presumed.

This proposal, identical to one I have cosponsored myself, is a simple one. The candidates for President and Vice President would run as a team, and the voters at large would cast their ballots for them directly. The ticket receiving the greatest number of votes would be elected, unless their total was less than 40 percent of all the votes cast. In that event, a runoff election would be held between the two tickets receiving the highest number of votes.

Although each of us has loyalties to his State and to his hometown, in our modern, urbanized society, when complex problems have a way of ignoring traditional political boundary lines, it no longer makes sense to divide the election of the President and Vice President into 50 separate pieces. We are one Nation, and the President is President of all the people. As David Broder observed in Tuesday's Washington Post:

> The committee's conclusion [that direct election of the President is necessary] is inescapable if one accepts that the presidency is now a national office and that the Chief Executive is the representative and spokesman for the whole of our people.
>
> We ask him to function as President of all the people. What the Congress must now decide is whether he should be elected by a vote of all the people. That—and not George Wallace—is the real issue.

I want to commend our distinguished chairman of the House Judiciary Committee, Hon. EMANUEL CELLER, for his astute leadership in this effort to rationalize our presidential election process. He has brought his knowledge and expertise to bear on this problem because he was persuaded that direct election of the President is necessary if we are to remain true to the democratic principles upon which this country was founded. It is now up to us to reach a decision on electoral reform. I am hopeful that a majority of my colleagues will vote with me on behalf of the people and equal representation and against continued uncertainty and indirect election.

Mr. HOLIFIELD. Mr. Chairman, although over 73 million Americans went to their polling places in November of 1968, only 538 of them—the members of the electoral college—really participated in the election of Richard M. Nixon as President of the United States. This dangerous gamble with the fate and legitimacy of our Government occurred—as it has for almost 200 years—because of the outmoded electoral system under which we function. That the system has functioned at all for this amount of time can only be attributed to the kind of luck usually described only in legend.

In 1823, Thomas Jefferson said of the electoral system:

> It is the most dangerous blot on our Constitution, and one which some unlucky chance will someday hit.

I want to speak today in support of House Joint Resolution 681, recently reported by the House Judiciary Committee, which proposed a solution to the problems of our electoral dilemma. This forward-looking resolution will be the 26th amendment to the Constitution, upon passage by two-thirds of the Congress and three-fourths of the State legislatures. When it is passed, it will represent the first successful attempt at electoral reform in this country in 165 years. The last reform occurred in 1804 when the 12th amendment, providing for the election of the President and Vice President by separate ballots was enacted.

This proposed amendment is the work of much thoughtful research and many lengthy hearings on the part of the Judiciary Committee. They are certainly to be commended for reaching the conclusions set forth in the resolution.

House Joint Resolution 681, which received the overwhelming support of the committee's members, is aimed at revising the present system. That system now would permit bargaining for the highest office in our country, and would prevent Americans from having as their President, the man who received the most popular votes.

In my opinion, Mr. Chairman, any process which permits a man to become President without winning the popular vote is intolerable, and inconsistent with the basic aims of our country. At the present time, Members of Congress, as well as most other officials across this land, are elected by direct popular vote of their constituencies. There can be no justification for denying Americans this same method of electing their President.

The problems of the system became particularly evident during our last presidential election. They have been there, actively at work, however, since the Constitution was approved. The main reason we have survived for this long without a major catastrophe is that when challenges were imminent, men put patriotism ahead of political power and declined further action. This creaking

electoral machinery cannot sustain many more challenges to its anachronistic process. Unless we modernize it quickly, I think a real constitutional crisis is not far distant.

Those who have faced this problem and sought a solution have seen many dangers—thoughts of the office of the Presidency being bargained for—of a country teetering on the brink of possible governmental collapse, and of serious questions brought against the validity and legitimacy of the Government.

Proposals for electoral reform have been advanced for many years, and several major ideas have evolved.

The district system, which is one of these proposals, would preserve the Electoral College, but require that electors be chosen from individual member districts within each State, with two electors running at large—"bonus electors." One important drawback to this system is the fact that it would intensify the gerrymandering problems of legislators. In addition, the voting leverage of the large States would be eliminated, but the "bonus" elector votes accorded to the small States would not.

The proportional system, would abolish the office of elector, but keep the electoral system itself. Electoral votes in each State would be allocated in proportion to the popular vote case. Some proponents would give a bonus number of electoral votes—usually two—to the statewide winner. Generally, 40 percent of the electoral vote, or 216 votes, would be required to win. Under this plan, citizens of large States would lose the advantage of the current "winner-take-all" system, while small States would retain the "bonus" electoral vote advantage. In addition, splinter parties within each State could be encouraged under this system, and force additional elections.

I might add that a system which awarded two bonus votes to all States would only increase the disadvantages of the large States. My State of California has a population of almost 20 million, and we have 40 electoral votes. In relation to a small State such as Alaska with three electoral votes and a population of about 300,000, California, with 67 times as many people as Alaska, currently has only 13 times as much influence as that State in the electoral college. Under a bonus system which would increase California's votes to 42 and Alaska's to five, California's influence would decrease to eight times that of Alaska's, but the population would still remain 67 times more than that of Alaska.

The automatic system would abolish the individual elector, but retain the electoral votes of each State as they are presently allocated. Essentially, this would solve little, since the system would remain as it is now, but minus human electors.

Generally, all of these plans provide that in the event no candidate obtains the requisite number of electoral votes in the first elections, the House and Senate, meeting jointly, would elect a President from either the top two or top three candidates. While this would represent an improvement over the present system, it has many pitfalls, James Madison, a drafter of the Constitution, said in 1823:

> The rule of voting for President by the House of Representatives is so great a departure from the principle of numerical equality, and so pregnant with a mischievous tendency, that an amendment to the Constitution is justly called for.

That holds true today, and it also holds true for a joint House-Senate election of the President and Vice President. In addition, having the Congress decide an election merely transfers electoral functions from the college to the Congress. This would prevent true direct election, and provide a different cast to play the role of elector. It would not indicate any point in changing the present system.

Each plan retains the present electoral vote formula allocation in the States and each would permit States to cast electoral votes regardless of voter turnout or population changes occurring between censuses. Most important, however, is that each would continue the risk of electing a candidate who lost the popular vote.

It has been impossible to obtain the necessary votes for approval of any of these plans in the past in the Congress. During the 1950's, the Senate agreed to the Lodge-Gossett plan, which was a proportional proposal. The problem in gaining the necessary approval in the House, however, rested on the fact that sentiment was united behind a rival plan. Reform, as a result, failed again.

The direct election plan, while considered sweeping and radical by some, is basically a simple plan, and therein, I think lies its potential for successful approval. It allows the people of America to elect their President directly, and it abolishes forever the specter of a "bargained" election. The man who receives the most popular votes would be elected President in all circumstances.

Opponents of the direct election plan have charged that enactment of such a proposal would destroy our federal system. I find it difficult to understand how the federal system can be anything close to what it ought to be when inequities in voting power are perpetuated, and there is no guarantee that the candidate elected is in fact the popular choice of the people. I think that affording each man's vote equal weight will remove the competitions set up between the States by the electoral college, and will, in fact, strengthen the Federal union. The concept of "one man, one vote" is a valid and logical one, and it ought to be implemented fully by abolishing the present electoral system.

The Judiciary Committee also provided in House Joint Resolution 681 that a plurality of 40 percent of the vote would be sufficient to choose the winner of the election. If no candidate receives that amount, a runoff election between the two top candidates will be held. The time and place for such runoff elections is to be fixed in later legislation by the Congress. This section avoids having election dates and times written into the Constitution, negating the need for further constitutional amendment, should the dates or times ever need to be changed.

I think the runoff provision will do much to prevent the proliferation of splinter parties, which opponents charge will occur under the direct plan. If such parties amass a number of votes, but at best can only look forward to a runoff between the major party candidates, their motivation for organization will not be high. It is worthy of note that the electoral system as it now stands does not preclude the possibility of third parties. The problem with the system as it is now is that it is possible for a third party, without a large vote, to influence the outcome of the presidential election and prevent the popular vote winner from assuming office.

In my opinion, a runoff election held in an orderly manner between the two top candidates, is a far better choice than having our Presidents chosen by 538 men who are selected by various methods throughout the country, and who are not bound by any pledge to support the man chosen by the voters of their States. It is shocking to know that sometimes electors are chosen completely at random when those appointed by the State are unable to perform their duties. The implications of actions like these are staggering. We are all very much aware of the critical problem posed by faithless electors. We have time between November and January for an orderly selection process—there are 41 days alone between election day and the meeting of the electoral college in January. We ought to use this time wisely, instead of allowing a system which could cause such chaos to continue to exist.

In addition to recommending direct popular election of our President, this proposed amendment deals with other very important matters. Among these are election regulations and succession.

The Congress is empowered to set uniform residence requirements for voting in national elections. Age requirements, however, will continue to be left to the individual States. It is important to note that this amendment reserves to the Congress the power "to make or alter such regulations, consistent with other provisions of the Constitution which deal with the elections of Senators and Representatives." What this will mean is that the Congress will be able to deal with States who refuse to allow the names of major candidates on their ballots—which is what happened in 1948 and 1964. In 1860, 10 States omitted the name of Abraham Lincoln. It means that all of the citizens will be assured of the chance to vote for any of the major candidates for office, no matter where the voting is located.

The other important area dealt with is that of succession. Presently, there is no provision for candidates who withdraw from the election before it is held, or for candidates who die before they assume office. This amendment would enable the Congress to provide by legislation for the case of death or withdrawal of any candidate for President or Vice President, before or after a regular or runoff election, but before a President or Vice President has been elected. Also,

Congress will provide for the death of both the President-elect and Vice-President-elect in legislation. This is important because the continuity of our system of government must be assured at all times. We have been moving toward this, most recently in the 25th amendment, which provides for a successor to the Vice President who assumes the office of the Presidency. The 20th amendment, enacted earlier, provides for the Vice President's succession to the office of the President. It is wise to provide for the eventualities mentioned in this legislation, although we pray they will not have to be invoked.

This resolution, after meeting the necessary ratification requirements, will become law within 7 years after it is submitted to the States. It can become law earlier—for the 1972 election in fact—if the required number ratify it before January 21, 1971. Otherwise, it will be in effect for the 1976 election. Its use in 1976 will be a fitting 200th anniversary commemoration for our country.

Mr. Chairman, every schoolchild is taught that our Nation's Government is derived from the consent of the governed. Allowing 538 electors—no matter how forthright their intentions might be—the power to deny the Presidency to the man who wins the most popular votes is wrong. It completely negates the concept of "consent of the governed," and as such it is unacceptable. I think our Founding Fathers, if they were able to see the system they designed in its present state of disarray, would agree that reform is urgently needed.

I support passage of House Joint Resolution 681, and I urge other Members to join in working for this measure. The Presidency represents a national constituency. As such, I think the choice of a President is far too important not to be left to the American people.

Mr. DEL CLAWSON. Mr. Chairman, every Member of this body, and in fact every American who lived through the last national election must surely be aware of the variety of disastrous prospects which were narrowly averted. Few issues have come before us backed by such public will for change and such pressure of events and such popular support for remedial action as the reform of the cumbersome procedure for election of our President and Vice President.

We are asked now to assure every citizen that his vote for the highest office in the land will weigh equally with votes cast by other Americans; that the President elected will receive more popular votes than any other candidate and that the country will never face the possibility of foundering in a period of crisis during which we are without a Chief Executive. I support the most practical and best solution which has been offered, the proposal for direct election of the President and Vice President by popular vote.

The electoral college system was open to grave questions from its inception. But it could best be justified in terms of conditions which no longer exist, of an era of limited literacy and problems of communication far removed from the United States of today tied together by communications media so sensitive that it is proposed that the results of early voting in the East not be released lest they influence voting in the West.

The present role of the political party was not envisaged by the framers of the Constitution, nor was the role of the electors as eventually determined by the States. It was certainly never intended that the electoral college function as a deterrent to the will of the people, but that is the specter which has haunted us in the past and will continue to threaten future elections unless prompt action is taken by the Congress.

Objections to direct popular election have been examined extensively both during the debate in this Chamber and in the committee hearings. These objections have been effectively minimized or dismissed and the advantages of direct election in contrast are so numerous and so overriding, I must concur in the majority opinion of the Judiciary Committee that the bill before us is the most equitable solution to the problems posed by the present system. I strongly support House Joint Resolution 681.

Mr. DERWINSKI. Mr. Chairman, I rise to express my preference and, therefore, support of the district plan and to remind the Members that I have introduced House Joint Resolution 312 for that purpose. I have long supported the district plan and urge the support of the Members for this approach to electoral reform.

I believe it is essential in processing electoral reform changes that an opportunity be available here in the House to provide a vote on all possible adjustments.

Recognizing the desire to correct the evils of the "winner-take-all" practice, which is the most criticized feature of our electoral college system, I introduced House Joint Resolution 312 as an achievable reform. It must be recognized that the district plan brings the Presidential election closer to the people by making electoral votes available to both parties in all States having more than three electoral votes. This would eliminate a much criticized feature of our current system which is the overwhelming attention devoted to the larger so-called pivotal States.

I support the district plan as the best approach for preserving our federal system. I regard this unique system as the greatest single strength of our form of government.

Mr. Chairman, I believe the direct plan to be destructive of our federalism. I believe it would produce splinter parties, which would be injurious to the effectiveness of our two-party system. It would have an unfavorable impact upon our whole political system, including party structure. For example, the direct election plan would have been a boost to the candidacy of George Wallace in 1968. It would also result in federalizing such matters as election procedures and voter qualifications.

I share the views expressed by others that the direct election plan goes too far. It is not reform but a total break with our constitutional history with vast implications deserving the most careful consideration. I am convinced that the district plan is none of these. It is consistent with our history and our political institutions as they have developed.

One further point that I wish to make, Mr. Chairman, is that early in this session I voted to support the objection to the vote of an elector from the State of North Carolina who betrayed the trust of the people who appointed him. The district plan would solve the complications that we debated at that time. The one-man one-vote concept would actually be better served by the district plan where the population balance would be periodically adjusted than under the direct vote which would obliterate all traditions and political boundaries.

Mr. Chairman, I also believe that we must be practical in our approach and recognize that the district plan is the one most apt to be approved by the legislative bodies of the necessary 38 States.

Mr. CLAY. Mr. Chairman, my position in opposition to the proposed direct popular vote for the President and Vice President has come under fire. Regrettably, the opposition does not flow from the arguments which conclude in the position—but the position itself.

The mere fact that most liberals hold a view contrary to mine in no way affects the validity of my argument. Truth does not demand unanimous acceptance or majority approval.

I stated, initially, that the direct popular vote would inhibit the political influence of minority groups. I pointed out that the black vote presently and potentially registered—is more effectively applied with the two-party system which has evolved from the electoral college. I stated, that the minority vote would, in these times, likely follow a separationist trend without the cohesive influence of the electoral college.

I reiterate that view and further enumerate the doubts which require opposition to the sweeping revision recommended. It is uncanny that so many people can be so adamant in supporting the abolition of the electoral college solely because they fear the possibility of it failing us. At the same time, they refuse to apply the same test of possibilities to the mechanism presently recommended to displace the college. There is only hope, and not reasonable assurance, that the transplant of popular election will not be instinctively rejected by the other moving parts. Unfortunately, the nature of our revision would preclude rejection of the popular election, but it would require that the other supporting parts undergo severe adaptations to support it.

Assuming the popular vote of the President were adopted by this Nation, let us explore some of the very real possibilities which exist for other integral parts of our political structure and Government.

Proponents of direct popular vote contend that one-man, one-vote is a basic principle of democracy which must be extended to the office of the Presidency. I sharply disagree and vigorously oppose any attempt to alter one of the checks or balances of Government without relating it to the total system of checks and balances.

To think in terms of "pure" democracy is bordering on the realm of insanity. De-

mocracy, to be meaningful, effective, and just—must first be practical.

To perfect the system of Government and at the same time diminish or eliminate the voice of minorities within the system is a perfection we cannot afford.

Both Houses of Congress are now rural oriented and rural dominated. The President, because of the necessary votes concentrated in the States with large urban areas, cannot ignore that power and will most often strive to appeal to the urban resident.

In the making of a President, urban area appeal is a most crucial consideration of a candidate by the two major party conventions. This is true because of the electoral college system. Eliminate the college and you alter the process by which a candidate is selected. Eliminate the college and you change all the ingredients which are now required of a candidate who seeks success and election. Without the electoral system, the scrutiny of a candidate from an "urban" standpoint would cease to be important. I prefer a modified college which projects the Presidency as a check and balance on the Congress.

The likelihood of division and splinter parties would be encouraged by the direct popular vote. The factions of the present parties who do not compose the majority—but a large minority at their respective conventions—would likely feel compelled to strike out on their own to reap the sentiment which exists for their position and candidate. If it were unnecessary to win the individual States to win the Presidency—the mere possibility of winning by precluding another candidate's majority would prove too irresistible to pass up. After all, it takes $20 million to finance such a campaign—and with direct popular vote, a candidate would not have to travel the 50 States or concentrate on the total U.S. populace—when a section or sector of it is sufficient to throw the election.

It is likely that in 1968, had the direct popular vote been utilized—EUGENE MCCARTHY, Nelson Rockefeller, Ronald Reagan, and George Wallace would have campaigned under individual banners against Humphrey and Nixon.

The flinch of fear which provides the momentum for this proposed revision now flows directly from the scare instilled in us by Wallace. But responding to this fear through an elimination of the college in favor of the popular vote, will promote the factionalism and sectional movements.

If there is one authority on contemporary, practical American politics, it must be Theodore White who has devoted the last 10 years to its study. In his latest book, Teddy White illustrates the patterns into which the present two political parties fall.

His description, I believe, of the precarious nature of these institutions lends support to my position. He says:

> It is best, therefore, to compare the Republican structure, as well as the Democratic structure, to a mobile. The Republican Party hangs suspended, as does the Demrocratic structure, from the roof-beam of American history, with branches, forks and clusters of dangling groups, all of different sizes, shapes, colors and weights, constantly seeking a center, an internal balance, as it sways in the breezes of politics or shudders in the great gusts of history.

It is not an instinctive desire for unity—but a fear of losing all impact outside the two parties—which keeps this delicate machine together and which promotes compromise, cooperation, and understanding of the interests and views which must be reflected in the total party. Give those factions the chance for impact outside the two parties and commonsense dictates the development of many parties. I am certain that a black separatist, conservative, and liberal parties would evolve. These splinter groups will choose to take root when it becomes unnecessary for them to work within the major political parties. The precarious balance will be broken. There is no better illustration of this than the current political upheaval in New York City.

These are the possibilities which should instill fear—if fear must be the guiding light for our decision on the direct popular vote. It is clearly the element of fear upon which the current popularity of the popular election rests—not understanding or analysis.

The most powerful objections to the electoral college arise from the present likelihood that human electors can deal and wrangle and not reflect the vote of the people—and that the House of Representatives, voting by States, can deal and wrangle and further distort the will of the people.

Solving those problems does not require a direct popular vote. It only requires removal of the human element from the electoral college and revision of the means whereby the Congress proceeds if there is failure by one candidate to produce the required electoral votes. My legislation provides that the electoral votes shall be cast automatically for the winner of each State's popular vote, and that the entire Congress, with each Member voting individually, will—when necessary—determine the President and Vice President.

Here is where the one-man, one-vote theory must be applied—to remove the fears of deals in the Congress. Each Member of the House represents the application of one-man, one-vote elections. Each Member of the House should, then, be given the right to extend the one-man, one-vote theory to its logical conclusion—which is his right to participate in a congressional vote for the Presidency should the automatic electoral college system not produce a winner. The logical conclusion to the one-man, one-vote theory is not, then, found in extending it to the national election of the President.

To benignly presume that direct voting is the only way to purify democracy implies that there should be no "student councils" but total student governments; that there should be no Congress—but total American participation. It is the problem the Greeks faced when they crowded the overflowing citizenry into the decisionmaking arena. The process became impractical and the result chaotic. And to follow the one-man, one-vote argument into the upper house of our national legislative body would eliminate or severely alter the composition of the U.S. Senate. Why should Delaware or Alaska have two Senators and New York and California only two?

Extension of the one-man, one-vote theory to the election of the President totally ignores the problem of voter registration, voter qualifications, and a surveillance of the casting of between 70 to 90 million votes, any of which are likely to be contested if we place this premium on one vote.

Four States provide for voting by citizens under the age of 21—Georgia and Kentucky at 18, Alaska at 19, and Hawaii at 20. Some votes in some States are cast and counted as honestly as possible—but in far too many instances, a vote is a result of a purchase, a deal, a steal, or a calculated miscount. These realities cannot be shirked off in the search for pure democracy when they color and distort the sanctity of the argument for the direct vote.

No one has proposed a reasonable means by which national surveillance of these votes would take place—or how recounts, which would become the order of the day, would be minimized.

The fact that many citizens are presently denied the right to vote is beyond dispute. The incentive, under a direct popular vote for the Presidency, to further deny voting rights in some States, makes the pious position for pure equality by direct voting even more ridiculous.

I wholeheartedly support the position taken by Clarence Mitchell, director of the Washington Bureau of the NAACP, when he testified before the House Judiciary Committee. He stated:

> Such things as abolishing offices sought by Negro candidates, omitting names of registered Negroes from voting lists and disqualifying ballots cast by Negro voters on technical grounds are among the many devices used to restrict voting. Obviously, until the last vestiges of discrimination in voting have been eliminated, we dare not make sweeping changes in our method of electing the President.

I concur in Mr. Mitchell's position and as long as 2½ million black people are denied the right to vote in this country—it is not the extension of democracy but the ultimate in hypocrisy to talk about one man, one vote.

We are dealing in large numbers—167,000 voting precincts in the United States; 3,130 counties in the United States; 50 different sets of State law and 50 different sets of unwritten State practices; and 70 to 90 million citizens whose abilities to cast a meaningful vote within the context of voting in their individual States is so variable as to make this sort of equality an anathema to democracy.

I have stated that urban areas—where political influence is presently so necessary—benefit from the electoral system. This view has been challenged on the nature of Nixon's election. The fact that the American cities did not elect Richard Nixon does not deny the existence of the power those cities and urban States hold. The fact that those cities and those States can elect a President under the electoral college system is where attention on this point must be focused. The fact that they did not elect a Presi-

dent in 1968 is an exception, not the rule. The rule remains that the influence they can exert exists and can be tapped by a candidate who responds to those interests.

The arguments against my position which rest on the Nixon election are further disposed of by the articulate and valid observation of Theodore White who says of the 1968 election:

> No more thoroughly blurred election has occurred in American history since that of 1876. The normal sweeps and surges of voting patterns that bring a President to the White House buttressed by his own House and Senate were totally absent. A nation torn in conscience, divided over war, embittered by race hatreds, presented with three, not the traditional two, candidates, voted in the various states as if each community had a puzzle of three major variables and a dozen local conditions, each state trying to solve the puzzle in its own way.

Undue and misplaced emphasis has been placed on those years 1824, 1876, and 1888, when the loser in the popular vote became the winner by virtue of the electoral vote. Let us put the emphasis where it is due—on the acceptance of those Presidents by the American people, on the ability of the electoral college to come through in times of stress, on the durability of an institution which—in spite of its inhibiting human feature—has served this country well.

In conclusion, the argument is advanced by supporters of direct election that presently, black votes in the South are not counted because of the one-party system. I contend that under the direct vote concept the black vote, even in the North, would never count. Had the direct vote been in effect in 1968, all of the black votes in the country would have been canceled by the 9,800,000 votes received by George Wallace. Recent trends in southern politics also dispute the continued existence of one-party politics. This realinement of politics in the South, promoted and nurtured by the electoral college, is to the advantage of black voters.

For reasons previously and presently stated, I resolve to maintain my opposition to the proposed reform of the electoral college system. I urge other Members of the House of Representatives to give audience and thought to my views.

Mr. CLEVELAND. Mr. Chairman, after much careful thought, I have decided to vote against House Joint Resolution 681, the committee bill providing for the direct election of President and Vice President of the United States. I oppose the resolution as offered by the Committee on the Judiciary.

This decision does not mean that I am opposed to reform. Reform of our presidential election procedure is sorely needed. I have proposed an amendment to the Constitution, which I will describe in a few moments. I am very much for reform.

But the committee bill for direct election is not a reform. It would enact a total transformation of our federal system.

I see the following as among the undesirable, even disastrous, consequences of the direct election plan:

First. A drastic erosion of the federal system.

Second. The end of the two-party system through the encouragement of numerous splinter parties, none of them with a majority, probably all of them tending toward extremism.

Third. Enhanced risk of situations, where there was a very close vote, in which the identity of the President of the United States would be unknown for extended periods because of recounts and obstructive procedures, legal and nonlegal—street riots, for example.

Fourth. The federalization of elections, with the further diminution in the role of the States.

Fifth. By logical extension, the attack on the States could lead to an assault upon the principle that each State has two Senators, regardless of population.

There is a further objection, separate from objections to what I regard as the demerits of the direct election proposal. It was stated very well by the President in his message on electoral reform—February 20. The President said, and I agree:

> I doubt very much that any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our fifty States by 1972.

The small States—and there are more than enough to block ratification—would be most unlikely to approve an amendment which could impair their standing in the sisterhood of States.

Returning to the question of the proposal itself, the gentleman from Missouri (Mr. CLAY) made a strong and impressive statement of opposition—September 9, page 24892, CONGRESSIONAL RECORD. He said, in part:

> The (electoral) college is not an archaic appendix—it cannot be removed without inducing grave problems throughout the entire governmental structure. Much of our system of political balances and alignments has evolved around it, and its sudden removal will create dangerous consequences for all the remaining parts . . . Despite the superficial appeal of direct election, it is of dubious value. . . . The one certain result of direct election would be to lessen the influence of the minorities at a time when their needs are urgent and critical.

These are words worth pondering. Should this amendment as now written be adopted by the Congress and sent to the States, I hope that the words of the gentleman from Missouri are given great weight by those who review the RECORD for the legislatures.

Under a system of direct election, I can foresee a time and a set of circumstances in which some hero would charm the Nation as Caesar charmed Rome and so sweep to power as Caesar did in Rome. For such a man, given the proper crisis, the two-term limitation might well be swept away. And then the sovereign States would find they were anything but sovereign and their people would find they had chosen not a President but a dictator.

It was precisely the fear of such a development that led the Founding Fathers to devise our present system. They all had suffered the bitter experience of tyranny. George Washington himself was strong enough to reject the proposals of some that he assume a crown and royal powers. The founders, in their wisdom and out of their experience, created a special form of government with its built-in checks and balances. In this way they sought to insure that the people's freedom and the people's government would remain in the people's control—even when a majority of them is willing to cede it into the hands of a "temporary" dictator.

The direct election would remove an important check in the system which has served freedom so well in this country.

In my opinion, we would be better off to leave the system untouched than to go to a direct election.

What I would hope is that the House would adopt instead either a proportional plan, which I have proposed, or—not quite as satisfactory, in my opinion—the congressional district electoral plan.

Of the many plans for electoral reform I feel my proportional plan combines the best elements of each.

My proposal would keep the federal system and the electoral concept, but it would do away with the electors.

Each State's electoral vote would be divided among the candidates in the same proportion as the number of popular votes each received in that State.

Under the present system, the candidate who carries a State receives all of that State's electoral votes, even if he wins the popular contest by only one vote. This seems unfair and should be changed. This system discourages voter participation in many States where one party is dominant. Under my system as well as under the District plan, voters would be encouraged to participate because their candidate would receive at least some votes or a fraction of a vote in his national campaign.

Under my plan, the proportional plan, if a presidential candidate received 60 percent of a State's popular vote be would receive 60 percent of its electoral vote. In the case of New Hampshire, which has 4 electoral votes, be would receive 2.4 votes.

To win the election, a candidate would have to receive 40 percent of electoral vote. Otherwise, a runoff would be held between the two candidates receiving the most electoral votes.

My plan retains the federal system which is so important to American traditions and the continued preservation of the Republic. It corrects some of the weaknesses of the present system: it removes the House of Representatives from the electoral picture; it eliminates the potential threat of the "unfaithful elector"—the person chosen by adherents of one candidate who chooses to cast his vote for another.

It would preserve and possibly strengthen the two-party system. Political parties in every State would work harder to turn out the vote, knowing that every man's vote would count.

Mr. Chairman, it is necessary only to shut one's eyes and visualize the chaos in this country that would ensue in the event of a national recount of votes under the direct election plan. We might have

had such a situation in 1960 when only 110,000 votes separated Mr. Kennedy and Mr. Nixon and the total of Mr. Kennedy was less than half the popular vote. The legal challenges and counterchallenges as well as the potential of civil turmoil during the tense and lengthy process of recounting could have been very damaging to our country. Conceivably, a situation could arise where Inauguration Day would come and no one had been certified as President.

The system we have now, is preferable to that. I urge my colleagues to ponder carefully before undertaking to indorse House Joint Resolution 681 as offered by the Committee on the Judiciary.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PRICE of Illinois) having assumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, had come to no resolution thereon.

OUR FRIEND, THE FARMER-RANCHER

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

Mr. MELCHER. Mr. Speaker, I have a friend who is 52 years old, going on 53.

I have a friend who has worked hard, has known drought and wind, and dust, floods and freezes, the depression of the 1930's and the cruel hardships of inflation.

I have a friend who has lived his five decades plus two, and almost three, on the land, who would like to stay there.

I have a friend whose wife and helpmate has worked by his side rearing a family which, for the most part, has left the land for lack of opportunity.

The friend of whom I speak is the friend of all of us in America; he is the friend of all the hungry people of the world; he is the friend of all our basic industries, our rural communities, our cities, and of the transportation industries which link him with the rest of us.

My friend—more correctly, Mr. Speaker, our friend—is the backbone of our economy.

He provides us with an abundance of the finest foods at the lowest real cost ever achieved.

He provides the basis for about 6 million jobs in machinery, chemical, and other supply industries.

He buys $37 billion in production goods and services.

He buys 6.5 million pounds of steel—about 5 percent of our total production.

He buys 360 million pounds of rubber annually—enough to put tires on 7.5 million cars.

He buys $1.6 billion worth of petroleum products, or 11 percent of all sold, more than any other single customer.

He buys $15 billion worth of clothing, drugs, furniture, appliances, and other living items and services.

His products are the basis of processing and marketing industries which provide between 14 and 16 million jobs.

He borrows $25 billion on land, $23.9 billion of operating capital, and another $1.3 billion on stored crops for a total of just under $50 billion.

He pays for all these things at 1969 prices, which are almost exactly 50 per cent higher than they were 20 years ago, when the price index stood at 83.5 compared to 125.0 today.

He sells wheat at 1942 prices.

He sells corn at 1944 prices.

He sells livestock at 1952 prices.

He sells cotton at 1942 prices.

He sells most of his products below actual cost of productions.

He gets only 40 cents of each dollar his customers spend for his products.

The reason, Mr. Speaker, that our friend is 52 and going on 53 years of age is because that his is such a poor business that young men, of necessity, look elsewhere for opportunity.

Our friend on the land is the agricultural producer—the farmers and ranchers of America, whose average age is well past the midway point and whose life of toil with large investment and low returns does not attract young men.

Both my friend and I would prefer to have an economy in which he receives a fair price at the marketplace, but he cannot do so; he cannot survive in this inflated economy without the farm program. Until he has market prices that match costs he needs help to survive.

I have today introduced a bill to permit him to stay on the land, to remain a producer, and, I pray, to reverse the economic trend that drives young men and young families from our farms and ranches. The bill is not a permanent cure but will help the patient survive.

It is a bill to prevent the collapse of the agricultural economy which is so important to all of us.

It is a bill intended to assure Americans food and fiber in abundance at reasonable prices; to assure that we will continue to have $6 billion of agricultural commodities for export and a balance of payments which permits us to trade freely abroad without incurring an excessive balance of trade deficit.

The bill extends and revises several of our commodity programs along lines agreed upon by 17 general farm organizations and commodity groups.

The Agricultural Act of 1965, which is the basis of a number of the commodity programs, expires at the end of next year. The Agriculture Committee is now concluding several weeks of hearings on future farm programs. There are several bills before it.

The farm organizations supporting the bill include the most extensive alliance or coalition of farm organizations since the great depression in the thirties and includes the Grange, the National Association of Wheat Growers, the National Rural Electric Cooperative Association, the National Milk Producers Federation, the National Corn Growers Association, the National Farmers Union, the Midcontinent Farmers Association, the Grain Sorghum Producers Association, the Soybean Growers Association of America, the Pure Milk Products Cooperative, the Pure Milk Association, the Peanut Growers Cooperative Marketing Association, the North Carolina and the Virginia Peanut Growers Association, the National Corn Growers Association, and the National Rice Growers Association. The National Farmers Organization also assures me that it regards the measure as a good bill.

These organizations have testified in the current Agriculture Committee hearings and endorsed the bill, which has been in the process of preparation and drafting during the hearing period.

I find myself in complete agreement with the basic purposes of the measure, which is to raise farm prices toward 100 percent of parity and farm income toward parity with other segments of our society.

The bill authorizes a class I base plan for milk producers, it extends the Wool Act, it extends the cotton program, and the corn and feed grains program with some amendments. It extends the wheat certificate program, and provides for issuance of certificates worth 65 cents per bushel on wheat which goes into export.

It establishes a soybean and flaxseed price support program, and provides for acreage diversion in relation to them when necessary to avoid surpluses.

The measure provides authority for an emergency reserve, or consumer protection reserve, of wheat, feed grains, soybeans, and cotton.

The Agricultural Marketing Agreements Act is extended and broadened to authorize marketing orders in relation to any farm commodity when a majority of the producers request such a marketing order.

The existing cropland adjustment authorizations are extended indefinitely, as is the present rice program legislation.

The bill contains a food-stamp provision identical to the provision in the bill introduced by Chairman POAGE of the Agriculture Committee, extending the act of 1964 permanently, authorizing necessary appropriations, and also authorizing performance of work or other services in lieu of the small minimum cash payments for stamps when the applicant has no money to pay even a minimum amount.

I have no doubt that during committee consideration of the bill there will be constructive suggestions for amendments, including one or two which I am studying myself, but I believe that the proposals contained in this legislation moves farm policy and programs in the right direction and that regardless of all the information and misinformation this Nation is getting about farm program costs, that our farm programs are the biggest bargains that the Government and the people of the United States are buying today.

Farm commodity program costs have been greatly exaggerated. About half of

the budget of the U.S. Department of Agriculture is for consumer services and consumer benefit. It includes consumer inspection work, food stamp, school lunch, forest recreation—many services not related to farm food production.

Without exaggeration, the farm commodity program costs are considerable. It will run about $3.2 billion in this fiscal year.

But what do we get for those expenditures?

We get a reliable food supply at the cheapest real cost to consumers ever achieved by any major nation in the history of the world.

Total food costs in the United States are now running around 17 percent of disposable personal income.

Just after World War II we were spending 25 percent of disposable income for food. In Europe food now costs 28 to 40 percent of income; in Russia it takes about half of a person's earnings to buy food.

If food today cost just 20 percent of disposable income, as it did a few years ago, instead of 17 percent, American housewives would be paying $17 billion a year more for the food items in their grocery carts than they are.

American agriculture is entitled to claim a liberal share of the credit for making consumer savings possible back to the period when food cost 25 percent and even 30 percent of disposable income. But the savings in recent years alone—the $17 billion reduction in the real cost of food since it took 20 percent of income—is more than five times the cost of the price support programs, including wheat, feed grain, cotton, rice, peanut, wool, and every other sort of price support loan or payment.

When $3.2 billion in expenditures will save American citizens $17 billion at the cash registers in the grocery stores of America, we are buying a bargain.

The $17 billion savings is not all we get.

We get the agricultural exports running around $6 billion a year, which I have mentioned.

We get food supplies to use abroad in our Food for Peace efforts to encourage economic development and peace.

We get soil, water, and resources conservation in the agricultural industry with few if any parallels in any other industry in the Nation.

We get the cleanest, more wholesome, and most varied food supplies of any people in the world.

In spite of the bargain agriculture provides us, we find farm program costs under attack—not on a basis of their own worth and effectiveness—but because military costs have skyrocketed with the Vietnam war and other domestic program needs have created great pressures on the Federal budget.

We should not spend dollars unnecessarily on farm programs or any other programs, but I am convinced—not just by the impressive statistics on inadequate farm income which the Department of Agriculture and our House Committee on Agriculture have assembled, but from my personal experience as a veterinarian in a great wheat and meat producing area, that we are driving such a hard bargain with our farmer citizens we may very well see an end to the family farming system which has served us so well.

I am concerned about the small family farmers who have been disappearing from the land and moving into the cities, worsening their problems. I am deeply concerned about "the people left behind"—the poverty stricken in rural areas who were the concern of a recent Commission report with that title.

But I am talking today about the plight of efficient, well-trained, commercial family farmers with adequate land and resources to produce $30,000, $40,000 or more of foodstuffs each year who are going broke at 75 percent of parity prices.

The National Association of Wheat Growers on Tuesday last presented the Agriculture Committee with a study of the income situation of a representative Pacific Northwest wheat producer with a 1,255-acre farm and a gross income in 1968 of $43,581. After taxes and all his costs of production, that wheat producer had $4,983 income to pay family living expenses, send children to college, buy a little household equipment, and pay on the mortgage and other debts, a pittance for the family's labor and management of the farm, or ranch.

Mr. Glenn Hofer of the Wheat Growers also submitted several letters they have received from bankers in agricultural areas describing realistically what farmers are up against.

Dennis R. Utter, vice president and agricultural loan officer of the McCook National Bank of McCook, Nebr., wrote a typical letter. He said:

> The economy of our city is almost entirely dependent upon the agricultural economy in our area. It is then, with a great deal of sincere concern that I write you this letter.
>
> The agricultural population in America is undergoing a period of severe stress in which the survival of the farmer is being challenged. Certainly, during these periods of unfavorable economic conditions for the farmer, not only does the farm suffer, but all people in the rural areas who are dependent upon agriculture for their livelihood. Needless to say, our community and the smaller communities in our area are also experiencing, with the farmer, this unfavorable economic climate. We are witnessing day by day, the financial decline of the independent businessmen in our communities. Many of them are being forced out of business.
>
> Being in a position to keep track of the financial situation of my farm customers, I am deeply concerned that a great many of them cannot endure a continuation of the present agricultural situation. Many farmers, operators of efficient well-managed units, are quitting in desperation and in an attempt to salvage any net worth they may have heretofore accumulated.
>
> Farmers, under the cost-price situation that has prevailed for a number of years, have not been able to earn a rate of return on their investment commensurate with returns earned in other segments of our economy. Now, not only is the rate of return unsatisfactory, we are witnessing a decline of land values in our area. This is particularly true in the dryland wheat areas. Dry cropland of the type that commonly sold for $150.00 to $175.00 per acre in the recent past, is now on the market at $125.00 per acre and there is considerable buyer resistance even at these prices. In the last 12 months, I feel we have experienced as much as a 25 per cent decline in the price of some of the good farm land in our area.
>
> The wheat program for next year calling for another 12 per cent decrease in wheat allotments with no compensation for diversion of cropland or alternative crops to which this additional idle land can be planted is going to add to the already untenable situation for the farmer. It is unrealistic to think that even the most efficient managers can continue to operate under these conditions.
>
> The elimination of the investment credit, steadily rising costs, declining commodity prices further magnify the unsatisfactory conditions. The economic decline in agriculture is exerting increasing economic pressure on all of rural America. It is my sincere hope that the important contribution of agriculture to national economy be recognized and that farm programs and national policies be designed to relieve rather than increase the pressure being exerted on agriculture.

Mr. Speaker, I know that Mr. Utter's letter is factual; the situation of farmers and ranchers and of the communities in my home district duplicates what he describes.

The statistical proof of the serious economic situation of our friends in agriculture can be piled mountain high. But the statistics do not tell the story of deprivation, of family tragedy, of missed educational opportunities, and other social costs which will result from our failure to treat our friends on farms and ranches fairly.

Nor do statistics indicate what the cost of food in America will be if we permit farm commodity production to concentrate so a relatively few integrated food production firms can manage production and prices.

It will be to the long-term benefit of American consumers—the residents of the urban areas of America—to support legislation which treats our farmer and rancher friends fairly, to assure them reasonable returns and a living good enough to attract young people, or the food bargains this Nation now enjoys may be found only in the luxury items departments of our stores.

NEGRO FIRM GETS SHARE OF BELL INSURANCE POLICY

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

Mr. DIGGS. Mr. Speaker, on September 2, the Michigan Bell Telephone Co. turned over more than 20 percent of its life and accidental death benefit insurance to Detroit's black-owned Great Lakes Mutual Life Insurance Co. This $98 million contract represents nearly a fourth of the $400 million life and accidental death coverage for 28,000 telephone employees. This makes Michigan Bell the major account held by Great Lakes Mutual, which is the largest black-owned and operated enterprise in Michigan and one of the Nation's largest black-owned insurance companies.

In making the joint announcement concerning this transaction, Mr. Thad B. Gaillard, C.L.U., president of Great Lakes Mutual said:

Insurance implies confidence and when a company of Michigan Bell's stature gives us responsibility for insuring their employees, I think it supports the idea and the fact of black business more than all the words of encouragement ever could.

Mr. William M. Day, Bell's president, said Gaillard had first approached him for the business about 5 months ago. He further said:

This company met all our performance requirements, and then some. The fact that the company is both local and black makes us that more pleased about our new relationship.

Mr. Speaker, this unprecedented business arrangement is of utmost significance in breathing life into the American concept of equal opportunity. It is this kind of real support of black capitalism that could well be emulated by other enterprises across the country. I trust that subscribers to the RECORD and their elected representatives will encourage such meaningful transactions in their own area. There is nothing in our economic and social system that could not be corrected or improved by affording such opportunities in the mainstream of American free enterprise. The Michigan Bell Telephone Co. should be congratulated for its progressive concepts and the Great Lakes Mutual Insurance Co. is to be highly commended for being prepared to accept such a challenge.

FOR RELIEF OF CLAUDE HANSEN, OF WHITTIER, CALIF.

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

Mr. HOLIFIELD. Mr. Speaker, today I am introducing a bill to provide relief for Mr. Claude Hansen, formerly of Whittier, Calif., in my district, and now residing in Davis, Calif. I have introduced very few private bills in recent years because I believe all avenues of administrative relief should be explored before private legislation is considered. In Mr. Hansen's case I have exhausted all possibilities remedying the unfortunate situation in which Mr. Hansen finds himself through normal channels, and my only recourse at this time is through private legislation.

Mr. Hansen was a career Foreign Service officer. In 1964 while on leave from the State Department he was appointed associate Peace Corps representative in Venezuela and subsequently in 1966 was reassigned to Thailand as Deputy Peace Corps Director. Since the Peace Corps staff members are prohibited from shipping furniture and household effects overseas, Mr. Hansen stored his personal property at Government expense in the Smyth Van & Storage Co. warehouse in Long Beach, Calif., in August 1965, prior to his departure for Venezuela.

On October 12, 1968, all of Mr. Hansen's property was destroyed in a warehouse fire. Because he was unable to obtain any settlement through the State Department or the Peace Corps, he brought his problem to me early this year. I proceeded to make inquiries on his behalf and was informed by the Director of the Peace Corps that Mr. Hansen's claim for reimbursement must be denied because his situation is not covered under Peace Corps regulations. The Military Personnel and Civilian Employees Claims Act of 1964 authorizes the head of an agency to settle and pay such claims. However, I was advised the regulations adopted by the Peace Corps, as authorized by this act, do not cover Mr. Hansen's situation. It is ironic that employees of the State Department who lost property in the same fire have been reimbursed to the full extent of the law. Obviously the State Department regulations are in line with the intent of the Congress in passing this law.

The loss for which Mr. Hansen is seeking reimbursement from the Government is $8,107. My main intent in introducing this bill is to provide relief for my constituent for his loss suffered while in Government service, but I also hope the committee will investigate the Peace Corps regulations which prohibits them from paying this claim to determine if it is in line with the Military Personnel and Civilian Employees Act of 1964.

NATIONAL INDUSTRIAL HYGIENE WEEK

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

Mr. MOORHEAD. Mr. Speaker, I am very pleased to introduce today a resolution—for myself, and the other Members from Allegheny County: Mr. CORBETT, Mr. FULTON, and Mr. GAYDOS—authorizing the President to designate the period beginning October 12 through October 18, 1969, as "National Industrial Hygiene Week."

This resolution was introduced in the other body by the senior Senator from Pennsylvania, the Honorable HUGH SCOTT.

Such a designation would coincide with the 34th annual meeting of the Industrial Hygiene Foundation, located in Pittsburgh's Mellon Institute, thereby giving national recognition to those engaged in protecting and improving the Nation's working force.

The Industrial Hygiene Foundation is an international, nonprofit organization which has a voluntary membership of over 200 of the world's biggest firms, dedicated to the broad spectrum of industrial health and safety.

Since 1935 this foundation has been involved in providing research and standards for health protection for its member companies and for the Nation in problems ranging from air pollution and noises to alcoholism and mental health.

I can think of no better way of honoring the dedicated engineers, chemists, scientists, researchers, and other personnel who have done so much to raise the standards of industrial health and to focus national attention toward solving the problems of occupational health and safety than to have this resolution enacted.

Mr. Speaker, I include a copy of this proposed joint resolution in the RECORD for the information of my colleagues:

H.J. RES. 901

Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week"

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the need to preserve the Nation's primary natural resource—its employed population, and in recognition of those individuals and organizations seeking to protect and improve the health of the Nation's work force through the coordinated scientific measures, technological and engineering controls which characterize industrial hygiene, the President is authorized and requested to issue a proclamation designating the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

CREDIT CARDS

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

Mr. KUYKENDALL. Mr. Speaker, one of the mixed blessings of today's easy credit economy is the credit card—the little 2⅛ by 3⅜-inch pieces of plastic attached by invisible lines to a monster computer somewhere that keeps track of how much you owe to whom.

The card itself is fine. It is rather impressive to pick up a dinner check by waving a Diners Club or Bank Americard at the waiter, and it is convenient to pay your auto expenses at the end of each month, particularly if you need the record for tax purposes as so many of us do today.

It is the computer that has become the fly in the ointment. The computer is not programed to make mistakes, but the people who operate it are as human as anybody, and they can—and do—make mistakes.

I could not operate without credit cards. I took inventory the other day, and found seven different cards in my billfold, and another eight in my desk, not counting spares. They are not only here to stay, they are an important part of our economy.

But over the past several months there has been a growing concern about the collection practices of the credit card companies—particularly when the bill is questioned by the customer. We have heard complaints of harassing and even threatening letters ground out by the computers, blithely ignoring the replies of the customer, even when he insists he has already paid the bill, and sends photostatic evidence to prove it.

I am proposing a resolution today, asking the House Committee on Interstate and Foreign Commerce to authorize an investigation—to take a searching look at the collection methods practiced by these companies, and at the same time inquire into the sending of unsolicited credit cards to large blocks of prospective customers.

Several bills have already been intro-

duced in this session to prohibit the sending of unsolicited credit cards. My position on this is already on record; I oppose these blanket invitations to overspend, and I hope to vote for a bill to outlaw the practice.

The collection picture is less clear. Certainly these companies have every right to collect the amounts owed them.

But the companies do not have the right to browbeat and intimidate their customers. They do not have the right to compound their own errors by threatening to jeopardize a customer's credit reputation while ignoring the customer's attempts to correct the error.

If this practice is as widespread as I have been led to believe, it should be corrected. That is what my resolution would attempt to find out.

FEDERAL ASSISTANCE PROGRAMS

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

Mr. ROTH. Mr. Speaker, today I am inserting in the CONGRESSIONAL RECORD a listing of 1,315 Federal assistance programs, the most complete list ever compiled. This list represents the cornerstone of 4 months of research, and proves that a meaningful catalog of all Federal aid programs can indeed be produced cheaply. Even a brief perusal of some of the 1,315 programs will show one important thing: There are so many programs of a similar nature scattered among diverse agencies and departments, it is a wonder that the potential recipients of Federal aid can ever find their way through the maze of Federal assistance programs.

I respectfully ask my distinguished colleagues: What good does it do to devise and approve an innovative, imaginative program if those the program is intended to help have no central compendium to turn to for guidance? Thousands of administrators, all across the country, have written to me expressing dismay at the confusion they are confronted with in trying to find the right program to solve a particular problem or need.

As a result of my research in this area, I have introduced the Program Information Act, H.R. 338, in this body and S. 60 in the Senate, which would require the President to publish an annual catalog of all Federal aid programs and to update it monthly. Even with these 1,315 programs, I have reason to believe that another 100 to 200 programs exist; this legislation should insure that every single program is reported.

I have gathered meaningful program descriptions for each of these 1,315 programs, including funding information, cross-referencing, application deadlines, and restrictions placed on aid. If legislation pending before the Senate Committee on Rules and Administration is approved, the listing, along with the descriptions, will be printed as a House document.

Let me say this: I do not intend to go into the catalog-making business. I believe the Federal Government has an obligation to make this information available to anyone and everyone who is a potential recipient of Federal assistance—and that means to the people back home, to 203 million Americans. For this reason, I urge action on and passage of the Program Information Act.

The list of 1,315 programs is preceded by a list of the departments and agencies covered, as follows:

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4.394 Health Services Research and Development—Grants and Contracts.
4.395 National Health Statistics Analysis and Technical Assistance.
4.396 Patient Care and Special Health Services—Federal Employee Health.
4.397 Patient Care and Special Health Services—Operation of Hospitals and Clinics.
4.398 Special Health Services—Payments to Hawaii for Leprosy Treatment.

National Institutes of Health

Dental Health Activities

4.401 Dental Auxiliary Utilization Training Grants.
4.402 Dental Health Continuing Education Training Grants.
4.403 Dental Health Fellowships.
4.404 Dental Health Research Grants.
4.405 Dental Health Research Training Grants.

General and Special Research and Services

4.410 Advanced Study in Health Sciences—Fogarty Center Fellowships.
4.411 Advanced Study in Health Sciences—Fogarty Center Research Grants.
4.412 Advanced Study in Health Sciences—Fogarty Center Scholarships.
4.413 Animal Resources.

4.414 Applied Health Research and Training Clinical Center.
4.415 Biomedical Sciences Support.
4.416 General Clinical Research Centers.
4.417 General Research Support Grants.
4.418 Health Sciences Advancement Support.
4.419 Research Resources—Collaborative Research and Development Contracts.
4.420 Research Resources—Fellowships.
4.421 Research Resources — Training Grants.
4.422 Special Research Resources.

Health Education Facilities Construction

4.425 Health Professions.
4.426 Schools of Nursing.

Health Manpower—Institutional Support

4.430 Allied Health Professions Developmental Grants.
4.431 Grants to Schools of Public Health.
4.432 Health Professions Educational Improvement Grants.
4.433 Projects for the Improvement of Nurse Training.
4.434 Projects Grants for Graduate Training in Public Health.

Health Manpower—Requirements and Utilization

4.435 Nursing Research Grants.
4.436 Nursing Research Training Grants.
4.437 Physicians and Allied Health Manpower Training Grants.

Health Manpower—Student Assistance

4.440 Allied Health Professions Advanced Traineeship Grants.
4.441 Allied Health Professions Basic Improvement Grants.
4.442 Health Professions Scholarships.
4.443 Health Professions Student Loans.
4.444 Nursing Fellowships.
4.445 Nursing Scholarships.
4.446 Nursing Student Loans.
4.447 Nursing Traineeships.
4.448 Traineeships for Professional Public Health Personnel.

NIH Institutes

4.450 Allergy and Infectious Diseases—Collaborative R&D Contracts.
4.451 Allergy and Infectious Diseases—Fellowships.
4.452 Allergy and Infectious Diseases—Research Grants.
4.453 Allergy and Infectious Diseases—Training Grants.
4.454 Arthritis and Metabolic Diseases—Collaborative R&D Contracts.
4.455 Arthritis and Metabolic Diseases—Fellowships.
4.456 Arthritis and Metabolic Diseases—Research Grants.
4.457 Arthritis and Metabolic Diseases—Training Grants.
4.458 Cancer Research — Collaborative R&D Contracts.
4.459 Cancer Research—Fellowships.
4.460 Cancer Research—Grants.
4.461 Cancer Research—Training Grants.
4.462 Child Health and Human Development—Collaborative R&D Contracts.
4.463 Child Health and Human Development—Fellowships.
4.464 Child Health and Human Development—Research Grants.
4.465 Child Health and Human Development—Training Grants.
4.466 Dental Research — Collaborative R&D Contracts.
4.467 Dental Research—Fellowships.
4.468 Dental Research—Grants.
4.469 Dental Research—Training Grants.
4.470 Environmental Health Sciences—Fellowship Grants.
4.471 Environmental Health Sciences—Research Grants.
4.472 Environmental Health Sciences—Training Grants.
4.473 Eye Research—Collaborative R&D Contracts.
4.474 Eye Research—Fellowships.
4.475 Eye Research—Grants.
4.476 Eye Research—Training Grants.
4.477 General Medical Sciences—Collaborative R&D Contracts.
4.478 General Medical Sciences—Fellowships.
4.479 General Medical Sciences—Research Grants.
4.480 General Medical Sciences—Training.
4.481 Heart Research—Collaborative R&D Contracts.
4.482 Heart Research—Fellowships.
4.483 Heart Research—Graduate Training Grants.
4.484 Heart Research—Grants.
4.485 Heart Research—Undergraduate Training Grants.
4.486 Neurological Diseases and Stroke—Collaborative R&D Contracts.
4.487 Neurological Diseases and Stroke—Fellowships.
4.488 Neurological Diseases and Stroke—Research Grants.
4.489 Neurological Diseases and Stroke—Training Grants.

National Library of Medicine

4.490 Medical Library Assistance—Library Resources Grants.
4.491 Medical Library Assistance—Publication Support Grants.
4.492 Medical Library Assistance—Regional Medical Library Grants.
4.493 Medical Library Assistance—Research Grants.
4.494 Medical Library Assistance—Special Scientific Projects Grants.
4.495 Medical Library Assistance—Training Grants.

Office of Education

4.501 Civil Rights—Technical Services and Administration.
4.502 Civil Rights—Training for School Personnel and Grants to School Boards.

Education for the Handicapped

4.505 Handicapped Early Childhood Programs.
4.506 Handicapped Innovative Programs—Deaf-Blind Centers.
4.507 Handicapped Physical Education and Recreation Research.
4.508 Handicapped Physical Education and Recreation Training.
4.509 Handicapped Preschool and School Programs.
4.510 Handicapped Research and Demonstration.
4.511 Handicapped Teacher Education.
4.512 Handicapped Teacher Recruitment and Information.
4.513 Media Services and Captioned Films.
4.514 Regional Resource Centers.

Education in Foreign Language and World Affairs

4.520 Education in Foreign Languages and World Affairs—Fellowships.
4.521 Education in Foreign Languages and World Affairs—Language and Area Centers.
4.522 Education in Foreign Languages and World Affairs—Language and Area Research.
4.523 Fulbright-Hays Training Grants Faculty Research-Study Program.
4.524 Fulbright-Hays Training Grants Foreign Curriculum Consultant Program.
4.525 Fulbright-Hays Training Grants Foreign Studies Extension Program.
4.526 Fulbright-Hays Training Grants Graduate Fellowship Program.
4.527 International Education—Centers for Advanced Studies.
4.528 International Education—Undergraduate Programs.
4.529 International Educational Development Program (Foreign).

Education Professions Development

4.530 Educational Classroom Personnel Training—Basic Studies.
4.531 Educational Classroom Personnel Training—Early Childhood.
4.532 Educational Classroom Personnel Training—Special Education.
4.533 Educational Personnel Development Support Personnel.
4.534 Educational Personnel Training Grants—Career Opportunities.
4.535 Educational Staff Training—More Effective School Personnel Utilization.
4.536 Educational Staff Training—Teacher Leadership Development.
4.537 Preschool, Elementary and Secondary Personnel Development—Grants to States.
4.538 Strengthening School Administration—Training Grants.
4.539 Trainers of Teacher Trainers.
4.540 Vocational Education Personnel Training.

Elementary and Secondary Education

4.550 Bilingual Education.
4.551 Dropout Prevention.
4.552 Educationally Deprived Children—Handicapped Children.
4.553 Educationally Deprived Children—Indian Children.
4.554 Educationally Deprived Children in Institutions for the Neglected or Delinquent.
4.555 Educationally Deprived Children—Local Educational Agencies.
4.556 Educationally Deprived Children—Migratory Children.
4.557 Educationally Deprived Children—State Administration.
4.558 Elementary and Secondary Education—Evaluation of Federal Programs.
4.559 Elementary and Secondary Education—State Planning and Evaluation.
4.560 Strengthening State Department of Education—Grants for Special Projects.
4.561 Strengthening State Departments of Education—Grants to States.
4.562 Supplementary Education Centers and Services.

Higher Education

4.570 Agricultural and Mechanical (Land-Grant) Colleges and Universities—Assistance.
4.571 College Teacher Graduate Fellowships.
4.572 Construction of Public Community Colleges and Technical Institutes.
4.573 Higher Education Act Insured Loans—Guaranteed Student Loan Program.
4.574 Higher Education Facilities—State Administration.
4.575 Higher Education Facilities—State Comprehensive Planning.
4.576 Higher Education Personal Development Institutes, Short-Term Training and Special Projects.
4.577 Higher Education Personnel Fellowships.
4.578 Higher Education—Strengthening Developing Institutions.
4.579 Higher Education Work-Study.
4.580 Interest Subsidiation Construction for Higher Education.
4.581 National Defense Education Act Loans to Institutions.
4.582 National Defense Education Act Teacher Cancellations.
4.583 Programs for the Disadvantaged—Special Services in College.
4.584 Programs for the Disadvantaged—Talent Search.
4.585 Programs for the Disadvantaged—Upward Bound.
4.586 Student Aid—Education Opportunity Grants.
4.587 Student Aid—National Defense Education Act Direct Loan Contributions.

Libraries and Community Services

4.590 Acquisition and Cataloging by the Library of Congress.
4.591 Adult Basic Education—Grants to States.
4.592 Adult Basic Education Special Projects.
4.593 Adult Basic Education Teacher Education.
4.594 College Library Resources.
4.595 Construction of Public Libraries.
4.596 Educational Broadcasting Facilities.

4.597 Library Services—Grants for Public Libraries.
4.598 Library Services—Interlibrary Cooperation.
4.599 Library Services—State Institutional Library Services.
4.600 Library Services to the Physically Handicapped.
4.601 Library Training Grants.
4.602 University Community Services—Grants to States.

Miscellaneous

4.610 Appalachian Supplementary Construction Grants.
4.611 Appalachian Vocational Education Construction Grants.
4.612 Children's Television Workshop.
4.613 Civil Defense Education.
4.614 Consultative Services to Non-Federal Agencies.
4.615 Cuban Education—Student Loans.
4.616 Educational Statistics.
4.617 Follow Through
4.618 International Teacher Development—Technical Assistance and Training.
4.619 Manpower Development and Training [Institution Training].
4.620 Menominee Indians.
4.621 Ryukuan Training.
4.622 School Shelter Advisory Service.
4.623 Teacher Exchange.

Research and Training

4.630 Construction for Educational Research.
4.631 Educational Research Dissemination—ERIC System.
4.632 Educational Research—Experimental Schools.
4.633 Educational Research—Major Pilot Projects.
4.634 Educational Research—Statistical Surveys.
4.635 Evaluations Under Cooperative Research Authority.
4.636 National Achievement Study.
4.637 Research and Development Centers.
4.638 Research and Development—Educational Laboratories.
4.639 Research and Development—General Education (Project) Research.
4.640 Research and Development—Library Research.
4.641 Research and Development—Regional Research.
4.642 Research and Training (Special Foreign Currency Program).
4.643 Training in Educational Research.
4.644 Vocational Education Research.

School Assistance in Federally Affected Areas

4.650 Assistance for School Construction on Federal Properties.
4.651 Construction Assistance to Local Educational Agencies.
4.652 Payments to Local Educational Agencies.
4.653 Payments to Other Federal Agencies.

Teacher Corps

4.660 Teacher Corps Operation and Training.

Vocational Education

4.670 Basic Grants to States.
4.671 Consumer and Homemaking.
4.672 Cooperative Education.
4.673 Curriculum Development.
4.674 Innovation.
4.675 Planning and Evaluation.
4.676 State Advisory Councils.

Social and rehabilitation service

Administration on Aging

4.701 Foster Grandparents Service.
4.702 Aging—Grants to States for Community Planning and Services.
4.703 Aging—Research and Development Project Grants.
4.704 Aging—Training Grant Program.
4.705 Social Services to Recipients of Old Age Assistance.

Administrator's Office

4.710 Social and Rehabilitation Service Technical Assistance.

Administrator—Office of Federal-State Relations

4.715—Cuban Refugee Assistance—Education.
4.716 Cuban Refugee Assistance—Health Services.
4.717 Cuban Refugee Assistance—Resettlement.
4.718 Cuban Refugee Assistance—Transportation of Refugees from Cuba.
4.719 Cuban Refugee Assistance—Welfare Assistance Services.

Administrator—Office of Juvenile Delinquency and Youth Development

4.720 Juvenile Delinquency Planning, Prevention, and Rehabilitation.
4.721 Juvenile Delinquency Prevention and Control—Model Programs and Technical Assistance.
4.722 Juvenile Delinquency Prevention and Control—Training.

Administrator—Office of Research, Development and Training

4.725 International Research and Development Support.
4.726 International Research and Training (Special Foreign Currency Program).
4.727 National Center for Deaf Blind Youths and Adults.
4.728 National Center for Social Statistics—Social Statistics Services.
4.729 Public Assistance Demonstration Projects.
4.730 Rehabilitation Research and Demonstration Grant Program.
4.731 Rehabilitation Research and Training Centers (Special Center Program).
4.732 Social Services—Training in Social Work Manpower.
4.733 Social Services Training—Formula Grants in Public Assistance.
4.734 Social Welfare Cooperative Research and Demonstrations—Directed Research.
4.735 Social Welfare Cooperative Research and Demonstrations—Research Grants.

Assistance Payments Administration

4.740 Aid to Families with Dependent Children.
4.741 Aid to the Blind.
4.742 Aid to the Permanently and Totally Disabled.
4.743 Assistance for Repatriated United States Nationals—Mentally Ill.
4.744 Assistance for Repatriated United States Nationals other than Mentally Ill.
4.745 Emergency Welfare Assistance.
4.746 Old-Age Assistance.

Children's Bureau

4.750 Child Welfare Research and Demonstration Grants.
4.751 Child Welfare Services.
4.752 Child Welfare Training.
4.753 Crippled Children's Services.
4.754 Family Planning Projects.
4.755 Intensive Care Projects.
4.756 Maternal and Child Health Research.
4.757 Maternal and Child Health Services.
4.758 Maternal and Child Health Training.
4.759 Maternity and Infant Care Projects.
4.760 Special Projects for Health Care of Children and Youth.
4.761 Social Services to Recipients of Aid to Families with Dependent Children.
4.762 Work Incentive Program—Child Care.

Medical Services Administration

4.765 Medical Assistance.

Rehabilitation Services Administration

4.770 Mental Retardation Community Facilities Construction.
4.771 Mental Retardation Initial Staffing of Community Facilities.
4.772 Mental Retardation Hospital Improvement Program and Inservice Training.
4.773 Mental Retardation Research.
4.774 New Career Opportunities for the Handicapped.
4.775 New Career Opportunities in Vocational Rehabilitation.
4.776 Purchase of Vocational Rehabilitation Services for Social Security Beneficiaries.
4.777 Randolph-Sheppard Vending Stand Program.
4.778 Rehabilitation Service Projects for the Mentally Retarded.
4.779 Rehabilitation Services Expansion—Contracts with Industry.
4.780 Rehabilitation Services Expansion Grants.
4.781 Rehabilitation Services Innovation.
4.782 Rehabilitation Training.
4.783 Social Services to Recipients of Aid to the Blind.
4.784 Social Services to Recipients of Aid to the Permanently and Totally Disabled.
4.785 State Vocational Evaluation and Work Adjustment Program.
4.786 Vocational Rehabilitation—Facility Improvement Grants.
4.787 Vocational Rehabilitation—Initial Staffing.
4.788 Vocational Rehabilitation—Project Improvement Grants.
4.789 Vocational Rehabilitation—Technical Assistance.
4.790 Vocational Rehabilitation—Training Services Grants.
4.791 Vocational Rehabilitation Services—Basic Support.
4.792 Vocational Rehabilitation Services—Construction of Facilities.
4.793 Vocational Rehabilitation Services—Handicapped Migratory Workers.
4.794 Vocational Rehabilitation Services—Program Evaluation.

Social Security Administration

4.801 Consumer Credit Training.
4.802 Federal Credit Union Charter, Examination and Supervision.
4.803 Health Insurance for the Aged—Hospital Insurance.
4.804 Health Insurance for the Aged—Supplementary Medical Insurance.
4.805 Social Security—Disability Insurance.
4.806 Social Security—Retirement Insurance.
4.807 Social Security—Special Benefits for Persons Aged 72 and Over.
4.808 Social Security—Survivor's Insurance.

5. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Housing Administration [Loan or Mortgage Insurance]

[Figure in parenthesis denotes section number of National Housing Act]

5.101 Construction of Nonresidential or Nonfarm Structures (2).
5.102 Construction of Nonresidential Farm Structures (2).
5.103 Property Improvement Loan Insurance—All Structures (2).
5.104 Property Improvement Loan Insurance—Dwellings (2).
5.105 Acquisition by Certified Veterans of Existing 1-Family Houses (203(b)).
5.106 Acquisition by Certified Veterans of New 1-Family Homes (203(b)).
5.107 Acquisition by Other Than Certified Veterans of Existing 1–4 Family Homes (203(b)).
5.108 Acquisition by Other Than Certified Veterans of New 1–4 Family Homes (203(b)).
5.109 Housing for Disaster Victims—Existing (203(h)).
5.110 Housing for Disaster Victims—New (203(h)).
5.111 Existing Homes in Outlying Areas (203(i)).

5.112 New Homes in Outlying Areas (203 (i)).
5.113 Major Home Improvement Loans (203(k)).
5.114 Seasonal Homes (203(m)).
5.115 Mobile Home Courts—Existing (207).
5.116 Mobile Home Courts—New (207).
5.117 Rental Housing—Existing (207).
5.118 Rental Housing—New (207).
5.119 Cooperative Housing—Investor Sponsored Existing Housing (213).
5.120 Cooperative Housing—Investor Sponsored New Housing (213).
5.121 Cooperative Housing—Purchase of Cooperative Unit (213).
5.122 Cooperative Housing—Sales Type Projects (213).
5.123 Cooperative Housing, Management Type—Existing Housing (213).
5.124 Cooperative Housing, Management Type—New (213).
5.125 Cooperative Housing, Management Type—Supplemental Loans (213).
5.126 Urban Renewal Housing—Construction of New Rental Housing (220).
5.127 Urban Renewal Housing—Existing and Rehabilitated Rental (220).
5.128 Urban Renewal Housing—Existing Homes.
5.129 Urban Renewal Housing—New Homes.
5.130 Property Improvement in Urban Renewal, Federally Assisted, or Code Enforcement Area (220(h)).
5.131 Low and Moderate Income—Existing Homes (221(d)(2)).
5.132 Low and Moderate Income—New Homes 221(d)(2)).
5.133 Rental Housing for Low and Moderate Income or Displaced Families—Existing Housing—Below Market Interest Rate (221 (d)(3)).
5.134 Rental Housing for Low and Moderate Income or Displaced Families—New Housing—Below Market Interest Rate (221 (d)(3)).
5.135 Rental Housing for Low or Moderate Income or Displaced Families—Existing Housing—Market Interest Rate (221(d)(3)).
5.136 Rental Housing for Low and Moderate Income or Displaced Families—New Housing—Market Interest Rate (221(d)(3)).
5.137 Rental Housing for Low or Moderate Income or Displaced Families—Existing Housing (221(d)(4)).
5.138 Rental Housing for Low or Moderate Income or Displaced Families—New Housing (221(d)(4)).
5.139 Rehabilitated Housing for Low Income Families (221(h)).
5.140 Conversion of Below Market Rental Housing to Condominium Ownership (221 (i)).
5.141 Conversion of Below Market Rental Housing to Cooperative Ownership (221(j)).
5.142 Homes for Servicemen—Existing (222).
5.143 Homes for Servicemen—New (222).
5.144 Existing Housing in Older Declining Areas (223(e)).
5.145 New Housing in Older Declining Areas (223(e)).
5.146 Rental Housing for the Elderly or Handicapped—Existing (231).
5.147 Rental Housing for the Elderly or Handicapped—New (231).
5.148 Nursing Homes—Existing (232).
5.149 Nursing Homes—New (232).
5.150 Experimental Housing—Existing (233).
5.151 Experimental Housing—New (233).
5.152 Experimental Housing—Existing Rental Housing (233).
5.153 Experimental Housing—New Rental Housing (233).
5.154 Group Medical Facilities—New Construction Involving New Technologies (233).
5.155 Group Medical Facilities—Rehabilitation Involving New Technologies (233).
5.156 Land Development Involving New Technologies (233).
5.157 Condominiums—Construction of New Projects (234).
5.158 Condominiums—Purchase of Existing Unit (234).
5.159 Condominiums—Purchase of New Unit (234).
5.160 Condominiums—Rehabilitated Projects (234).
5.161 Home Ownership for Lower Income Families—Interest Subsidy—Existing (235).
5.162 Home Ownership for Lower Income Families—Interest Subsidy—New Housing (235).
5.163 Home Ownership for Lower Income Families—Purchase and Rehabilitation for Resale with Interest Subsidy Payments (235).
5.164 Rental and Cooperative Housing for Lower Income Families—Interest Reduction Payments—Existing Housing (236).
5.165 Rental and Cooperative Housing for Lower Income Families—Interest Reduction Payments—New Housing (236).
5.166 Home Ownership for Lower Income Families—Special Credit Risks—Existing Homes—Counselling Services (237).
5.167 Home Ownership for Lower Income Families—Special Credit Risks—New Homes—Counselling Services (237).
5.168 Purchase by Home Owners of Fee Simple Title from Lessors (240).
5.169 Supplement Improvement Loans for Rental Housing (241).
5.170 Non profit Hospitals—Existing (242).
5.171 Nonprofit Hospitals—New (242).
5.172 Yield Insurance (Title VII).
5.173 Armed Services, NASA and AEC Housing for Civilian Employees—Existing (809).
5.174 Armed Services, NASA and AEC Housing for Civilian Employees—New (809).
5.175 Armed Services, NASA and AEC Rental Housing (810(f))
5.176 Armed Services, NASA and AEC Housing—Rental Housing for Eventual Sale (810(g)).
5.177 Armed Services, NASA and AEC Housing—Purchase of Housing (810(h)).

Federal Housing Administration

5.178 Land Development and New Communities (Title X).
5.179 Group Practice Medical Facilities—Existing (Title XI).
5.180 Group Practice Medical Facilities—New (Title XI).
5.181 Rent Supplements (101).
5.182 Assistance for Nonprofit Housing Sponsors (106(b)).
5.183 Rental Housing for the Elderly and Handicapped—Loans (202).

Federal Insurance Administration

5.201 Flood Insurance.
5.202 Urban Property Protection and Reinsurance.

Government National Mortgage Association GNMA (Ginnie May)

5.301 Guaranty of Mortgage-Backed Securities.
5.302 Special Assistance to Housing.

Housing and Renewal Assistance

Housing Assistance Administration

5.401 Alaska Housing—Loans and Grants.
5.402 American Indians—Public Housing.
5.403 College Housing—Loans or Grants.
5.404 Home Ownership Under the Public Housing Program.
5.405 Leased Housing for Low Income Families.
5.406 Low-Rent Public Housing Program —Loans and Annual Contributions—New Construction.
5.407 Public Housing—Acquisition and Rehabilitation.
5.408 Public Housing Tenant Services—Grants.
5.409 "Turnkey"—Low Rent Public Housing.

Renewal Assistance Administration

5.451 Code Enforcement.
5.452 Community Renewal.
5.453 Demolition Grants.
5.454 Interim Assistance for Blighted Areas—Grants.
5.455 Neighborhood Development.
5.456 Neighborhood Facilities Grants.
5.457 Rehabilitation Grants.
5.458 Rehabilitation Loans.
5.459 Urban Beautification and Improvement.
5.460 Urban Parks (Open Space Developed Land).
5.461 Urban Renewal.

Metropolitan Development

Community Resources Development Administration

5.501 Advance Acquisition of Land—Grants.
5.502 Basic Water and Sewer Facilities—Grants.
5.503 Historic Preservation Grants.
5.504 New Communities—Guarantees and Supplementary Grants.
5.505 Open Space Land Acquisition and Development—Grants.
5.506 Public Facility Loans.
5.507 Public Works Planning—Advances.
5.508 Urban Systems Engineering Demonstrations—Grants.

Office of Planning Standards

5.510 Planned Areawide Development Grants.

Office of Urban Transportation Development and Liaison

5.521 Urban Mass Transportation Research and Training Grants.
5.522 Urban Mass Transportation Research, Development and Demonstration Grants.
5.523 Urban Mass Transportation Technical Studies Grants.

Urban Management Assistance Administration

5.531 Community Development Training Grants.
5.532 Comprehensive Planning Assistance Grants.
5.533 Fellowships for City Planning and Urban Studies.
5.534 Urban Information and Technical Assistance Grants.

Model Cities

5.601 Model Cities Program.

Office of Equal Opportunity in Housing

5.701 Equal Opportunity in Housing.

Office of Research and Technology

5.801 General Housing and Technology.
5.802 Low-Income Housing Demonstration Program.
5.803 Urban Planning Research and Demonstration Program.
5.804 Urban Renewal Demonstration Program.

Miscellaneous

5.901 Relocation Assistance.

6. DEPARTMENT OF THE INTERIOR

Bureau of Commercial Fisheries

6.100 Anadromous Fisheries Program.
6.102 Commercial Fisheries Research and Development Program.
6.103 Fisherman's Protective Act of 1967.
6.104 Fishing Vessel Construction Differential Subsidy Program.
6.105 Fishing Vessel Mortgage and Loan Insurance Program.
6.106 Graduate Educational Grant Program.
6.107 Jellyfish Act of 1965.

Bureau of Indian Affairs

6.200 Adult Education Courses.
6.201 Agricultural Extension.
6.202 Aids to Tribes in Improving Their Governments.

6.203 **Assistance to Pupils in Non-Federal Schools.**
6.204 **Child Welfare Services.**
6.205 **Construction of Buildings and Utilities.**
6.206 Contracts for Community Development.
6.207 Credit and Financing.
6.208 Education of Indian Children in Federal Schools
6.209 Employment Assistance.
6.210 Forestry Management and Development.
6.211 General Assistance.
6.212 Higher Education Programs.
6.213 Housing Development.
6.214 Housing Improvement.
6.215 Indian Irrigation.
6.216 Industrial and Tourism Development.
6.217 Maintenance of Law and Order.
6.218 Management and Investment of Indian Trust Funds.
6.219 Management of Trust Property.
6.220 Outdoor Recreation.
6.221 Protection from Forest Fire, Disease, and Pests.
6.222 Range Lands Management.
6.223 Roads Construction and Maintenance.
6.224 Soil and Moisture Conservation.
6.225 Tribal Accounting Services.

Bureau of Land Management

6.300 Payments to Qualified States and Counties from Money Received from Grazing Permits, Timber Sales, Mineral Royalties, and Sale of Public Lands.
6.301 Real Property for Public Parks, Public Recreational Areas, and Public Purposes.
6.302 Real Property for Residential, Commercial, Agricultural, Industrial or Public Uses or Development.

Bureau of Mines

6.350 Appalachian Regional Development Program for Mining Areas.
6.351 Control of Fires in Coal Deposits.
6.352 Grants and Contracts for Research Related to the Mineral Program.
6.353 Inspections, Investigations, and Rescue Work.
6.354 Solid Waste Research: Grants and Contracts.

Bureau of Outdoor Recreation

6.400 Grants to States for Outdoor Recreation Planning, Property Acquisition, and Development.
6.401 Outdoor Recreation Technical Assistance.

Bureau of Reclamation

6.450 Atmospheric Water Resources.
6.451 Distribution Systems Loans Act.
6.452 Federal Reclamation Project.
6.453 Rehabilitation and Betterment Act.
6.454 Small Reclamation Projects Act Loans.

Bureau of Sport Fisheries and Wildlife

6.500 Anadromous Fish.
6.501 Animal Damage Control.
6.502 Construction: Sportfish Facilities.
6.503 Farm Fish Pond Management.
6.504 Federal Aid in Fish Restoration.
6.505 Federal Aid in Wildlife Restoration.
6.506 Fish Stocking in State and Indian-Owned Waters.
6.507 Management and Investigations of Fish and Wildlife Resources.
6.508 National Wildlife Refuge Fund: Payments to Counties.
6.509 Wildlife Management Assistance.

Federal Water Pollution Control Administration

6.550 FWPCA Training Courses.
6.551 Grants for Comprehensive Basin Planning.
6.552 Grants for Waste Treatment Works Construction.
6.553 Research, Demonstration, and Development Grants and Contracts.
6.554 State and Interstate Agency Program Grants.
6.555 State and Local Manpower Development.
6.556 Training Grants and Research Fellowships.

Geological Survey

6.600 Geologic and Mineral Resource Surveys and Mapping.
6.601 Map Information.
6.602 Minerals Discovery Loans.
6.603 U.S. Department of Interior Library System.
6.604 Topographic Surveys and Mapping.
6.605 Water Resources Investigations.

National Park Service

6.650 Archeological Investigations and Salvage.
6.651 The National Register.
6.652 Travel Promotion in the United States.

Office of Coal Research

6.700 Research and Development for the Office of Coal Research.

Office of Saline Water

6.750 Saline Water Conversion.

Office of Territories

6.800 Grants to American Samoa.
6.801 Grants to Trust Territory of the Pacific Islands.
6.802 Guam Rehabilitation.

Office of Water Resources Research

6.850 Additional Water Research.
6.851 Annual Allotment Program for Water Research.
6.852 Matching Grants for Water Research.
6.853 Water Research Scientific Information Center.

7. DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs

7.01 BNDD National Training Center.
7.02 BNDD Regional Seminars.
7.03 Drug Abuse Prevention.
7.04 Drug Abuse Prevention Research.
7.05 Laboratory Services.

Civil Rights Division

7.10 Criminal Laws Prohibiting Interference with Rights.
7.11 Desegregation of Public Facilities.
7.12 Desegregation of Public Schools.
7.13 Equal Employment Opportunity.
7.14 Fair Housing.
7.15 Nondiscrimination in Federally Assisted Programs.
7.16 Protection of Voting Rights.
7.17 Relief Against Discrimination in Places of Public Accommodation.

Community Relations Service

7.20 Community Relations Field Service.

Federal Bureau of Investigation

7.30 FBI Field Police Training.
7.31 FBI Identification Service.
7.32 FBI Laboratory Service.
7.33 FBI National Academy.
7.34 National Crime Information Center (NCIC).
7.35 Uniform Crime Reporting Program.

Immigration and Naturalization Service

7.40 Citizenship Education and Information.

Law Enforcement Assistance Administration

7.50 Academic Assistance Grants.
7.51 Discretionary Action Grants for Law Enforcement Improvement.
7.52 National Institute of Law Enforcement and Criminal Justice.
7.53 Planning Grants for Law Enforcement Improvement.
7.54 Statutory Action Grants for Law Enforcement Improvement.

8. DEPARTMENT OF LABOR

Bureau of Labor Statistics

8.01 Foreign Labor and Trade.
8.02 Manpower and Employment Statistics.
8.03 Price and Living Conditions.
8.04 Productivity, Technology and Growth.
8.05 Wages and Industrial Relations.

Labor-Management Services Administration

8.10 Administration of the Labor-Management Reporting and Disclosure Act.
8.11 Administration of the Welfare and Pension Plans Disclosure Act.
8.12 Labor-Management Relations Assistance.
8.13 Veterans' Reemployment Rights.

Manpower Administration

Office of the Manpower Administrator

8.20 Cooperative Area Manpower Planning System.
8.21 Joint Labor-Commerce Study of Construction Seasonality.
8.22 Experimental and Demonstration Projects.
8.23 Labor Mobility Demonstration Projects.
8.24 Manpower Research Contracts.
8.25 Manpower Research Grants.
8.26 Office of Federal Contract Compliance.
8.27 Trainee Placement Assistance Demonstration Projects.

Bureau of Apprenticeship and Training

8.30 Apprenticeship Information Centers.

Unemployment Insurance Service

8.35 Unemployment Insurance.

U.S. Training and Employment Service

8.40 Automotive Products Trade Act (APTA).
8.41 Certification of Foreign Workers for Temporary Seasonal Agricultural Employment in the United States.
8.42 Concentrated Employment (CEP).
8.43 Employment Assistance Programs.
8.44 Employment Services in Agriculture, Woods and Related Industries.
8.45 Employment Services in Seasonal Agricultural Employment to High School and College Youth, Reservation Indians, Puerto Ricans, and Employers.
8.46 Exemplary Rehabilitation Certificates.
8.47 Federal Registration of Interstate Farm Labor Contractors.
8.48 Human Resources Development.
8.49 Immigration Program—Labor Certification for Immigrant and Non-Immigrant Workers (Non-Agricultural).
8.50 Job Corps.
8.51 Job Counseling and Employment Placement Service for Veterans.
8.52 Job Opportunities in the Business Sector (JOBS).
8.53 Manpower Development and Training Act—Institutional Training.
8.54 Manpower Development and Training Act— On-the-Job Training.
8.55 Neighborhood Youth Corps—In-School Program.
8.56 Neighborhood Youth Corps—Out-of-School Program.
8.57 Neighborhood Youth Corps—Summer Program.
8.58 New Careers.
8.59 Occupational Training in Redevelopment Areas.
8.60 Operation Mainstream.
8.61 Smaller Communities Program.
8.62 Special Impact Program.
8.63 Title V—State Supplements.
8.64 Work Incentive Program (WIN).

Wage and Labor Standards Administration

8.70 Advancement of Women's Employment Opportunities and Status.

8.71 Age Discrimination in Employment.
8.72 Equal Employment Opportunity.
8.73 Labor Standards—Technical Assistance.
8.74 Longshoremen's and Harbor Workers' Compensation Act.
8.75 Minimum Wage and Hour Standards.
8.76 Occupational Safety.
8.77 Workmen's Compensation for Federal Employees.
8.78 Workmen's Compensation for Private Employees.

9. POST OFFICE DEPARTMENT

9.1 Establishment of Post Offices.
9.2 Philatelic Sales.
9.3 Postal Patron Service.

10. DEPARTMENT OF STATE

10.01 AID Central Research.
10.02 AID Institutional Grants.
10.03 American Specialists.
10.04 Catalog of Investment Information and Opportunities.
10.05 Contracts and Consultant Program.
10.06 Cultural Presentations.
10.07 Dollar Loans to Private Borrowers.
10.08 Educational Exchange—Graduate Students.
10.09 Educational Exchange—Professors and Research Scholars.
10.10 Educational Exchange—Teachers.
10.11 Extended Risk Guarantees.
10.12 Housing Guaranty Program—Africa.
10.13 Housing Guaranty Program—East Asia.
10.14 Housing Guaranty Program—Latin America.
10.15 Investment Survey.
10.16 Local Currency (Cooley) Loans.
10.17 Peace Corps.
10.18 Peace Corps Research.
10.19 Settlement of Claims of Nationals of the United States Against Foreign Governments Which Are Valid Under Principles of International Law.
10.20 Specific Risk Investment Insurance.

11. DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

11.01 Aviation Education.
11.02 Federal-Aid Airport Program (FAAP).

Federal Highway Administration

11.10 Federal-Aid Highway Construction.
11.11 Forest Highway Program.
11.12 Highway Beautification Control of Junkyards.
11.13 Highway Beautification Control of Outdoor Advertising.
11.14 Highway Beautification Landscaping and Scenic Enhancement.
11.15 Highway Planning and Research.
11.16 Highway Safety—Alcohol in Relation to Highway Safety.
11.17 Highway Safety—Codes and Laws.
11.18 Highway Safety—Debris Hazard Control and Cleanup.
11.19 Highway Safety—Driver Education.
11.20 Highway Safety—Driver Licensing.
11.21 Highway Safety—Emergency Medical Services.
11.22 Highway Safety—Highway Design, Construction and Maintenance.
11.23 Highway Safety—Identification and Surveillance of Accident Locations.
11.24 Highway Safety—Motor Vehicle Registration.
11.25 Highway Safety—Motorcycle Safety.
11.26 Highway Safety—Pedestrian Safety.
11.27 Highway Safety—Periodic Motor Vehicle Inspection.
11.28 Highway Safety—Police Traffic Services.
11.29 Highway Safety—Traffic Control Devices.
11.30 Highway Safety—Traffic Courts.
11.31 Highway Safety—Traffic Records.
11.32 Public Lands Highways.
11.33 Traffic and Highway Safety.

Federal Railroad Administration

11.40 High Speed Ground Transportation Research and Development.

Office of Environmental and Urban Programs Coordination

11.45 Environment and Urban Systems.

Office of Hazardous Materials

11.50 Hazardous Materials Special Permits.
11.51 Safety Training Seminars.

Office of Noise Abatement

11.55 Noise Abatement

Office of Pipeline Safety

11.60 Waiver of Compliance.

U.S. Coast Guard

11.70 Cooperative Oceanographic Activities and Student Shipboard Opportunity.
11.71 Domestic Icebreaking.
11.72 Search and Rescue.
11.73 U.S. Coast Guard Auxiliary.

Urban Mass Transportation Administration

11.80 Grants for Managerial Training Fellowships in Urban Mass Transportation.
11.81 Grants for University Research and Training in Urban Mass Transportation.
11.82 Grants for Urban Mass Transportation Technical Studies.
11.83 Urban Mass Transportation Capital Grants and Loans.
11.84 Urban Mass Transportation Research, Development and Demonstration.

12. DEPARTMENT OF THE TREASURY

Internal Revenue Service

Alcohol, Tobacco, and Firearms Division
12.01 Basic Investigator School.
12.02 Developing Instructional Materials.
12.03 Instructors for State and Local Police Academies.
12.04 Laboratory Services.

Taxpayer Service Branch
12.05 Taxpayer Service.

Training Division
12.06 Adult Taxpayer Education Programs.
12.07 Federal Tax Institutes.
12.08 Teaching Taxes Program.

U.S. Secret Service

12.10 Lectures on Detection of Counterfeit Currency.
12.11 Lectures on Secret Service Responsibilities.
12.12 Questioned Document School.

13. ADVISORY COMMITTEE ON INTERGOVERNMENTAL RELATIONS

13.1 Intergovernmental Relations Advisory Service.

14. APPALACHIAN REGIONAL COMMISSION

14.01 Appalachian Demonstration Health Projects.
14.02 Appalachian Development Highway System and Access Roads.
14.03 Appalachian Housing Fund.
14.04 Appalachian Land Stabilization, Conservation, and Erosion Control.
14.05 Appalachian Local Development Districts and Research and Demonstration Projects.
14.06 Appalachian Mining Area Restoration.
14.07 Appalachian Sewage Treatment Works Program.
14.08 Appalachian Supplements to Federal Grants-in-Aid.
14.09 Appalachian Timber Development.
14.10 Appalachian Vocational Education Facilities.
14.11 Appalachian Water Resources Survey.

15. ATOMIC ENERGY COMMISSION

15.01 AEC Postdoctoral Fellowships.
15.02 AEC Special Fellowships in Health Physics.
15.03 AEC Special Fellowships in Nuclear Medicine.
15.04 AEC Special Fellowships in Nuclear Science and Engineering.
15.05 Faculty Training Institutes for College Science Teachers.
15.06. Faculty Training Institutes for High School Teachers.
15.07 Laboratory Graduate Fellowships.
15.08 Licenses for Nuclear Materials and Facilities.
15.09 Licenses for Use of U.S. AEC Patents.
15.10 Nuclear Materials and Services.
15.11 Nuclear Science Lecture Demonstrations for High Schools.
15.12 Nuclear Science Literature, Exhibits, and Films.
15.13 Nuclear Training Equipment Grants.
15.14 Radiation Control Training Assistance.
15.15 Sale of Nuclear Materials, Isotopes, and Uranium Enrichment Services.
15.16 Support of Research and Development in Nuclear Science and Technology.
15.17 Traineeships for Graduate Students in Nuclear Science and Engineering.

16. CIVIL AERONAUTICS BOARD

16.1 Consumer Complaints.
16.2 Community Relations.
16.3 Subsidy Support of Air Service.

17. COASTAL PLAINS REGIONAL COMMISSION

17.1 Technical Assistance and Supplemental Grants.

18. CORPORATION FOR PUBLIC BROADCASTING

18.1 CPB American Fellowships Abroad.
18.2 CPB Career Fellowships.

19. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

19.1 Assistance to State and Local Fair Employment Agencies.
19.2 Job Discrimination — Investigation and Conciliation of Complaints.
19.3 Public Information Reports on Job Discrimination.
19.4 Technical Assistance.

20. EXPORT-IMPORT BANK OF THE UNITED STATES

20.01 Direct Credits.
20.02 Export Credit Discount Program.
20.03 Export Credit Insurance and Commercial Bank Guarantee Program.
20.04 Guarantees for Foreign Financial Institutions.
20.05 Relending Credits Program.

21. FEDERAL COMMUNICATIONS COMMISSION

21.1 Information and Complaints.

22. FEDERAL MARITIME COMMISSION

22.1 Adjudication for Formal Complaints and Investigations.
22.2 Assistance from the Federal Maritime Commission in the Resolution of Informal Complaints Relating to U.S. Domestic Offshore Commerce.
22.3 Assistance from the Federal Maritime Commission in the Resolution of Informal Complaints Relating to U.S. Foreign Commerce.
22.4 Comprehensive Studies of the Transportation Systems of Alaska, Puerto Rico, and Hawaii.
22.5 Conciliation Service.
22.6 Procedure for the Adjudication of Small Claims.
22.7 Refund or Waiver of Part of Ocean Freight Charges.

23. FEDERAL MEDIATION AND CONCILIATION SERVICE

23.1 Mediation and Conciliation Service.

24. FEDERAL POWER COMMISSION

24.1 Connection of Electric Power Service.
24.2 Connection of Natural Gas Service.
24.3 Hydroelectric Regulation Affecting Land and Water Resources Development.

24.4 Natural Gas Industry Regulation Affecting Environment and Land Use.
24.5 Wholesale Electrical Rate Regulation.
24.6 Wholesale Natural Gas Rate Regulation.

25. FEDERAL TRADE COMMISSION

25.1 Consumer Protection.
25.2 Enforcement of the Wool, Fur, Textile, and Flammable Fabrics Acts.
25.3 Restraint of Trade.

26. FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

26.1 Bulgarian Claims.
26.2 China Claims.
26.3 Cuban Claims.
26.4 Italian Claims.
26.5 Rumanian Claims.

27. FOUR CORNERS REGIONAL COMMISSION

27.1 Technical Assistance and Supplemental Grants.

28. GENERAL SERVICES ADMINISTRATION

28.01 Audiovisual Support Services.
28.02 Business Services.
28.03 Disposal of Federal Surplus Real Property.
28.04 Donation of Federal Surplus Personal Property.
28.05 National Archives Reference Services.
28.06 National Historical Sources Grants.
28.07 Sale of Federal Surplus Personal Property.

29. GOVERNMENT PRINTING OFFICE

29.1 Government Publications—Depository Library Distribution.
29.2 Government Publications—Sale to the Public.

30. INTER-AGENCY COMMITTEE ON MEXICAN AMERICAN AFFAIRS

30.1 Inter-Agency Committee on Mexican American Affairs.

31. INTERSTATE COMMERCE COMMISSION

31.1 Cooperative Enforcement Agreements with States.
31.2 Investigation of Complaints.

32. LIBRARY OF CONGRESS

32.1 Copyright Service.
32.2 Distribution of Library of Congress Catalog Cards.
32.3 Division for the Blind and the Physically Handicapped.
32.4 Photoduplication Service.
32.5 Publications.
32.6 Reference and Bibliographic Service.
32.7 Research and Referral Services in Science and Technology.

33. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

33.1 Sustaining University Program, Research.
33.2 Sustaining University Program, Training.
33.3 Technology Utilization Program.

34. NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

National Endowment for the Arts

34.01 Architecture and Design.
34.02 Dance.
34.03 Education.
34.04 Literature.
34.05 Music.
34.06 Public Media.
34.07 State and Community Operations.
34.08 Theater.
34.09 Visual Arts.

National Endowment for the Humanities

34.20 Education.
34.21 Faculty Development.
34.22 Public Program.
34.23 Research.
34.24 Senior Fellowships.
34.25 Summer Stipends for Younger Humanities.
34.26 Younger Humanists Fellowships.

35. NATIONAL GALLERY OF ART

35.1 Answering of Mail Inquiries.
35.2 Expert Opinion Service.
35.3 Extension Service.
35.4 Publications Service Mail Orders.
35.5 Research Project.
35.6 Scholarships.

36. NATIONAL LABOR RELATIONS BOARD

36.1 Labor-Management Relations.

37. NATIONAL MEDIATION BOARD

37.1 Settlement of Disputes Between Railroad and Airline Carriers and Their Employees.

38. NATIONAL SCIENCE FOUNDATION

Combined scientific research and education

38.01 Computer Science Program.
38.02 Computing Activities—Education and Training.
38.03 Computing Activities—Special Projects.
38.04 Institutional Computing Services.
38.05 Sea Grant Institutional Support.
38.06 Sea Grant Project Support.

Institutional science

38.10 College Science Improvement Programs.
38.11 Departmental Science Development.
38.12 Graduate Science Facilities.
38.13 Institutional Grants for Science.
38.14 University Science Development.

International science

38.20 International Science Exchanges.
38.21 International Travel Grants.
38.22 Science Education Improvement Program in India.
38.23 Science Education Support Program—World-Wide.
38.24 United States-India Exchange of Scientists and Engineers.
38.25 United States-Italy Cooperative Program in Science.
38.26 United States-Japan Cooperative Science Program.

Science education—College teacher

38.30 Academic Year Institutes for College Teachers.
38.31 In-Service Seminars for College Teachers.
38.32 Research Participation for College Teachers.
38.33 Short Courses for College Teachers.
38.34 Summer Institutes for College Teachers.

Science education—Fellowships and traineeships

38.35 Graduate Fellowships.
38.36 Graduate Traineeships.
38.37 NATO Postdoctoral Fellowships in Science.
38.38 NATO Senior Fellowships in Science.
38.39 Postdoctoral Fellowships.
38.40 Science Faculty Fellowships.
38.41 Senior Postdoctoral Fellowships.
38.42 Summer Traineeships for Graduate Teaching Assistants.

Science education—Graduate education

38.45 Advanced Science Seminar Projects.
38.46 NATO Advanced Study Institute Participant Grants.
38.47 Senior Foreign Scientist Program.
38.48 Special Projects in Graduate Education.

Science education—Precollege education

38.50 Cooperative College-School Science.
38.51 Precollege Course Content Improvement.
38.52 Special Projects in Precollege Science Education.
38.53 Student Science Training Program.

Science education—Secondary school teachers

38.55 Academic Year Institutes for Secondary School Teachers.
38.56 In-Service Institutes for Secondary School Teachers.
38.57 Summer Institutes and Conferences for Secondary School Teachers.

Science education—Undergraduate education

38.60 Instructional Scientific Equipment.
38.61 Pre-Service Teacher Education.
38.62 Special Projects in Undergraduate Science Education.
38.63 Undergraduate Research Participation
38.64 Undergraduate Science Curriculum Improvement.
38.65 Visiting Scientists (Colleges).

Science information

38.66 Office of Science Information Services—Domestic Science Information.
38.67 Office of Science Information Services—Foreign Science Information.
38.68 Office of Science Information Services—Information Services.
38.69 Office of Science Information Services—Information Systems.
38.70 Office of Science Information Services—Research and Studies.
38.71 Office of Science Information Service—Special Projects.
38.72 Public Understanding of Science Projects.
38.73 Scientific Conference Grants.

Science planning and policy

38.75 State and Local Intergovernmental Science Policy Planning.
38.76 University Science Planning and Policy.

Scientific research—National research Centers

38.80 Cerro Tololo Inter-American Observatory.
38.81 Kitt Peak National Observatory.
38.82 National Center for Atmospheric Research.
38.83 National Radio Astronomy Observatory.

Scientific research—Project support

38.85 Doctoral Dissertation Research in the Social Sciences.
38.86 Engineering Research Initiation Grants.
38.87 Global Atmospheric Research.
38.88 International Biological Program.
38.89 Ocean Sediment Coring Program.
38.90 Scientific Research Projects in the Biological and Medical Sciences.
38.91 Scientific Research Projects in Engineering.
38.92 Scientific Research Projects in Environmental Sciences.
38.93 Scientific Research Grants in the Mathematical and Physical Sciences.
38.94 Scientific Research Grants in the Social Sciences.
38.95 U.S. Antarctic Research.
38.96 Weather Modification Research.

Scientific research—Facilities and equipment

38.98 Specialized Research Facilities and Equipment in the Mathematical, Physical, Biological, Engineering, and Social Sciences.

39. NEW ENGLAND REGIONAL COMMISSION

39.1 Technical Assistance and Supplemental Grants.

40. OFFICE OF ECONOMIC OPPORTUNITY

40.01 Community Action Program.
40.02 Community Action Programs—Comprehensive Health Service.
40.03 Community Action Programs—Emergency Food and Medical Services.
40.04 Community Action Program—Family Planning.
40.05 Community Action Program—Senior Opportunities and Services.
40.06 Federal Information Exchange System.
40.07 Legal Services.
40.08 Migrant and Seasonal Farm Workers Assistance.

40.09 Training and Technical Assistance.
40.10 Volunteers in Service to America (VISTA).

41. OFFICE OF EMERGENCY PREPAREDNESS

41.1 Continuity of Government.
41.2 Federal Disaster Relief.
41.3 Telecommunications Management.

42. OFFICE OF INTERGOVERNMENTAL RELATIONS

42.1 Intergovernmental Relations and Liaison.

43. OZARKS REGIONAL COMMISSION

43.1 Technical Assistance and Supplemental Grants.

44. PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWS

44.1 White House Fellows.

45. PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS

45.1 Consumer Interest.

46. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

46.1 Employment of the Handicapped.

47. PRESIDENT'S COUNCIL ON PHYSICAL FITNESS AND SPORTS

47.1 Adult Industrial Fitness Program.
47.2 Institutes on Executive and Employee Fitness.
47.3 National Summer Youth Sports Program.
47.4 Physical Fitness Clinics.
47.5 Physical Fitness Demonstration Center Schools.
47.6 Presidential Physical Fitness Award.

48. PRESIDENT'S COUNCIL ON YOUTH OPPORTUNITY

48.1 Youth Opportunity.

49. RAILROAD RETIREMENT BOARD

49.1 Railroad Retirement and Railroad Supplemental Annuity Programs.
49.2 Railroad Unemployment and Sickness Insurance.

50. SECURITIES AND EXCHANGE COMMISSION

50.1 Investor Protection.

51. SMALL BUSINESS ADMINISTRATION

51.01 Certificate of Competency.
51.02 Direct Business Loans.
51.03 Displaced Business Loans.
51.04 Economic Injury Disaster Loans.
51.05 Economic Opportunity Loans.
51.06 Guaranteed Business Loans.
51.07 Lease Guarantee Program.
51.08 Local Development Company Loans.
51.09 Minority Enterprise Program—"Operation Business Mainstream".
51.10 Participation Business Loans.
51.11 Physical Disaster Loans.
51.12 Pool Loans.
51.13 Prime Contracts Assistance.
51.14 Product Disaster Loans.
51.15 Property Sales and Material Shortages.
51.16 Renewal Assistance Administration—Nonresidential Rehabilitation Loans.
51.17 Research Projects Under Contracts.
51.18 Section 406 Grants.
51.19 Small Business Act, Section 8(a) Implementation to Help Reduce the Number of Hard-Core Unemployed.
51.20 Small Business Counselling Program, Including SCORE.
51.21 Small Business Defense Production and Research and Development Pooling.
51.22 Small Business Investment Company Program—Debentures.
51.23 Small Business Investment Company Program—Licensing.
51.24 Small Business Management Publications Program.
51.25 Small Business Management Training Program.
51.26 Small Business Subcontracting Program.
51.27 Small Business Technology Utilization.
51.28 State Development Company Loans.
51.29 Trade Adjustment Loans.

52. SMITHSONIAN INSTITUTION

52.00A Introduction to the Smithsonian Institution.
52.01 Center for Short-lived Phenomena.
52.02 Chesapeake Bay Center for Field Biology.
52.03 Educational Services, Elementary and Secondary Education.
52.04 Exchange of Animals.
52.05 Freer Gallery of Art—Authentification and repair of Oriental Objects of Finch.
52.06 Freer Gallery of Art—Grants for Oriental Studies.
52.07 Freer Gallery of Art—Translation of Oriental Language Inscriptions.
52.08 Information—Educational Leaflets on Care of Wildlife in Captivity.
52.09 Information Systems Division.
52.10 International Exchange Service.
52.11 National Museum Act Programs.
52.12 Programs in Higher Education and Research Training.
52.13 Public Affairs.
52.14 Publications.
52.15 Registral Programs.
52.16 Science Information Exchange.
52.17 Smithsonian Foreign Currency Program.
52.18 Smithsonian Institution Libraries Program.
52.19 Smithsonian Institution Traveling Exhibition Service.
52.20 Smithsonian Oceanographic Sorting Center.
52.21 Smithsonian Tropical Research Institute.
52.22 The Smithsonian Associates.
52.23 Visiting Research Appointments in Astrophysics, Geodesy, Meteorites, and Space Sciences.

53. TENNESSEE VALLEY AUTHORITY

53.01 Adjustment to Local Flood Hazards—Tennessee River Basin.
53.02 Agricultural and Chemical Development.
53.03 Cooperative Valley Development.
53.04 Electricity Supply and Utilization—Tennessee Valley Region.
53.05 Forestry, Fish, and Wildlife—Tennessee River Basin.
53.06 Industrial Development—Tennessee Valley Region.
53.07 Industrial Development—Tennessee Valley Region (Related to Electricity Supply and Utilization—No. 53.04).
53.08 Land Between the Lakes.
53.09 Local Planning Assistance—Tennessee Valley Region.
53.10 Mineral Resource Development—Tennessee Valley Region.
53.11 Multiple-Purpose Water Resource Development—Tennessee River Basin (Surveys and Studies for River Development).
53.12 Navigation Development and Waterway Transportation—Tennessee River Basin.
53.13 Recreation Development—Tennessee River Basin.
53.14 Regional Water Quality Management—Tennessee River Basin.
53.15 Topographic and Navigation Mapping—Tennessee Valley Region.
53.16 Tributary Area Development—Tennessee River Basin.

54. U.S. ARMS CONTROL AND DISARMAMENT AGENCY

54.1 Arms Control External Research.

55. U.S. CIVIL SERVICE COMMISSION

55.1 Employment in the Federal Service.
55.2 Employment of the Handicapped.
55.3 Employment of Vietnam Era Veterans.
55.4 The President's Stay-In-School Campaign.
55.5 Summer Employment for Students.
55.6 Veteran Preference in Federal Employment.

56. U.S. COMMISSION ON CIVIL RIGHTS

56.1 Clearinghouse Services.

57. U.S. INFORMATION AGENCY

57.1 International Fairs and Exhibitions (Special International Exhibitions).

58. UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

58.1 U.S.-Mexico Border Development and Friendship.

59. U.S. TARIFF COMMISSION

59.1 Trade Adjustment Assistance.

60. UPPER GREAT LAKES REGIONAL COMMISSION

60.1 Technical Assistance and Supplemental Grants.

61. VETERANS' ADMINISTRATION

Department of medicine and surgery

61.01 Construction of Medical Facilities.
61.02 Construction of State Facilities for Nursing Home Care to Veterans.
61.03 Exchange of Medical Information.
61.04 Medical and Allied Health Services Training.
61.05. Medical Research in Veterans' Administration.
61.06 Postgraduate and Inservice Training.
61.07 Prosthetics Research.
61.08 Rehabilitation of Blind Veterans.
61.09 State Home Program.
61.10 State Nursing Home Care.
61.11 Veterans' Community Nursing Home Care.
61.12 Veterans' Domiciliary Program.
61.13 Veterans' Hospitalization.
61.14 Veterans' Medical Care (Republic of the Philippines).
61.15 Veterans' Nursing Home Care.
61.16 Veterans' Outpatient Services.
61.17 Veterans' Prescription Service.
61.18 Veterans' Prosthetic Appliances.

Department of Veterans' benefits

61.50 Automobiles for Disabled Veterans.
61.51 Burial Benefits.
61.52 Compensation for Service-Connected Death.
61.53 Compensation for Service-Connected Disability.
61.54 Dependency and Indemnity Compensation for Service-Connected Death.
61.55 Furnishing Burial Flags for Interment of Deceased Veterans.
61.56 Guardianship Service for Veterans and their Dependents.
61.57 National Service Life Insurance.
61.58 Pension for Nonservice-Connected Disability.
61.59 Pensions to Widows and Children.
61.60 Relocation Housing for Aged or Families Displaced by Urban Renewal.
61.61 Service-Disabled Veterans Insurance.
61.62 Servicemen's Group Life Insurance.
61.63 Soldiers' and Sailors' Civil Relief.
61.64 Specially Adapted Housing for Disabled Veterans.
61.65 United States Government Life Insurance.
61.66 United States Veterans Assistance Centers.
61.67 Veterans' Direct Home Loans.
61.68 Veterans' Educational Assistance.
61.69 Veterans' Guaranteed or Insured Business Loans.
61.70 Veterans' Guaranteed or Insured Farm Loans.
61.71 Veterans' Guaranteed or Insured Home Loans.
61.72 Veterans' Information and Assistance (Contact Program).
61.73 Veterans' Insurance and Indemnities.
61.74 Veterans' Reopened Insurance.
61.75 Veterans' Special Life Insurance.
61.76 Vocational Rehabilitation.
61.77 War Orphans' and Widows' Educational Assistance.

62. WATER RESOURCES COUNCIL

62.1 Council Responsibilities.
62.2 Grant to States for Comprehensive Water and Related Land Resources Planning.
62.3 River Basin Commissions.

INTEGRATED SCHOOLS ARE FOR OTHERS

(Mr. DICKINSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include an editorial appearing in today's Chicago Tribune.)

Mr. DICKINSON. Mr. Speaker, the matter referred to is as follows:

INTEGRATED SCHOOLS ARE FOR OTHERS

Nick Thimmesch of Newsday reports in his syndicated Washington column that "liberal" officials and politicians in the capital who demand severe punishment of the southern states for refusing to integrate public schools send their own children to private schools or all-white suburban schools in Maryland and Virginia.

Sen. George McGovern (D., S.D.), who yields only to Sen. Edward M. Kennedy (D., Mass.) as a liberal and offers himself as a better Democratic candidate for President, has two children in the Maryland public schools, for whom he pays annual tuition of $1,014 each. Sen. Kennedy himself, Sen. Charles Percy (R., Ill.), Sen. Birch Bayh (D., Ind.), Sen. Eugene McCarthy (D., Minn.), Sen. William Proxmire (D., Wis.), Sen. Clifford Case (R., N.J.), Sen Abraham Ribicoff (D., Conn.), and Sen. Charles Goodell (R., N.Y.), all liberals of purest ray serene, have either sent or are sending their children to high-priced private schools.

Atty. Gen. John N. Mitchell says Negro and white children should attend school together, but his 9-year-old daughter goes to Stony Ridge Country Day school in Virginia. Vice President Spiro Agnew's daughter attends the private National Cathedral school in Washington. Robert Finch, secretary of health, education, and welfare, whose heart bleeds for children in segregated schools, sends his own to a public school in white suburban Virginia. The justice department lawyers who have threatened to resign, because the Nixon administration was not forcing schools in the south to integrate rapidly enough, also live in the suburbs, where their children are denied the privilege of attending racially mixed public schools.

Even Justice Thurgood Marshall, the only Negro on the Supreme court, and James Farmer, the Negro assistant secretary of health, education, and welfare, have sent their children to private schools.

The liberal proponents of racially mixed schools for other people's children all say they send their own to private or white suburban schools because they want them to get the best possible education. This is a natural and laudable desire, but, while sending their own children to schools of their choice, they loudly condemn the "freedom of choice" principle in the south as a subterfuge to perpetuate segregation. The United States Commission on Civil Rights, headed by the Rev. Theodore M. Hesburgh, president of Notre Dame university, condemned the Nixon administration for what it called "a major retreat" on integration, including Secretary Finch's failure to come out against a "freedom of choice" amendment until the House had passed it.

When the Supreme court ruled in 1954 that racial segregation in the public schools is unconstitutional, the school population of Washington was equally divided between Negro and white children. Now it is 94 percent Negro, because the whites, including the liberals who lauded the Supreme court's decision, have moved to the suburbs of Maryland and Virginia. If the same trend in other big cities continues, only a few integrated schools on the fringes of the black slums will be left and the only whites attending them will be children of working class families too poor to move to the suburbs.

The liberal integrationists cannot be unaware of the obvious effects of their policy. Apparently they feel that integration is good for the yahoos of the south and the ethnic groups of the north but not for themselves.

A MODEL FOR CONSUMER PROTECTION

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, consumer education graduation exercises were held Wednesday evening, September 3, at Howard University Law School for a very unique course of instruction. People were given diplomas for lessons in living. Certificates were given to a number of low-income consumers who have spent the summer learning how to buy on credit, how to deal with door-to-door salesmen, how, generally, to manage their small financial resources to avoid the squeeze of imprudent spending or exploitative selling practices.

Why do I call such courses "lessons in living"? To quote the Neighborhood Consumer Information Center (NCIC), which set up the education programs, "in the low-income consumer market, consumer exploitation is not considered as a problem, but a way of life."

It is vital, then, that such programs be developed and continued, not only in the District of Columbia, but throughout the country.

However, although the need is rapidly being recognized by the States in setting up consumer offices, and the Congress in holding hearings on Department of Consumer Affairs, there are few truly effective organizations which have been created.

It is my belief that the NCIC is such an effective organization and much can be learned from its operations. It is a model of what a comprehensive, innovative consumer protection program should be, engaging in summer education activities, research, information and investigation of complaints.

It covers not only legal remedies but stresses buyer awareness and understanding in the wisdom that self-help is the consumer's protection. And it has involved the community with its grass roots support.

Staffed by over 50 students from Howard University School of Law, NCIC's community roots are very real: its offices are within the neighborhood, and it employs students who live with and are familiar with neighborhood problems.

NCIC approached the problems by designing a mechanism to apply direct pressure to unscrupulous merchants as a short-range remedy, and to pursue the establishment of a new market as an alternative or long-range remedy. To accomplish its objectives, NCIC has divided itself into three specialized operations: field, research and public relations departments.

The field department is responsible for the administration of immediate relief. After a complaint has been phoned in, a staff member actually visits the complainant's home to evaluate evidence. If a letter to the merchant is ineffective, the staff refers the case to the neighborhood legal services project.

Pending the response of the merchant, the stores involved are visited to obtain data on sale, credit, financing, repossession, and garnishment practices to ascertain the exact nature of abuses.

The field department also conducts consumer education classes, as I first described. These classes are recruited from community establishments, such as schools, churches, welfare organizations, block clubs, etc. Classes have averaged 30 pupils per week. The pupils are community aides who spend their time visiting families in the Shaw area of Washington. The classes have been very popular for their realistic, informal discussions.

The public relations department is NCIC's community-awareness component. A weekly publication entitled "Buyer Beware," consisting of cartoon of a situation depicting an exploitative practice, has been an innovative response to the discovery that simple materials were needed to insure community comprehension. Likewise, radio and television media spots resulted in an exceptionally strong reaction from the low-income clientele.

Finally, a research department has been established to analyze all available remedies and develop alternative solutions. The research staff has found it necessary to simplify many Government pamphlets, high school texts, and general consumer education articles. Also, it examined the effectiveness of buying clubs and cooperative markets.

In short, then, the NCIC has covered the field from A to Z, recognizing all the facets of the consumer problem and providing innovative techniques. My able colleague, Congressman BOB ECKHARDT placed a highly informative report written by the NCIC in the CONGRESSIONAL RECORD of July 10, 1969, on page 19201. The report explains in detail the structure I have outlined. It also presents a penetrating analysis of existing and proposed consumer remedies and I recommend that it be carefully read by all concerned with consumer protection.

Let me say I find there is so much to be learned from this organization that I am dismayed to learn that it has not been supported more fully by either the District of Columbia government or national organizations concerned with consumer protection.

An unfortunate tangle of legal, administrative, and budgetary conditions has left the promising District of Columbia Consumer Protection Regulations, passed in January 1969, in a state of paralysis and has prevented the emergence of the proposed Office of Consumer Affairs—so vital to developing a

full protection program. The District of Columbia Department of Economic Development tells me it has a backlog of 353 license applications being held up by a recent judicial decision on the truth-in-lending legislation, and there are presently no funds for the Office of Consumer Affairs. Surely, the District of Columbia Government should leap to engage the services of the NCIC, to fill the void and provide the basis for future development in this area, if it is really serious about helping the low-income community.

In the case of national organizations, the potential involved in the NCIC program seems so great, that a failure to examine carefully what these bright law students have done in the ghetto community in a positive fashion, in a time when American society seems only to conceive of these problems negatively, would be a lost opportunity of tragic proportions.

THE CONSUMER PROTECTION ACT OF 1969

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from New Jersey (Mrs. DWYER) is recognized for 5 minutes.

Mrs. DWYER. Mr. Speaker, I have today introduced the Consumer Protection Act of 1969, H.R. 13793.

This is a comprehensive effort to establish within the executive branch of the Government the necessary organizational structure, on a statutory basis, to assure that the interests of American consumers will be vigorously represented and protected.

It is the product of several months of research, study, and consultation. While I am hopeful the bill can be significantly improved as a result of committee and House consideration of the measure—and I invite the suggestions and comments of our colleagues and other interested parties—I am convinced that the basic approach of the bill, the establishment of a permanent Office of Consumer Affairs in the Executive Office of the President with a broader mandate and increased authority, offers the best hope of providing for effective consumer protection. As such, I believe it is superior to the proposal for a Cabinet-level Department of Consumer Affairs.

There is no easy way to protect consumers. Advances in technology and marketing, and the proliferation of consumer products and services have made the consumer's right to quality and safety more difficult to assure. Without help, few consumers have access to the information needed to make knowledgeable decisions.

The 33 Federal departments and agencies which now operate hundreds of consumer-protection programs badly need to be strengthened, coordinated, and designed to help consumers.

A Cabinet-level Department of Consumer Affairs, despite its laudable purposes, would not accomplish this. It would only complicate—indeed, weaken—the Government's task of protecting consumers.

Consumer interests are too varied to be centralized in a single department. Such a department could neither encompass all consumer protection activities nor coordinate those left in other agencies. By removing some activities from existing agencies, it would further separate the consumer from decisions which affect him. It would reduce other agencies' interest in consumers, and establish an expensive new bureaucracy.

To be meaningful, protection must be exerted at the point of decision—not outside. The consumer's interest in reasonably priced air travel, for example, can best be advanced within the Civil Aeronautics Board.

The better alternative would be to emphasize agencies' consumer mindedness, strengthen their effectiveness on behalf of consumers, and provide new leadership and coordination at the White House level. My own consumer protection program would:

First. Create a permanent Office of Consumer Affairs within the Executive Office of the President, to coordinate Federal consumer protection activities, serve as a clearinghouse for complaints, publish Government consumer information, and upgrade consumer rights.

Second. Require all departments and agencies having consumer protection functions to consider specifically the consumer interest in all such proceedings; and in all decisions, rulings, regulations, and other actions to state fully the consequences for consumers.

Third. Authorize the Bureau of Standards and similar Federal agencies to make public the results of their testing and use of consumer products.

No simplistic solution, such as a Department of Consumer Affairs, can substitute for the day-to-day job of protecting consumers wherever and whenever their rights and interests are involved.

In brief, it makes more sense to me to strengthen consumer protection where consumer decisions are being made, and to do this in the two places which count most: the agency which makes the day-to-day decision, and the White House where basic policy is established and where the necessary leadership and coordination can be exercised.

It would solve nothing to force agencies with consumer responsibilities to give them up or transfer them or downgrade them. They need to be improved. And, at the same time, consumers need one central place in the executive branch entrusted with the sole function of protecting, speaking for, representing, and listening to consumers.

The Office is to be located in the White House and headed by a Director who shall be appointed by the President and confirmed by the Senate. In contrast to existing operating departments and agencies, the Office is not to be responsible for administering substantive programs which are intended to benefit specific recipients. Nor is it intended to act as a law enforcement type unit. Rather, the Office is designed to perform as the eyes and ears of the consuming public—as a consumer ombudsman in a sense—to oversee operations of other Federal departments and agencies in order that the interests of the consuming public are considered and safeguarded.

In carrying out its duties and responsibilities, the Office shall:

First, coordinate Federal programs and activities relating to consumers and resolve differences arising among departments and agencies with respect to such programs and activities;

Second, assure that the interests of consumers are timely presented and considered by Federal departments and agencies in the formulation of policies and in the operations of programs that may affect consumer interests;

Third, receive, evaluate, and transmit complaints concerning actions or practices which may be detrimental to the consumer interest;

Fourth, represent the interests of consumers in proceedings before Federal departments and agencies;

Fifth, develop and disseminate information from Federal departments and agencies and other public and private sources which would be of benefit to consumers, including test results and product analyses;

Sixth, conduct hearings, conferences, surveys, and investigations;

Seventh, establish offices in major population centers to receive complaints, render assistance, and disseminate information;

Eighth, encourage, support, and coordinate research leading to improved products, services, and information;

Ninth, encourage, initiate, and participate in consumer education programs;

Tenth, cooperate with and assist State and local governments in the promotion and protection of consumer interest; and

Eleventh, cooperate with and assist private enterprise in the promotion and protection of consumer interests.

From the above list, it will be seen that the leading function granted to the Office is that of coordinating programs and activities affecting the consumer interest which are conducted by Federal departments and agencies.

I recognize the widely held axiom that to the extent an organization commands wealth and forces to that extent it can make its weight felt successfully. For this reason many believe that OEO was never equipped to carry out the coordination functions conferred upon it under the poverty laws. This may well be true. But, I am of the opinion than an agency of Government can effectively carry out its mandate through the use of expert communications so long as the support of the Chief Executive is behind it. Large budgets and legions of civil servants are unnecessary so long as an agency has the go-ahead to spotlight improper conditions and the backing to crack heads together to correct abuses or mismanagement. For that matter, judging by the operations of many existing departments and agencies with their bloated budgets, excess personnel rosters, and redtape jungles, the chances of an agency, such as the proposed Office of Consumer Affairs, succeeding in effectively overseeing and coordinating other units of the Government may depend primarily on its being kept lean and hungry.

Intimately related to this point is the issue whether the Office should be charged with the duty of itself administering consumer protection laws. In this regard,

legislation has been proposed which would create a Department of Consumer Affairs and which would have transferred to it many consumer regulatory functions presently being administered by other existing departments and agencies. While long in the forefront of those advocating increased consumer protection laws and strengthened organization within the Federal Government, I do not believe that the creation of such a departmental arrangement is the most desirable or effective method of safeguarding the consumer.

Thirty-three or more departments and agencies of the Federal Government are charged with the responsibility of administering 400 or more consumer protection laws. Obviously these units cannot be placed together in one package.

What would most likely result, therefore, would be a Department of Consumer Affairs concentrating primarily on those consumer matters within its jurisdiction while ignoring or feuding with other departments or agencies which are administering related or potentially conflicting laws. In addition, a significant failure in the effective administration of existing consumer protection laws has been the too cozy arrangement that develops between the agency and the recipient. The same could likely occur in the case of a Department of Consumer Affairs. Finally, as indicated above, the blowing up of a consumer protection organization to department size, with the large budgets, staffs, and programs to administer, could spell the downfall of dynamic administration.

Ralph Nader, in my opinion, aptly listed the reasons against the creation of a Department of Consumer Affairs when he stated:

> I do not find persuasive . . . the depositing of various regulatory functions including the transfer of several consumer laws from other departments and agencies to the proposed Department. Giving the Department of Consumer Affairs such a regulatory role would (a) simply refocus the entire lobbying environment on the Department; (b) weaken the Department's strong advocate role because it would have to referee between competing interests in its administrative hearings and rule-making roles; (c) further lighten any public interest burdens from other Departments and regulatory agencies and (d) generate needless opposition to any Department by established agencies apprehensive of losing their programs. To be effective, a consumer agency must not have anything to give to industry or commerce, as it most assuredly would if it had a regulatory role. Having something to give would attract the same forces that undermined or controlled other agencies. The thrust of a consumer agency, in my judgment, is to assist in the reform of other agencies to perform in the public interest, not to progressively relieve them of that horizon in their deliberations.

To reiterate, the major role of the Office of Consumer Affairs would be to act as the public's ombudsman for consumer interests. The Office would be charged with the duty of carefully observing the operations of departments and agencies as they relate to protecting consumer interests, measuring and evaluating performance, directing the means for improved coordination, settling disputes and differences that may arise, and in all ways urging the units of Government on to improved performance in the consumer area.

A key measure that the Office will have to carry out its responsibility is the authority given it in section 6 of the bill to receive consumer complaints. This provision authorizes the receipt of complaints from any source disclosing a probable violation of first, any law of the United States, second, any rule or order of any administrative officer or regulatory agency of the United States, or third, any judgment, decree, or order of any court of the United States. Upon receipt of a complaint falling under one of the above categories, the Office shall transmit it for appropriate action to the department or agency charged with the duty of enforcing the law, rule, order, judgment, or decree, together with such other pertinent information as the Office has received or developed on its own motion.

The Office is also charged with receiving complaints from any source disclosing the existence of commercial or trade practices detrimental to the interests of consumers which are not otherwise included in the above category of legal or administrative violations. In this category, the Office shall transmit such a complaint, together with other information received or developed on its own motion, to the department or agency which, in the Office's judgment, possesses the most effective means to terminate the detrimental practice.

Under both categories of complaints, the Office is required to exercise the specific responsibility of pursuing the action taken by the departments or agenices to which the complaints were referred. Far more than the general authority to evaluate, coordinate, and oversee the activities of departments and agencies in their consumer-related activities, this authority to receive, refer and follow up on complaints will, in my opinion, enable the Office, if it is dynamic and dedicated, to ride herd effectively over the operating units of the Federal Government to assure that the interests of the consuming public are adequately protected.

Of equal importance to the Office in discharging its responsibilities to the consuming public is the authority granted in section 5 directing the Office to represent consumers in nonadjudicatory matters or proceedings before departments and agencies where the Director determines that the interests of consumers may be substantially affected. Where adjudicatory matters or proceedings are involved and in cases pending in Federal courts, the Office is authorized to present evidence and information to such bodies in those instances where the Director determines that the interests of consumers may be substantially affected. Such information and evidence shall also be presented when requested by the Federal officer or employee charged with presenting the case before the department, agency or court.

Hundreds of thousands—perhaps millions—of decisions are made each year by the multitude of departments and agencies of the Federal Government—not to mention those handed down in the judicial branch. A large percentage of these decisions affect the interests of consumers in every conceivable way—some quite substantially. Yet, in all too many cases the interests of consumers, taken in the broad context, are not directly considered. All too frequently, these interests are ignored to the serious detriment of the consuming public. Worse, yet, the Congress has enacted a fairly large number of consumer protection laws in recent years which have not been adequately enforced or perhaps even ignored in all but lipwork.

How tragic this can be. Lives have been lost, serious injuries have resulted, and futures have been destroyed because of failures of Federal departments and agencies to enforce existing laws.

The Food and Drug Administration is charged with assuring the public that the drugs it administers and the food it consumes are safe, efficacious, and wholesome. Recent investigations have disclosed all too readily, however, how little this assurance of protection means. Drugs are allowed or permitted to stay on the market which are seriously detrimental to health, which are clearly ineffective, or which have not undergone adequate premarket testing to warrant scientific judgment either way. Foods and cosmetics are similarly allowed to be sold to the public which are clearly deleterious to health.

The responsibility for authorizing the marketing of pesticides has been given to the Agricultural Research Service of the Department of Agriculture. In spite of clear warnings of danger from the Public Health Service and its disregard of evidence of deaths attributable to the products, this agency of Government has permitted the continued marketing of dangerous pesticide products in places and under conditions of grave danger or death to innocent victims, especially children.

The Federal Housing Administration is directed to develop standards for the improvement of housing structures, including those relating to safety features. In theory, at least, no homes could be sold under FHA financing or guarantees unless prescribed safety standards are met. Yet, until very recently, the FHA had deliberately permitted homes to be built, containing nonsafety glass doors and panels, even though they had been made aware of thousands of persons—largely young children—who have met death yearly by crashing through these unseen obstacles.

Over 50,000 lives are lost and hundreds of thousands of individuals are seriously injured each year as a result of automobile accidents. Who knows how many lives could be spared and injuries avoided if cars and trucks were more safely built and tires more adequately constructed. Laws exist on the books to guard against these safety hazards, but evidence clearly points to less than an adequate enforcement.

These are just a few of the areas where the consuming public believes, I presume, that it is receiving protection from the Federal Government in the goods it buys, products it consumes or uses, information it relies upon, services it utilizes, air

it breathes, clothes it wears, or food or water it consumes. Yet we know from actual experience that the public may be in greater danger of being defrauded or injured today than in years past for the simple reason that they have the illusion that they are being protected where, in fact, such is not the case.

In the case of radiation hazards, transportation safety, flammable clothing and toys, product safety, false advertising, credit practices, electric power and telephone reliability, air and water pollution, free trade and open competition, insurance, and many more vital areas of life—in addition to those mentioned above—the level of Government protection is generally so minimal that the public might be almost better protected if it were placed on guard by an announced return to the philosophy of "let the buyer beware."

I say almost because I am not ready to give up and permit trade and commerce to return to the law of the jungle. The last sensible hope, in my opinion, may be the creation and effective operation of a consumer protection organization such as I am proposing in this legislation.

In authorizing the Office of Consumer Affairs to receive and follow up on complaints concerning violations of laws or administrative practices and in directing the Office to represent consumer interests before departments and agencies, I have the hope that the status quo can be shaken up and the interests of consumers in fact protected. I should also stress that, in taking these and other actions, the Office is not required to sit back and wait for complaints to be submitted or to exist at the mercy of others. It is fully authorized to conduct hearings, conferences, surveys, oral investigations; obtain data from departments and agencies, and tap the knowledge and educational resources of those outside the Federal Government.

To these I have sought to include certain additional arrows in the consumer protection quiver. One is the requirement in section 4(2) that the Office is to assure that the interests of consumers are timely presented and considered by the appropriate levels of Government in the formulation of policies and in the operation of programs affecting the consumer interest. In direct support of this functional commandment is the requirement set down in section 8 which directs each department and agency, in taking action affecting the interests of consumers, to indicate concisely by way of public announcement the nature and extent to which the consumer interest was considered and the basis upon which the action taken was consistent with such interest.

In a similar vein, the National Bureau of Standards—the Federal Government's expert testing agency—is authorized to conduct product safety, performance, and reliability tests for private business which request such services and which are willing to underwrite the costs. No businessman is required to present a product for testing. It is hoped, however, that businesses who have confidence in the quality of their products and who support the maintenance of high standards of craftsmanship will utilize such testing services in order to advertise the results and thus, perhaps, gain an honest, fair, competitive advantage. I am particularly hopeful that small business will seek to utilize this service and that consumers will come to look for and rely upon results announced pursuant to NBS tests. Admittedly, large businesses will also have equal access to such testing services and I hope they, too, will fully utilize this benefit offered to them. But, since businesses with heavy financial resources behind them can heavily outadvertise small businesses, regardless of product quality, it is my belief that the existence of a source of accurate, unbiased, publicly available information on a product will enable small businesses at least somewhat to balance the scales, competitively.

Closely tied in with the above is the authority given to the Office of Consumer Affairs to collect information and data from other departments and agencies, including test results and product analyses, and to publish such data in the most effective manner possible, including an easily understandable and readily available periodical. Besides test results that would be made available pursuant to the above authority extended to the Bureau of Standards, the General Services Administration, and the Department of Defense—along with other departments and agencies—regularly test thousands of products to determine if they measure up to advertised quality. Here exists a gold mine of accurate and unbiased information to which the consuming public has a clear right of access. Much other data and information also is produced or acquired annually within the Government which, if properly digested, and clearly presented, can make better consumers out of us all. The publication of these tests results and other data could dramatically improve the buying habits and satisfaction of each American.

While dwelling on means of encouraging Americans to become more sophisticated and informed buyers, let me emphasize that my greatest hope and expectation is that enactment of this legislation will assist those of limited means to extend their resources farther and to purchase those items which will return the greatest benefit to them.

The poor, in too many cases, pay more. There is no question about that. But that is not the worst circumstance. What is far more serious and unsettling is that they frequently pay more for inferior quality. That is intolerable and I do believe this proposed legislation can go far in overcoming such abuse.

Finally, in addition to authorizing the Office of Consumer Affairs to encourage, support, and coordinate research; encourage, initiate, and participate in consumer education programs; and assume the functions of the National Commission of Product Safety when it would otherwise expire, the legislation provides for the establishment of a Consumer Advisory Council to advise the Director generally on matters relating to the consumer interest and to review and evaluate the effectiveness of Federal programs and operations relating to the consumer interest. In respect to the latter, the Advisory Council is specifically directed to examine into the administration of existing consumer protection laws, recommend the enactment of new legislation, determine the effectiveness of program coordination, ascertain to what extent departments and agencies are considering the consumer interest in discharging their responsibilities, review the extent to which adequate attention is being devoted by the Federal Government to consumer problems of the poor, see whether adequate information is available for the making of intelligent consumer decisions, and determine whether existing consumer protection agencies are adequate or whether new ones should be established such as a new Consumer Protection Division within the Department of Justice.

I fully recognize the general deficiency that has existed in the past in the operations of or benefit from advisory groups. The same high hopes and dismal failure may ensue here. I do believe, however, that satisfactory, if not brilliant, administrative accomplishment requires watchers watching the watchers. This may sound wasteful and it may appear Orwellian, but the nature of man, at least in the field of public administration, appears to need the stick as well as the carrot. The Advisory Council, proposed in the bill, will be effective, of course, only if the President and the Director want it to work. That is true to an even greater extent of the entire legislative package. But, by specifying that the Council is to be composed of individuals who possess a demonstrated ability to exercise independent, informed, and critical judgment and who are to be chosen from widely diverse groups—business, labor, consumer, et cetera—I believe the prestige, pride, and reputation of such individuals will encourage, if not guarantee, successful oversight and wise counseling.

In closing, Mr. Speaker, let me sound the warning that our society is in serious danger of splintering apart. Whether it is reaction to war, overcrowding, environmental pollution, undue affluence, dashed expectations of the poor in a world of opulence, or some unknown social or psychological factors, I am unable to determine. But, there is a pronounced stirring. It may be the beginning of a more honest, safer, and sounder world. Or, it may spell the beginnings of disaster. It is our duty to contribute and work toward the former. That we can do by making certain that the consumer interests of the public—what they eat, wear, breathe, drink, or otherwise use or consume in their daily lives—is safe, sound, fair, reasonable, wholesome, and honest. This is a duty that rests upon each and every one of us.

Businessmen may, upon initial reaction, feel that this bill is directed against them. I can assure them that it is not—provided they are striving to guard against fraud and work toward safe and quality products. Most are. Those who are not, however, should be made to suffer the consquences. I believe in the free

enterprise system. From my years in Government, I have certainly come to the conclusion that the Government cannot solve many of our basic problems. Therefore, I am dedicated to strengthening this system. The surest way that I know to do it, is to retain or restore the public's confidence in it. The surest way to undermine it, is to destroy confidence.

I am most hopeful, then, that the business community will support this legislation in the same forceful manner I ask the consuming public, labor, and other groups to do the same. We must put a stop to the present drain upon society as a result of inadequate consumer protection. Enactment of this legislation can lead the way.

Mr. Speaker, I include as a part of my remarks the text of my Consumer Protection Act of 1969:

H.R. 13793

A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of the interests of consumers, to coordinate Federal programs and activities affecting consumers, to assure that the interests of consumers are timely presented and considered by Federal agencies, to represent the interests of consumers before Federal agencies, and to serve as a clearinghouse for consumer information; to establish a Consumer Advisory Council to oversee and evaluate Federal activities relating to consumers; to authorize the National Bureau of Standards, at the request of businesses, to conduct product standard tests; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Consumer Protection Act of 1969".

OFFICE OF CONSUMER AFFAIRS

SEC. 2. The Office of Consumer Affairs (referred to hereinafter as the "Office") is hereby established in the Executive Office of the President. The Office shall be headed by a Director who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate prescribed by section 5314, title 5, United States Code, for executive officers of level III. There shall also be in the Office a Deputy Director who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate prescribed by section 5315, title 5, United States Code, for executive officers of level IV. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director, he shall act as Director.

POWERS AND DUTIES OF THE DIRECTOR

SEC. 3(a). The Director shall be responsible for the exercise of the powers and the discharge of the duties of the Office, and shall have the authority to direct and supervise all personnel and activities thereof.

(b) In addition to any other authority conferred upon him by this Act, the Director is authorized, in carrying out his functions under this Act, to—

(1) appoint and affix the compensation of personnel of the Office in accord with the provisions of title 5, United States Code, governing the appointment in the competitive service, and chapter 51 and subchapter III of chapter 58 of title 5 relating to compensation of positions subject to the General Schedule.

(2) employ experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate individuals so employed for each day (including travel time) at rates not in excess of the maximum rate of pay for grade GS–18 as provided in section 5332 of title 5, United States Code. While so serving away from their homes or regular place of business, such employees may be paid travel expenses and per diem in lieu of subsistence at rates authorized by section 5703, title 5, United States Code, for persons intermittently employed.

(3) appoint, without regard to the provisions of title 5, United States Code, one or more advisory committees composed of such private citizens and officials of the Federal State, and local governments as he deems desirable to advise him with respect to his functions under this Act; and members of such committees (including the Consumer Advisory Council established in section 10 of this Act) other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as provided in subsection (b)(2) of this section with respect to experts and consultants;

(4) promulgate such rules as may be necessary to carry out the functions vested in him or in the Office, and delegate authority for the performance of any function to any officer or employee under his direction and supervision;

(5) utilize, with their consent, the services, personnel, and facilities of other Federal, State, and private agencies and instrumentalities with or without reimbursement thereof;

(6) accept voluntary and uncompensated services, notwithstanding the provisions of section 665(b) of title 31, United States Code;

(7) adopt an official seal, which shall be judicially noticed;

(8) request and receive, under such regulations as the President may prescribe, such information from any Federal agency as the Director may from time to time require.

(c) The Director shall transmit to the Congress in January of each year a report which shall include a comprehensive statement of the activities and accomplishments of the Office during the preceding calendar year, and such recommendations as he may determine to be necessary and desirable to protect the consumer interests, including measures to improve the efficiency and economy of the Federal Government in the protection of such interests.

FUNCTIONS

SEC. 4 (a). It shall be the duty of the Office, in the performance of its functions, to advise the President and the Congress as to all matters affecting the interests of consumers; and to protect and promote the interests of the people of the United States as consumers of goods and services made available to them through the trade and commerce of the United States.

(b) The functions of the Office shall be to—

(1) coordinate Federal programs and activities relating to consumers and resolve differences arising among Federal agencies with respect to such programs and activities;

(2) assure that the interests of consumers are timely presented and considered by the appropriate levels of the Federal Government in the formulation of Government policies and in the operation of Government programs that may affect the consumer interest;

(3) receive, evaluate, and transmit complaints concerning actions or practices which may be detrimental to the consumer interest to the extent authorized by section 6 of this Act;

(4) represent the interests of consumers in proceedings before Federal agencies to the extent authorized by section 5 of this Act;

(5) develop information from Federal agencies and other public and private sources which would be of benefit to consumers, including test results and analyses of consumer products, and to disseminate such information in the most efficacious manner possible, including through the publication and distribution of periodicals and other printed material which will in easily understandable form inform consumers of matters of interest to them;

(6) conduct hearings, conferences, surveys, and investigations in accordance with the provisions of section 7 of this Act;

(7) establish in accordance with directives of the Bureau of the Budget facilities in major population centers (managed by the Office or some other appropriate Federal agency) to receive consumer complaints, to direct consumers to the appropriate Federal agency charged with the responsibility of meeting a specific consumer need, and to disseminate information of interest to consumers;

(8) encourage, support, and coordinate research (conducted within the Federal Government) leading to improved products, services, and consumer information;

(9) encourage, initiate and participate in consumer education programs and consumer counseling programs (including credit counseling);

(10) cooperate with and assist State and local governments in the promotion and protection of consumer interests;

(11) cooperate with and assist private enterprise in the promotion and protection of consumer interests; and

(12) submit recommendations to the President and the Congress on measures to improve the operation of the Federal Government in the protection and promotion of the consumer interest.

REPRESENTATION OF CONSUMERS BEFORE FEDERAL AGENCIES

SEC. 5. (a) Whenever there is pending before any Federal agency any matter or proceeding which does not involve the adjudication of the alleged violation, by any individual or corporation named as a defendant or respondent therein, of any statute of the United States or any rule promulgated thereunder, and the Director finds that the determination of such matter or proceeding may affect substantially the interests of consumers within the United States, the Office shall be entitled as a matter or right to intervene in such matter or proceeding as a party to represent the interests of consumers by filing with such agency a duly certified copy of the finding so made by the Director. Upon any such intervention, the Director or any other employee of the Office designated by him for that purpose, shall present to such agency, in conformity with the rules of practice and procedure thereof, such evidence, briefs, and argument as he shall determine to be necessary for the effective protection of the interests of such consumers.

(b) Whenever—

(1) there is pending before any Federal agency any matter or proceeding which does involve the adjudication of the alleged violation, by any individual or corporation named as a defendant or respondent therein, of any statute of the United States or any rule promulgated thereunder, or

(2) there is pending before any district or appellate court of the United States any matter or proceeding to which the United States or any Federal agency is a party, and

the Director finds the determination of such matter or proceeding may affect substantially the interests of consumers within the United States, the Office upon its own motion may, and upon written request made by the officer or employee of the United States or such agency who is charged with the duty of presenting the case for the Government in that matter or proceeding shall, certify to such officer or employee all evidence and information in the possession of

the Office relevant to that matter or proceeding.

(c) The Director or any other employee of the Office, designated by him for such purpose, shall be entitled to enter an appearance before any Federal agency for the purpose of representing the Office in any proceeding pursuant to the authority granted in subsection (a) of this section without other compliance with any requirement for admission to practice before such agency.

CONSUMER COMPLAINTS

SEC. 6 (a). Whenever the Office receives from any source complaints or other information disclosing a probable violation of (1) any law of the United States, (2) any rule or order of any administrative officer or Federal agency, or (3) any judgment, decree, or order of any court of the United States, the Office shall transmit promptly to the Federal agency charged with the duty of enforcing such law, rule, order, judgment, or decree, for appropriate action, such complaint or other information received or otherwise developed by the Office.

(b) Whenever the Office receives from any source complaints or other information disclosing any commercial or trade practice detrimental to the interests of consumers within the United States, which are not included within the category specified in subsection (a) of this section, the Office shall transmit promptly to the Federal agency whose regulatory or other authority provides the most effective means to terminate such practice, such complaint or other information received or otherwise developed by the Office.

(c) It shall be the duty of the Office to ascertain the nature and extent of action taken with regard to complaints and other information transmitted under subsections (a) and (b) of this section.

HEARINGS, CONFERENCES, SURVEYS, AND INVESTIGATIONS

SEC. 7 (a). The Office is authorized to conduct hearings, conferences, surveys and investigations anywhere in the United States concerning the needs, interests and problems of consumers which are not duplicative in significant degree to similar activities conducted by other Federal agencies.

(b) For the purposes of conducting hearings, conferences, surveys, and investigations under this Act, the Office shall have all powers which are conferred upon the Federal Trade Commission by section 9 of the Federal Trade Commission Act with respect to the conduct of investigations made by that Commission under that Act, except that the Office may not grant to any person any immunity from prosecution, penalty, or forfeiture in accordance with the provisions of that section without first obtaining the written consent of the Attorney General and serving upon such person a duly certified copy of any consent therefor granted by the Attorney General. The provisions of section 10 of the Federal Trade Commission Act shall apply to the Act or omission of any person, partnership, or corporation with regard to any subpena, order, requirement, or information of the Office to the same extent, and with the same effect, as if such act or omission had occurred with regard to a like subpena, order, or requirement, or with reference to like information, of the Federal Trade Commission.

PROTECTION OF THE CONSUMER INTEREST IN ADMINISTRATIVE PROCEEDINGS

SEC. 8. Every Federal agency in taking any action of a nature which can reasonably be construed as substantially affecting the interests of consumers of products and services including, but not limited to, (1) the promulgation of rules, regulations, or guidelines, (2) the formulation of policy decisions, or (3) the issuance of orders, decrees, or standards, shall take such action in a manner calculated to advance the valid interests of consumers in terms of price, quality, safety, accuracy, effectiveness, dependability, information and choice. In taking any such action, the agency concerned shall indicate concisely in a public announcement of such action the nature and extent of its consideration of consumer interests and the bases upon which the action was taken consistent with such interests.

TESTING BY NATIONAL BUREAU OF STANDARDS

SEC. 9 (a). The Secretary of Commerce (hereinafter referred to as the "Secretary") is authorized to establish facilities for the purpose of determining through testing, at the request of a manufacturer, the performance, content, safety, durability, and other characteristics of a product offered for sale or intended to be offered for sale by such manufacturer;

(b) The Secretary shall charge for the services performed under the authority of this section and such charges shall be based on both direct and indirect costs. The appropriation or fund bearing the cost of the services may be reimbursed or the Secretary may require advance payment subject to such adjustments on completion of the work as may be agreed upon.

(c) The manufacturer may suggest but not direct, control or otherwise influence the type of tests to be conducted by the Secretary;

(d) The Secretary shall not declare one product to be better, or a better buy, than any other product;

(e) The manufacturer may publicize the results of the tests conducted by the Secretary, but in so doing may in no way distort, falsify, or misrepresent such results;

(f) The Secretary shall maintain surveillance over products which it has tested to assure that such products and information disseminated about them conform to the test results determined by the Secretary;

(g) The Secretary may arrange with and reimburse the heads of other Federal agencies for the performance of any such functions, and as necessary or appropriate, delegate any of his powers under this section to the National Bureau of Standards with respect to any part thereof, and authorize the redelegation of such powers;

(h) The Secretary may perform functions under this section without regard to section 529 of title 31, United States Code;

(i) The Secretary is authorized to request any Federal agency to supply such statistics, data, progress reports, and other information as he deems necessary to carry out his functions under this section. Each such agency is authorized and directed to cooperate with the Secretary and to the extent permitted by law, to furnish such materials to the Secretary;

(j) The Secretary is authorized, to the extend necessary, to acquire or establish additional facilities and to purchase additional equipment for the purpose of carrying out the purposes of this section.

CONSUMER ADVISORY COUNCIL

SEC. 10 (a). There is hereby established in the Office a Consumer Advisory Council to be composed of 12 members appointed by the President for terms of two years without regard to the provisions of title 5, United States Code. Members shall be appointed on the basis of their knowledge and experience in the area of consumer affairs, and their demonstrated ability to exercise independent, informed and critical judgment. Representatives of business, labor, consumer, and other interested organizations shall be encouraged to recommend qualified candidates for appointment to the Council.

(b) (1) Of the members first appointed, six shall be appointed for a term of one year and six shall be appointed for a term of two years as designated by the appointing power at the time of appointment.

(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Members shall be eligible for reappointment and may serve after the expiration of their terms until their successors have taken office.

(3) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

(c) The President shall designate the chairman from among the members appointed to the Council. The Council shall meet at the call of the chairman but not less often than four times a year. The Director shall be an ex officio member of the Council.

(d) The Council shall—

(1) advise the Director on matters relating to the consumer interest; and

(2) review and evaluate the effectiveness of Federal programs and operations relating to the consumer interest and make recommendations thereto, including with regard to the adequacy of the—

(A) administration of existing consumer protection laws and the need to enact new laws;

(B) coordination of consumer programs and operations among Federal agencies, and between the Federal Government and State and local government and private enterprise;

(C) consideration of consumer interests by decisionmaking Federal agencies;

(D) attention devoted to the consumer problems of the poor;

(E) availability of information necessary for the making of intelligent consumer decisions;

(F) existing consumer protection agencies and the desirability of establishing a new Assistant Attorney General for consumer affairs within the Department of Justice to prosecute consumer fraud practices; and

(G) existing organization within the Federal Government of consumer protection functions and the need to reorganize such functions.

CONSUMER SAFETY

SEC. 11. The Office shall assure on a continuing basis the responsibilities and duties of the National Commission on Product Safety, together with such property and unexpended appropriations as may exist, at such time as the Commission's authority would otherwise terminate.

APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated to the Office, the Consumer Advisory Council, and the Department of Commerce such sums as may be required to carry out the provisions of this Act.

DEFINITION

SEC. 13. For the purpose of this Act, the term "Federal agency" shall have the same meaning as that give it by section 551 of title 5, United States Code.

NUCLEAR PLANT SAFETY AND THE NEED FOR A FEDERAL NUCLEAR DEVELOPMENT COMMITTEE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, with a sense of deep foreboding, I am inserting after my remarks today, an article from the Philadelphia Inquirer on the subject of nuclear powerplant safety. I hope every Member of Congress takes a few minutes to read this frightening article. In very brief terms, the article says what a good number of Members know already—there is a need for deeper and

more thorough study of the safety aspects of nuclear powerplants prior to the proliferation of such installations throughout the United States.

And why should Members of Congress be concerned about the AEC's program of civilian nuclear plant construction? One small quote from the article should provide the answer:

In 1957 the AEC issued a study which has come to be known as the Brookhaven Report, which attempted to assess the probabilities of nuclear reactor "incidents" and the potential consequences.

The report's conclusions were stupefying: As many as 3400 people could be killed, 43,000 injured, and as much as $7 billion of property damage done. People could be killed at distances up to 15 miles and injured up to 45. Land contamination could extend for far greater distances; agricultural restrictions might prevail over an area of 150,000 square miles, roughly 5% of the territory of the continental United States.

That report was issued 12 years ago. Nothing I have read or heard in the ensuing 12 years would calm anyone's fears about the awful consequences of a "mistake" or "impossible" calamity arising from the operation or misoperation of a nuclear plant. The potential for tragedy is so great that it staggers the imagination. I for one, do not believe the public is sufficiently aware of the potential danger. The Congress of the United States has a human, national, responsibility which transcends the political, economic, and regional interests that are pressing for the construction of nuclear plants.

Already, there are 15 operating nuclear plants in the United States, 31 are under construction, and 42 are planned. Looking at the map of the United States, the heaviest concentration of the plants is on the east coast. Strangely enough, of the 18 Members of Congress on the Joint Committee on Atomic Energy, only three Members represent east coast States. Of perhaps more interest, of the total 88 operating and planned plants, 79 of them are, or will be located in the eastern half of the United States. This 90 percent of the potential danger from nuclear plants is represented by 50 percent of the membership of the Joint Committee. As things go in the Congress, I suppose this ratio is not too bad, but I am more concerned about another makeup of the Joint Committee, and that is the members of the committee are 100 percent nuke-oriented. Because of the similarity of views on the U.S. civilian nuclear power program, it is difficult for an "outsider" to get a word in edgewise about matters that have some bearing on the subject of civilian nuclear energy. I know I have tried.

Nevertheless, 20 Members of the House and nine Members of the Senate are attempting to get that word in with the introduction of resolutions for the creation of a "Federal Committee on Nuclear Development to Review and Reevaluate the Existing Civilian Nuclear Program of the United States." I am proud to be the author of House Joint Resolution 83, introduced on January 3 of this year, which forms the basis of most of 20 additional resolutions. The heart of the resolution states:

(The resolution) Directs the Committee to study, review, and evaluate the present provisions of the Atomic Energy Act and intensively probe the atomic energy program of the United States generally, with the specific objectives of ascertaining whether the existing civilian nuclear program is responsive to the public need, assessing the validity of the assumptions upon which the existing program is built, and determining what changes should be made in that program.

We have made a simple request of the Joint Committee on Atomic Energy—hearings on our resolution. We are not calling for the total abandonment of the civilian nuclear power program, only that the public and other Members of Congress be given the opportunity to voice their opinions and recommendations on a matter that is vital to the health and safety of the total population. It seems a simple enough request in light of the potential danger and the real problem of the lack of awareness of that danger on the part of the public.

I have introduced resolutions similar to House Joint Resolution 83 yearly; each has been systematically ignored by the committee. I do not understand such an attitude, nor do I understand what possible fear the committee could have of hearings on such resolutions.

The situation painfully reminds me of the tragedy and shame of the Congress with respect to coal mine health and safety legislation. Unfortunately, it takes major coal mine disasters to spur the Congress into action. Considering the number of lives at stake in the proliferation of nuclear plants around the country, I pray the Congress and especially the members of the Joint AEC Committee will not wait for a nuclear plant disaster before it does something to reassure the Nation as to the safety of civilian nuclear plants.

Such an assurance could come from a thorough study of the civilian nuclear energy program conducted by the Federal Committee recommended in House Joint Resolution 83. It appears to me that the Congress and the Joint Committee is obligated to have hearings on the resolution.

The article on nuclear plant safety follows:

[From the Philadelphia (Pa.) Inquirer, July 27, 1969]

PERILS OF THE PEACEFUL ATOM: WILL NUCLEAR POWERPLANTS RUIN OUR ENVIRONMENT?

(By Richard Curtis and Elizabeth Hogan)

(NOTES.—Elizabeth Hogan, born and educated in Philadelphia and now living in New York City, is a member of the Committee for Environmental Information. She recently testified before the Joint Committee on Atomic Energy at hearings on the licensing and regulation of nuclear reactors.)

(Richard Curtis, who was born in New York City and still lives there, is the author of more than 100 stories and articles published in national magazines and has written and edited more than a dozen books.)

"What is past is past, and the damage we may already have done to future generations cannot be rescinded, but we cannot shrink the compelling responsibility to determine if the course we are following is one we should be following."

So said Sen. Thruston B. Morton of Kentucky on Feb. 29, 1968, upon introducing into the legislature a resolution calling for comprehensive review of Federal participation in the atomic energy electric power program. Admitting he had been remiss in informing himself on this "grave danger," Morton said he had now looked more deeply into nuclear power safety and was "dismayed at some of the things I have found—warnings and facts from highly qualified people who firmly believe that we have moved too fast and without proper safeguards into an atomic power age."

Sen. Morton's resolution was by no means the only one before Congress in 1968. Indeed, more than two dozen urged investigation and re-evaluation of our atomic power program. This fact will come as a surprise to much of the public, for the belief is widespread that the nuclear reactors being built to generate electricity for our cities are safe, reliable and pollution-free.

But a rapidly growing number of physicists, biologists, engineers, public health officials, and even members of the Atomic Energy Commission itself—the government bureau responsible for regulation of this force—has been expressing serious misgivings about the planned proliferation of nuclear power plants. In fact, some have indicated that nuclear power, which Supreme Court Justices William Douglas and Hugo Black described as "the most deadly, the most dangerous process that man has ever conceived," represents the gravest pollution threat yet to our environment.

FIFTEEN PLANTS OPERATING

As of June, 1968, 15 commercial nuclear power plants were operating or operable. The government, however, has been promoting a plan by which 25 percent of our electric power will be generated by the atom by 1980, and half by the year 2000. To meet this goal, 87 more plants are under construction or on the drawing boards. Despite the fact that atomic power and reactor technology are still imperfect sciences, saturated with hazards and unknowns, these reactors are going up in close proximity to heavy population concentrations. Most will be of a size never before attempted by scientists and engineers. They are, in effect, gigantic nuclear experiments.

As most readers will recall, atomic reactors are designed to utilize the tremendous heat generated by splitting atoms. They are fueled with a concentrated form of uranium stored in long tubes bound togethe. to form subassemblies. These are placed in the reactor's core, separated by rods which absorb radioactivity and thus control the chain reactions of splitting atoms. When the rods are withdrawn, the chain reactions intensify, producing enormous quantities of heat. Coolant circulated through the reactor core carries the heat away to heat exchange systems, where water is brought to a boil. The resultant steam is employed to turn electricity-generating turbines.

Stated in this condensed fashion, the process sounds innocuous enough. Unfortunately, however, heat is not the only form of energy produced by atomic fission. Another is radioactivity. During the course of separation the fuel assemblies and other components in the reactor's core become intensely radioactive. This irradiated material has been described as a million to a billion times more toxic than any known industrial agent. Some 200 radioactive isotopes are produced as by-products of reactor operation, and the amount of just one of them alone, strontium-90, contained in a reactor of even modest—100–200 megawatt—size is equal to that produced in the explosion of a bomb 190 times more powerful than the one dropped on Hiroshima.

Huge concentrations of radioactive material are also to be found in facilities that support atomic power plants. Because the

intense radioactivity in a reatcor core eventually interferes with the fuel's efficiency, the fuel assemblies must be removed from time to time and replaced by new, uncontaminated ones. The old ones are shipped to reprocessing plants where the contaminants are separated from the salvageable fuel. The ferociously radioactive liquid containing the contaminants must be neutralized, disposed of, or stored until it is no longer dangerous. Thus reprocessing plants and storage areas are immense repositories of "hot" and "dirty" material. Furthermore, transportation routes between power plants and reprocessing facility and waste storage site, carry traffic bearing high quantities of that material.

Even from this glimpse it will be apparent that public and environmental safety depend on the flawless containment of radioactivity every step of the way. For, owing to the incredible potency of this energy, even the slightest leakage is harmful—and a massive release would be catastrophic. The fundamental question, then, is how heavily can we rely on human wisdom, care and engineering to hold this peril under absolute control?

Abundant evidence points to the conclusion that we cannot rely on it at all.

The hazards of peaceful atomic power fall into two broad categories: The threat of violent, massive releases of radioactivity, and that of slow but eventually deadly seepage of harmful products into the environment.

CAN PRODUCE DISASTER

Nuclear physicists assure us that reactors cannot explode like atomic bombs, because the complex apparatus for detonating an atomic warhead is absent. This fact, however, is of little consolation when it is realized that only a conventional explosion is necessary to produce havoc on a scale eclipsing any peacetime industrial accident on record—or any single act of war, including the atomic destruction of Hiroshima or Nagasaki.

There are numerous ways in which such an explosion can take place in a reactor. For example, liquid sodium, which is used in some reactors as a coolant, is a devilishly tricky element which could explode on accidental contact with air, rupturing fuel assemblies, damaging components and shielding, and destroying primary and secondary safeguards. In the absence of coolant, exposed uranium fuel could overheat and melt, forming "puddles" which could also explode upon reaching a critical size.

If these explosions were forceful enough, and sufficient safeguards failed, some of the fission products could be released outside the plant and into the environment, in the form of a gas or a cloud of fine radioactive particles. Under not uncommon atmospheric conditions, such as an "inversion" in which a layer of cold air keeps a warmer layer from rising, a kind of radioactive fog could spread insidiously over the countryside. Another possibility is that fission products could be carried out of the reactor and into a city's watershed, for all reactors are being built on lakes, rivers, or other bodies for cooling purposes.

What could be the toll of such a calamity?

In 1957 the Atomic Energy Commission issued a study which has come to be known as the Brookhaven Report, which attempted to assess the probabilities of nuclear reactor "incidents" and the potential consequences.

The report's conclusions were stupefying: As many as 3400 people could be killed, 43,000 injured, and as much as $7 billion of property damage done. People could be killed at distances up to 15 miles and injured up to 45. Land contamination could extend for far greater distances; agricultural restrictions might prevail over an area of 150,000 square miles, roughly 5 percent of the territory of the continental United States.

The awful significance of these figures is difficult to comprehend. Certainly nothing remotely comparable can be cited by way of industrial disasters. It is generally agreed that the worst one of modern American times was the Texas City disaster of 1947 when a ship loaded with amonium nitrate fertilizer exploded, virtually leveling the city, killing 468 and causing an estimated $67 million worth of damage. Appalling as this catastrophe was, however, it could not begin to approach the potential havoc wreaked by a nuclear smog of the dimensions indicated by the Brookhaven Report.

CONTAINMENT FAILS

For one thing, all of us are familiar with technological disasters which occurred against fantastically high odds: the sinking of the "unsinkable" Titanic, or the collision of two big passenger planes over the enormity of the Grand Canyon. The Nov. 9, 1965, "blackout" of the U.S. eastern seaboard illustrates how an "incredible" event can occur in the electric utility field, most experts agreeing that the chain of circumstances which brought it about was so improbable that the odds against it defy calculation.

A disturbing number of reactor accidents have occurred—with sheer luck playing an important part in averting catastrophe—which seem to be the product of "incredible" coincidences. On Oct. 10, 1957, for instance, the Number One Pile at the Windscale Works in England had a breakdown spewing fission products over so much territory that authorities had to seize all milk and growing foodstuffs in a 400-square-mile area around the plant.

A British report on the incident stated that all of the reactor's containment features had failed. It challenges credulity, but it happened. Much closer to home, a meltdown of fuel in the Fermi reactor in Lagoona Beach, Mich., in October, 1966, came within an ace of turning into a nuclear "runaway" eventuating in the explosive release of radioactive material.

The atomic industry has attempted to design components and safeguards so that failure of one vital system will not affect another, resulting in a "house of cards" collapse. Two highly regarded authorities, Theos J. Thompson and J. G. Beckeley, in a book on reactor safety published by the AEC, advise us not to place too much faith in claims of independent safeguards.

Investigations of reactor breakdowns disclose a number of small, seemingly unrelated failures which snowballed in one big one. A design flaw here, a human error there, a component failure here, an instrumentation failure there—all may coincide to contribute to the total event. Thompson and Berkeley, examining several atomic plant accidents, pinpointed 13 different contributing causes.

HOW TO CONTROL IT?

AEC annals are full of reports of human negligence: 3844 pounds of uranium hexafluoride lost due to an error in opening a cylinder; 50,000 pounds of nonradioactive mercury spilled to the ground in an operational error; a $220,000 fire in a reactor due to accidental tripping of valves by electricians during previous maintenance work; scores of vehicular accidents involving nuclear materials.

None of these accidents led to disaster, but who will warrant that, with the projected proliferation of power plants and satelite industries in the coming decade, a moment's misjudgment will not trigger an event of nightmarish horror? What is possibly worse, the likelihood of sabotage has scarcely been weighed, despite a number of incidents and threats.

It should be apparent that if men are to build safe, successful reactors, the whole level of industrial workmanship, engineering, inspection and quality control must be raised well above conventional levels. The more sophisticated the technology, the more precise the correspondence between the subtlest gradations of care or negligence and technology's success or failure.

While there is little doubt that American technology is the most refined on earth, there is abundant reason to believe that it has more than met its match in the seemingly insurmountable problems posed by the peaceful atom. Between 2800 and 5000 technical standards are necessary for a typical reactor power plant in such areas as materials, testing, design, electrical gear, instrumentation, plant equipment and processes. Yet as of March, 1967, according to an AEC statement, only about 100 had been approved.

NUCLEAR SUBS PLAGUED

It is not surprising, then, to learn that serious technical difficulties are turning up in reactor after reactor. At the Big Rock Point Nuclear Plant, a relatively small reactor near Charlevoix, Mich., control rods were found sticking in position, studs failing or cracked, screws jostled out of place and into key mechanisms, a valve malfunctioning for more than a dozen reasons, foreign material lodging in critical moving parts, and welds on every one of 16 screws holding two components in place cracked.

A reactor at Humboldt Bay in California manifested cracks in the tubes containing fuel; stainless steel had been used for them instead of a more reliable alloy, in order to keep costs down. The Oyster Creek plant in New Jersey showed cracks in 123 of 137 tubes, and welding defects at every point where tubes and control rod housings were joined around the reactor's vessel.

Chilling parallels can be drawn between failures in nuclear utility technology and those of the nuclear submarine program. In October, 1962, Vice Admiral Hyman G. Rickover, director of AEC's Division of Naval Reactors, took the atomic industry to task in a speech in New York City:

"Time and again I have found that management is reluctant to depart from outdated practices; that it is not informed of what is actually going on in the plant; that it fails to provide the informed and strong leadership necessary to bring about improvements in engineering and production. It is not well enough understood that conventional components of advanced systems must necessarily meet higher standards. Yet it should be obvious that failures that would be trivial if they occurred in a conventional application will have serious consequences in a nuclear plant because here radioactivity is involved . . ."

Rickover went on to cite defective welds, forging materials substituted without authorization, violations of official specifications, poor inspection techniques, small and seemingly "unimportant" parts left out of components, faulty brazing of wires, and more. "I assure you," he declared, "I am not exaggerating the situation; in fact, I have understated it. For every case I have given, I could give a dozen more."

FLAWS IN THRESHER

The following April, the USS Thresher, while undergoing a deep test dive some 200 miles off the Cape Cod coast, went down with 112 naval personnel and 17 civilians and never came up again. Subsequent investigation revealed that the sub suffered from many of the same ailments described in Rickover's speech.

If a major reactor catastrophe did occur there is good reason to believe that the consequences would be far worse even than the dismaying toll of 3400 killed, 43,000 injured, and $7 billion in property damage suggested by the Brookhaven Report. It would be recalled that that study was published in 1957, but a number of developments since then have made the threat considerably more for-

midable. Indeed, proposals to update the Brookhaven figures have been put down by nuclear power proponents, fearful of the alarm such revelations might provoke.

BIG MEGAWATT BOOST

The Brookhaven Report, for instance, based its figures on the assumption that the accident would occur at a reactor of between 100 and 200 megawatts. Although the 15 reactors currently operable average about 186 megawatts, the plants going up or planned for the next decade are many times that size. Thirty-one under construction average about 726 megawatts; 42 in the planning stage average 832 megawatts; 14 more, planned but without reactors ordered as yet, average 904 megawatts. But those are just averages.

Some of the plants, such as those slated for Illinois, California, Alabama and New York project capacities of more than 1000 megawatts. Con Edison has just announced intentions of building four units of 1000 megawatts each on an island just off New Rochelle in teeming Westchester County—four nuclear reactors, each with a capacity five to ten times the reactor hypothesized in the Brookhaven Report.

These monstrous facilities will accordingly contain more uranium fuel, and, because it is costly to replace spent fuel assemblies frequently—the painfully delicate and dangerous process can take six weeks or longer—the new reactors are designed to operate without fuel replacement far beyond the six months posited in the Brookhaven Report. As a result, the buildup of supremely toxic contaminants in tomorrow's reactors will be far greater, and an accident occurring close to the end of the "fuel cycle" in such a plant could release fantastic amounts of poison.

Most serious of all, perhaps, is the fact that tomorrow's reactors will be situated in closest proximity to population concentrations. While the Brookhaven Report had its hypothetical reactor located about 30 miles from a major city, many of tomorrow's atomic facilities will be much, much closer. Although the AEC has drawn up "guidelines" for siting reactors, the commission has failed to make utilities adhere to them.

PROXIMITY IMPORTANT

In addition, a distinction must be drawn between major cities and heavily populated areas. A reactor may be 30 miles from a major city, but only a few miles or less from a densely populated minor one, or a heavily settled suburb.

In a recent study of nuclear plant siting made by W. K. Davis and J. E. Robb of San Francisco's Bechtel Corp., the locations of 42 nuclear power plants were examined with respect to population centers inhabited by 25,000 residents or more. Their conclusions are unnerving: Only two plants in operation or planned are more than 30 miles from a population center. Of the rest, 14 are between 20 and 27 miles away, 15 between 10 and 16 miles, and 11 between 1 and 9 miles.

Is it necessary to build atomic plants so big and so close to population centers? The answer is that from an economic point of view, no other way is profitable. The larger a facility is, the lower the unit cost of construction and operation, and the cheaper the electricity. The longer the fuel cycle, the fewer the expensive shutdowns while fuel assemblies are replaced. The closer to the electricity consumer, the lower the cost of right-of-way, transmission lines and other transmission equipment.

But while such features are economically desirable, they are purchased only at the cost of higher public risk. On a few occasions an aroused public has rejected this dubious bargain. When one utility company defied the unpredictable perversities of nature of attempting to build a reactor squarely over proven earthquake faults in areas of known seismic activity—the site was Bodega Head, north of San Francisco—a courageous conservation group faced the company down.

STORM OF PROTEST

Announcement by Con Edison at the end of 1962 of its proposal to build a 1000 megawatt nuclear plant in Ravenswood, Queens, in the heart of one of New York City's five populous boroughs, brought a storm of frightened and angry protests. Although the utility's chairman bragged, "We are confident that a nuclear plant can be built in Long Island City, or in Times Square for that matter, without hazard to our own employes working in the plant or to the community."

David E. Lilienthal, the former head of the AEC, had a contrary opinion, declaring he "would not dream of living in Queens if a huge nuclear plant were located there." Outraged citizens and experts prevailed, as they did at Burlington, N.J., where a plant was proposed for a site 11 miles from Trenton in one direction and 17 miles from Philadelphia-Camden in the other.

For the most part, however, the battle has been a losing one. Con Edison, for example, undeterred by its defeat in the Ravenswood fight, has just announced a proposal to build a reactor on Welfare Island, almost literally a stone's throw from midtown Manhattan. There has been virtually no murmur of opposition from city officials. Indeed, Laurance Rockefeller, brother of New York's governor and presumably an active advocate of conservation, has spoken highly of the plan. Interestingly, the Governor has gone on record advocating an $8 billion electric power program based extensively on nuclear energy.

The threat of a nuclear plant catastrophe constitutes only half of the double jeopardy in which atomic power has placed us. For even if no such calamity occurs, the gradual exhaustion of what one scientist terms our environmental "radiation budget," due to unavoidable releases of radioactivity during normal operation of nuclear facilities, poses an equal and possibly more insidious threat to all living things on our planet.

WASTE RELEASE PERIL

Most of the fission products created in a reactor are trapped by processing the contaminated air and water, then isolating, concentrating and shipping the contaminants to storage areas. These are known as high level wastes. The technology for trapping all radioactive contaminants, however, is either unperfected or too costly, and so the remaining radioactive material, or low level waste, is released into the air or water at the reactor site.

Such releases are undertaken in such a way, we are told, as to insure dispersion or dilution sufficient to prevent any predictable human exposure above harmful levels. Thus when atomic power advocates are asked about the dangers of contaminating the environment, they cite the seemingly tiny amounts of radioactivity released under "planned" conditions.

This view is a myth.

In the first place, many waste radionuclides take an extraordinarily long time to decay. The half-life—the time it takes for half of the element's atoms to disintegrate through fission—of cobalt-60 is over five years; of strontium-90 over 27 years; and of cesium-137 over 30 years. Thus, even though these long-lived isotopes are widely dispersed in air or diluted in water, their radioactivity does not cease. It remains, and over a period of time accumulates.

For a second thing, many radioactive elements taken into the body are absorbed into specific tissues and tend to build up concentrations. Iodine-131, for instance, seeks the thyroid gland; strontium-90 collects in the bones; cesium-137 tends to accumulate in muscle. Many of these isotopes, as we have seen, have long half-lives, some measurable in decades. Their intake by humans leads to buildups in specific tissues and organs to which those isotopes are attracted, increasing by many times the exposure dosage in those local areas of the body.

IRREVERSIBLE DAMAGE

Two more factors controvert the view that carefully monitored releases of low-level radioactivity into the environment are not pernicious. First, there is apparently no radiation threshold below which harm is impossible. Any dose, however small, will take its toll of cell material, and that damage is irreversible. Second, it may take decades for organic damage, or generations for genetic damage, to manifest itself.

Still another problem has received inadequate attention. Man is by no means the only creature in whom radioactive isotopes concentrate. The dietary needs of all vegetable and animal life dictate intake of specific elements. These concentrate even in the lowest and most basic forms of life. They are then passed up food chains, such as grass-to-cattle-to-milk-to-man. As they progress up these chains, the concentrations increase, sometimes by hundreds of thousands of times. And if these elements are radioactive . . .

That nuclear facilities are producing dangerous buildups of radioisotopes in our environment can be amply documented. University of Nevada investigators, seeking a cause for concentrations of Iodine-131 in cattle thyroids in wide areas of the western United States, concluded that "the principal known source of I-131 that could contribute to this level is exhaust gases from nuclear reactors and associated fuel processing plants."

In his keynote address to the Health Physics Society Symposium at Atlanta, Ga., early in 1958, AEC Commissioner Wilfred E. Johnson admitted that the release into the atmosphere of tritium and noble gases such as krypton-85 would be a problem in the future, and that as yet scientists had not devised a way of solving it. Tritium is a radioactive isotope of hydrogen with a 12½ year half-life; if absorbed by the human body in place of stable, non-radioactive hydrogen, the effects would undoubtedly be deleterious.

The other isotope mentioned, krypton-85, has a 10-year half-life and tends to dissolve in fatty tissue, meaning fairly even, distribution throughout the human body. Krypton-85 is particularly difficult to extract from reactor discharges, and the accumulation of this element alone may exhaust as much as three-fourths of our "radiation budget" for the coming century.

That "low-level" waste is, in the light of these discussions, a grossly deceptive term is obvious. In his book "Living With the Atom," Ritchie Calder describes an "audit" of environmental radiation which he and his colleagues, meeting at a symposium in Chicago; drew up to assess then-current and future amounts of radioactivity released into atmosphere and water.

HUGE DOSAGE

Speculations covered the period 1955–1965, and because atomic power plants were few and small during that time, the figures are most significant in relation to the future. For, tallying "planned release" of radiation from such sources as commercial and test reactors, nuclear ships, uranium mills, plutonium factories and fuel reprocessing plants, Calder's group came to a most disquieting conclusion:

"By the time we had added up all the curies which might predictably be released, by all those peaceful uses, into the environment, it came to about 13 million curies per annum."

A "curie" is a standard unit of radioactivity whose lethality can be appreciated from the fact that one-trillionth of one curie

of radioactive gas per cubic meter of air in a uranium mine is ten times higher than the official maximum permissible dose.

Calder's figures did not include fallout due to bomb testing and similar experiments, nor did they take into account reactor or nuclear transportation accidents. Above all, they did not include possible escape of stored high-level radioactive wastes, the implications of which were awesome to contemplate: ". . . what kept nagging us was the question of waste disposal and of the remaining radioactivity which must not get loose. We were told that the dangerous waste, which is kept in storage, amounted to 10,000 million curies. If you wanted to play 'the numbers game' as an irresponsible exercise, you could divide this by the population of the world and find that it is over 3 curies for every individual."

JUST HOW "SAFE?"

Exactly what does Calder mean by "the question of waste disposal"?

It has been estimated that a ton of processed fuel will produce from forty to several hundred gallons of waste. This substance is a violently lethal mixture of short-and long-lived isotopes. It would take five cubic miles of water to dilute the waste from just one ton of fuel to a safe concentration. Or, if we permitted it to decay naturally until it reached the safe level—and the word "safe" is used advisedly—just one of the isotopes, strontium-90, would still be too hot to handle 1000 years from now, when it will have only one seventeenth-billionth of its current potency.

There is no known way to reduce the toxicity of these isotopes; they must decay naturally, meaning virtually perpetual containment.

Unfortunately, mankind has exhibited little skill in making perpetual creations and procedures for handling radioactive wastes leave everything to be desired. The most common practice is to store the concentrates in large steel tanks shielded by earth and concrete. This method has been employed for some twenty years, and over 75 million gallons of waste is now in storage in about 200 tanks. This "liquor" generates so much heat it boils by itself for years.

Most of the inventory in these cauldrons is waste from weapons production, but as we approach the year 2000 the accumulation from commercial nuclear power will soar. Dr. Donald R. Chadwick, chief of the Division of Radiological Health of the US Public Health Service, estimated in 1963 that the accumulated volume would come to two billion gallons by 1995.

It is not just the volume that fills one with sickening apprehension, but the ugly disposition of this material. David Lilienthal put his finger on the crux of the matter when he stated: "These huge quantities of radioactive wastes must somehow be removed from the reactors, must—without misshap—be put into containers that will never rupture; then these vast quantities of poisonous stuff must be moved either to a burial ground or to reprocessing and concentration plants, handled again, and disposed of, by burial or otherwise, with a risk of human error at every step."

The burden that radioactive wastes place on future generations is cruel and may prove intolerable. Joel A. Snow, writing in "Scientists and Citizen," stated it well when he write: "Over periods of hundreds of years it is impossible to ensure that society will remain responsive to the problems created by the legacy of nuclear waste which we have left behind."

"Legacy" is one way of stating it, but "curse" seems far more appropriate, for at the very least we are saddling our children and their descendants with perpetual custodianship of our atomic refuse, and at worst may be dooming them to the same gruesome afflictions and agonizing deaths suffered by those who survived Hiroshima's fireball. Radiation has been positively linked to cancer, leukemia, brain damage, cataracts, sterility, genetic defects and mutations, and shortening of life.

GENETIC DEFECTS

The implications to the survival of mankind can be glimpsed by considering just one of these effects, the genetic. James F. Crow, Professor of Genetics at the University of Wisconsin School of Medicine and president of the Genetics Society of America, stated in a 1960 article that for every roentgen of slow radiation, the wind we can expect to receive in increasing doses from peacetime nuclear activity, about five mutations per 100 million genes exposed will manifest themselves, meaning that "after a number of generations of exposure to one roentgen per generation, about one in 8000 of the population in each generation would have severe genetic defects attributable to the radiation."

We have little time to reflect on our alternatives, for the moment must soon come when no reversal will be possible.

What must be done to avert the perils of the peaceful atom? A number of schemes have been put forward for stricter regulation of activities in the nuclear utility field, such as limiting the size of reactors or their proximity to population concentrations, or building more safeguards.

As sensible as these proposals appear on the surface, they fail to recognize a number of important realities: First, that such arrangements would be unacceptable to utility operators and the government. Small, distant reactors or an overabundance of safeguards make electricity generation prohibitively uneconomical. Since our government is committed to making atomic power plants competitive with conventional fueled plants, and because businesses are in business for profit, it is hardly likely they would buy these answers.

TOUGH PROBLEMS

Second, the technical problems involved in containment of radioactivity have thus far proven insuperable, and there is little likelihood they will be resolved in time to prevent immense and irrevocable harm to our environment. Third, the nature of business enterprise is unfortunately such that the perfect policing of the atomic power industry—and nothing less than perfection must be demanded if the public is to be secure from this menace—is unachievable.

In due time old inequities would flourish again. As we have seen in the cases of other forms of pollution. The public spirit of men seeking profit from industrial processes does not always rise as high as the welfare of society requires. It is unwise to hope that stricter regulation would do the job.

What, then, is the answer? The only course may be to turn boldly away from atomic energy as a source of electricity production, abandoning it as this nation has abandoned other costly but unsuccessful technological enterprises. Impractical as this suggestion may seem at first, a little thought will show that far more "impractical" ideas have been successfully implemented.

There is no doubt that, with this nation's electricity demand doubling every decade, new power sources are urgently needed. Nor is there doubt that our conventional fuel reserves—coal, oil, and natural gas—are dwindling at an alarming rate. Sufficient high grade fossil fuel reserves exist, however, to carry us to the end of this century; and new techniques for recovering these fuels from secondary sources such as oil shale could extend the time even longer. Furthermore, radical new techniques for burning conventional fuels more efficiently—it is inefficient burning after all which creates pollution—could carry us well into the next century with the fossil fuels we have used for so long.

SOLAR ENERGY

This abundance, and potential abundance, gives us at least several decades to survey possible alternatives to atomic power, select the most promising, and develop them on the appropriate scale. Solar energy, tidal power, heat from the earth's core, and even garbage incineration have to some degree been demonstrated as sound bases for electricity generation.

Aside from the prospect of profitability in these new approaches, industry will have another powerful incentive for turning to them: Namely, that atomic energy is proving to be quite the opposite of the cheap, everlasting resource envisioned at the outset of the Atomic Age.

The prices of reactors and other components, and construction and operating costs have soared in the last few years, greatly damaging nuclear power's position as a competitor. If insurance premiums and other indirect subsidies were brought into line with realistic estimates of what it takes to make atomic energy both safe and economical, the atom would undoubtedly turn out to be the most expensive form of energy yet devised—not the cheapest.

DIFFICULT DECISION

In addition, because of inept fuel policies, there is strong indication that low-cost uranium reserves will be exhausted well before the turn of the century. Breeder reactors, in which the nuclear establishment has invested such high hopes for the creation of vast new fuel supplies, have proven a distinct technological disappointment.

Even if the problems plaguing this effort were to be overcome in the next ten or fifteen years, it may still be too late to undo the damage done by prodigious mismanagement of atomic fuel supplies.

The proposal to abandon atomic energy is clearly a difficult one to imagine. We have only to realize, however, that by pursuing our current civilian nuclear power program, we are jeopardizing every other industry in the country; in that light, this proposal becomes the only practical alternative open to us. In short, the entire national community stands to benefit from the abandonment of a policy which is leading us toward both environmental and economic disaster.

That man does not understand many technological principles and natural forces is not necessarily to his discredit. Indeed, that he has erected empires in the teeth of his faculty understanding is to his glory. But that he is pitting this ignorance and uncertainty, and the fragile yet lethal technology he has woven out of them, against the uncertainties of nature, science, and human behavior—this may very well be to his everlasting sorrow.

MOST GOVERNORS DO NOT CARE ABOUT THE HUNGRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, the replies to letters I sent 36 northern Governors makes it clear to me that most of the Nation's Governors are not concerned with the problems of hunger and malnutrition.

On July 14, I sent letters to the Governors expressing my shock at the administration of the two antihunger programs outside of the South. My letter

suggested that the programs do not reach even one quarter of the eligible recipients in the non-Southern States. I called upon the Governors to take immediate action to prod local officials into accepting and increasing the scale of hunger programs for their areas.

To date, I have received 24 replies, nine from Democratic Governors and the rest from Republicans. Only 10 responses, about 40 percent of the total were at all positive in approach. The rest either passed the buck to the Federal Government or blamed the poor for not taking advantage of the programs.

I received positive replies from Governors Forrest H. Anderson, of Montana, Kenneth M. Curtis, of Maine, John Dempsey, of Connecticut, Richard Hughes, of New Jersey, Frank Licht, of Rhode Island, Marvin Mandel, of Maryland, Tom McCall of Oregon, Walter Petterson, of New Hampshire, and Calvin Rampton, of Utah. Their letters expressed a sympathy for the poor and hungry. The best reply of all came from Governor John Burns, of Hawaii, who realized just how badly the Agriculture Department has administered the anti-hunger program.

Republican Governor Frank L. Farrar of South Dakota wrote:

We do not feel that we have a great amount of hunger and malnutrition in South Dakota.

In South Dakota only 6 percent of those eligible receive food stamps and only 9 percent of those eligible receive surplus commodities. Only five States have worse records under the food stamp program and only three are worse under the surplus commodity grants.

Another Republican chief executive, David F. Cargo, of New Mexico, boasted that "in New Mexico's food stamp program the sales tax revenue generated by the use of 'bonus stamps' alone exceeds the administrative cost of the total program to the State." Cargo appears to be making hunger a profitable business.

When governments start demanding that even the most essential State functions yield a profit, it is no wonder that so many citizens have lost faith in their political leaders. When I see a starving child, I do not ask myself how profitable it will be to feed him. Feeding the hungry is more important than balancing the budget.

Because of the many letters I have received on my recent remarks concerning these letters, I insert at this point my July 14 letter, a list of the Governors to whom it was sent, and the 24 replies I have received:

JULY 14, 1969.

DEAR GOVERNOR: During the last several weeks, I have been investigating the administration of the Federal anti-hunger program, and I thought you might be interested in my findings, for they are shocking and at the same time offer a challenge to our State governments.

I have discovered that the Northern states have been lax in their support of the Food Stamp and Surplus Commodities programs. The Midwest, which enjoys the benefit of huge farm subsidies, has the worst level of food programs for the poor, and the Northeast is no better. The Southern states by contrast, with a few notable exceptions like Texas, are generally doing a great deal to combat hunger and malnutrition and have relatively the best programs in the country.

I have arrived at these conclusions after examining Department of Agriculture data on the numbers of commodities carried by each county participating in the free food program, as well as the participation rates for the free food and food stamp programs.

There are 22 commodities made available to counties by the Department of Agriculture. By its own estimates, if an individual gets all 22 foods, he would still suffer from malnutrition. If he eats fewer than the 22, he would be receiving nowhere near an adequate diet. But in only one of the ten Northeastern states does the median county provide its hungry with as many as 20 of the 22 available foods, and in the Midwest there are only two out of 11. By contrast, in the South the median county in five out of 12 states provides at least 20 out of the 22 foods to its poor. (The figures for states with counties participating in the free food program are listed in the attached table.) This contrast between North and South generally also emerges for participation rates among eligible individuals in both the free food and surplus commodities programs.

The average participation rate of eligible individuals in counties in Louisiana for the free food program is 46%, for Mississippi, the figure is 43%. By contrast, only two states outside the South have rates over one-third, and many, like Kansas and Illinois, have rates under 10%. For counties on the Food Stamp Program, few states can come close to Mississippi's 25% participation rate.

To me this situation is shocking. Yet I see it as a challenge to our Northern State governments as well—to take the initiative to eliminate hunger and malnutrition by securing fuller involvement by the counties in your state in the two anti-hunger programs.

The state is the logical vehicle to take the initiative for it can get counties participating in the free food program to take at least the 22 basic foods offered by the Department of Agriculture so that its residents can be a little less malnourished. It can get counties in both hunger programs to seek out those eligible through outreach efforts. And it can provide financial and administrative assistance to the counties to pay the local share of increasing the level of bonus food stamps and the number of distribution centers for free food and food stamps.

I have called upon you as a State Governor to take the initiative because I believe the Department of Agriculture has abdicated its responsibility. It lacks direction and motivation for it is caught in the cross fire of divided loyalties between the farmer and the hungry. Inevitably it is the hungry who suffer. At the beginning of this month the Department returned $140 million in unspent money available to fight hunger for fiscal 1969 to the U.S. Treasury. Thirty million dollars of this was money appropriated for the food stamp program and $110 million for the free food program.

This is something about which I have previously complained. The Department knew in early January that it might have unspent food stamp money unless it increased its activity, but did nothing. Indeed it actively discouraged counties from applying for the program, claiming lack of money. I was informed by the Department that during this time, they had knowledge of 150 counties that were interested in participating in the program. At the beginning of May, in spite of this discouragement, 62 of these had formally applied for programs. And, only after pressure from me, 42 of these were funded. But during the same period, another 63 applied and were ignored. As of today, 102 counties have formally applied, and no action has been taken to provide these counties with food stamp programs.

I would be interested in your views on the hunger question and the appropriate role of the State governments.

With kind regards, I am

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

NUMBER OF SURPLUS COMMODITIES RECEIVED BY COUNTIES PARTICIPATING IN SURPLUS COMMODITY PROGRAMS

State	Number of commodities				
	20-22	17-19	14-16	11-13	8-10
Alabama	23	23			
Arizona		1	10	4	
Arkansas		17			
California	23	5	1		
Connecticut	4				
Delaware			3		
Florida	41	11	1		
Georgia	9	45	23	1	
Idaho	2	7	3		
Indiana	11	27	17	8	3
Iowa		9			
Kansas	5	8	1		
Kentucky	15	46			
Louisiana	2	1	11		
Maine		11	4		
Maryland			1		
Massachusetts	9	7	4	1	
Michigan		40			
Minnesota	8	9	1	2	
Mississippi	36	3			
Missouri	12	33	18	1	
Montana			6	3	
Nebraska	1		1		
Nevada		10	1	1	
New Hampshire		6	3	1	
New Jersey		7	3	1	
New Mexico		10			
New York		3	34	10	1
North Carolina	51	8			
North Dakota	1	5	4		1
Ohio		4	10	2	
Oklahoma	50	22	1		
Oregon	32	2			
Pennsylvania		2	7	7	
Rhode Island		15	1		
South Dakota	27	4	1		
Tennessee		13	1		
Texas	35	92	3		
Virginia	17	22	1		
Wisconsin	34	12	1		
Wyoming			2		

States not listed did not have surplus commodity programs.
A community group was counted if any one item in the group was distributed, e.g. Any one of these items—canned apricot, prune, tomato, grape, or grapefruit juice—satisfies the requirement of a fruit juice.

Following is the list of Governors to which the letter was sent:

Keith Miller, Alaska.
Jack Williams, Arizona.
Ronald Reagan, California.
John A. Love, Colorado.
John N. Dempsey, Connecticut.
Russell W. Peterson, Delaware.
John A. Burns, Hawaii.
Don Samuelson, Idaho.
Richard B. Ogilvie, Illinois.
Edgar D. Whitcomb, Indiana.
Robert D. Ray, Iowa.
Robert Docking, Kansas.
Kenneth M. Curtis, Maine.
Francis W. Sargent, Massachusetts.
Marvin Mandel, Maryland.
William G. Milliken, Michigan.
Harold E. LeVander, Minnesota.
Warren E. Hearnes, Missouri.
Forrest H. Anderson, Montana.
Norbert T. Tiemann, Nebraska.
Paul Laxalt, Nevada.
Walter R. Peterson, Jr., N.H.
Richard J. Hughes, New Jersey.
David F. Cargo, New Mexico.
Nelson A. Rockefeller, New York.
William L. Guy, North Dakota.
James A. Rhodes, Ohio.
Tom McCall, Oregon.
Raymond P. Shaffer, Pa.
Frank Licht, Rhode Island.
Frank L. Farrar, South Dakota.
Calvin L. Rampton, Utah.
Deane C. Davis, Vermont.
Daniels J. Evans, Washington.
Warren P. Knowles, Wisconsin.
Stanley K. Hathaway, Wyoming.

STATE OF NEBRASKA,
Lincoln, July 23, 1969.

Hon. LEONARD FARBSTEIN,
Member of Congress,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: This will acknowledge receipt of your letter to Governor Tiemann regarding the Federal anti-hunger program across the nation. The Governor is out of the office for a few days, but your letter will be brought to his attention when he returns. I'm certain you will hear from him at that time.

Sincerely,

LOIS TEFFT,
Personal Secretary to the Governor.

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, July 23, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. FARBSTEIN: We have received your letter of July 14 with reference to the Food Stamp and Surplus Commodities programs. I have asked Commissioner Joseph Betit of the Department of Health and Welfare to review the contents of your correspondence and report his views to me, since it is that Department in Alaska which administers the Food Stamp program.

I will be corresponding with you further upon receipt of his report.

Best personal regards.

Sincerely yours,

KEITH H. MILLER,
Governor.

STATE OF OHIO,
DEPARTMENT OF PUBLIC WELFARE,
Columbus, Ohio, July 24, 1969.

Representative LEONARD FARBSTEIN,
House of Representatives, Congress of the United States, Rayburn House Office Building, Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: Governor Rhodes has asked that this office answer your letter concerning the supplemental food program.

Ohio has been shifting to the food stamp program as rapidly as possible. Sixty-seven of the eighty-eight counties are now participating, with four more scheduled to go into the program soon. There are now thirteen counties which distribute commodities and one of these is changing to the stamp program.

Our staff has encouraged counties to take full advantage of the foods made available. In the past some of the items have not been utilized by recipients so that counties have discontinued asking for them. However, we have had a home economist on our own staff and have also had help from the nutritionists in the State Department of Health to try and inform families about ways in which to use some of the commodities with which they are unfamiliar. This has helped in extending the program.

Very truly yours,

ROBERT B. CANARY,
Assistant Director.

STATE OF UTAH,
Salt Lake City, July 25, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: In your letter of July 14th and the enclosure, you indicate that Utah is a state which has no surplus commodities program. This is true because Utah was the first, and perhaps is now the only state in the union in which the food stamp program is effective in all counties.

We adopted the food stamp program very largely at the urging of the Welfare Recipients Association because of the greater variety of items obtainable with the stamps. The stamp program has worked only moderately well.

I am enclosing herewith a presentation made recently by Mr. Ward C. Holbrook, the Executive Director of the Department of Social Services of the State of Utah, which reviews the matter as far as we are concerned. I thought this might be of interest to you.

Sincerely,

CALVIN L. RAMPTON,
Governor.

For: Secretary Hardin's Hearing on Agriculture and the Rural Economy July 9, 1969—Fresno, California.

Title: Consumer problems—"Distribution of Food to Disadvantaged People."

Utah was distributing surplus food products, provided by the Department of Agriculture, when I became a Commissioner of Welfare in 1952.

The system was revised and adjusted to provide uniform distribution of all types of available items state wide. Necessary storage and warehousing facilities including cold storage were arranged for on both state and county levels.

The distribution system worked well at least after 1956, so far as over-all care of the food stuffs and the "offering" to the poor and concerned.

Things that were less than to be desired were:

1. Only 80% of the welfare recipients sought delivery of the available items. (Some counties were as low as 40% others approached 95%).

2. Hardly any non-recipients tried to qualify.

3. Some who wanted and could have benefited did not have transportation or did not utilize available delivery services.

4. Many beneficiaries did not know how to use available products, such as corn meal, powdered milk, etc.

5. Many took all products offered and then discarded them or failed to use them with the net result that frequent newspaper articles "blasted" the "poor" the agency and the system.

6. Many lacked the skill to use the products to advantage.

7. The Agriculture Department rules and representatives were in our opinion unnecessarily troublesome and demanding concerning all aspects of the States Plan, and particularly made it difficult to serve many recognized "poor" by holding fast to their qualification measurements rather than the recognizing need for what it is. This is still the case.

In spite of the negative aspects listed, the direct distribution of available surplus products did add to the resources otherwise available to Utah's needy people in an average amount of approximately $4.00 a month per person measured by Agriculture Department determination of raw product value or perhaps $6.00 equivalent of retail value per month.

We began in Utah to use the food stamp method of distribution in Weber County in 1963 and since January 1, 1969, it has operated State-wide. As a corollary, commodity distribution has discontinued. Most recipients who buy stamps prefer them over surplus food items. However, our average recipent participation has dropped from 80% to 33%. Consequently, two-thirds of our caseload does not benefit from the system at all. The average per person supplementation is $7.26 for those participating.

The cost of handling the food stamps to the state is considerably higher than handling the food products. The cost of distribution by the agency has doubled even though usage has decreased by three-fifths.

There is little reason to believe that the food stamp method of distribution is noticeably effective in increasing the consumption of food items generally considered in surplus supply in the United States.

We are of the option that overall enhancement of the family food supply and consequently of the quality of the diet of the welfare clientele is improved but very little by the food stamp program.

The facts of life as we see and interpret them indicates that:

1. The adequacy of the food supply and its quality is not a prior concern of most American families—rich or poor.

2. Programs to supplement the food supply of the poor are used more to improve taste and quality than dietary value.

3. More food is not, in most households of the poor, the first thing they want more of.

4. All supplementation is manipulated to cover the total family need as determined by each families' value system.

We are of the opinion that if the money spent to finance the food supplementation program were distributed to recipients by increased welfare money payments, the net dietary benefits would equal or exceed those now resulting from the Food Stamp distribution system. In other words, more money is the answer the poor really want.

If the abundance and quality of the diet of the poor is to be enhanced by any government system of distribution a method of qualifying for food stamps must be devised that will reach these people by a process that corresponds to and correlates with the welfare recipients process of eligibility determination and of delivering the stamps by mail or otherwise in connection with the monthly check to recipient families: There should be also authority in the agency to withhold from the monthly money payment the required participant investment in stamps. To reach the "non-welfare-money-payment poor" may require the elimination of the categorical system to obtain the best answer. Beyond this, teaching participants in the program how to get the most out of their food dollar by wise purchasing is very vital; and next to this, teaching easy and effective methods of home preparation of food stuffs for the table is needed. We are convinced for example that more children go to school hungry everyday because mother is a poor shopper, a poor cook, or uninterested in preparing breakfast than because of a short food supply or financial inability to obtain needed food items.

If the distribution of raw foods or the food stamp program either or both are to be continued with hope of reaching the needy effectively, the qualifying provisions must be greatly liberalized and the ratio of cost—supplementation now in effect will need be reversed. Even then the other things mentioned above of a handicapping nature will greatly limit the effect of the governments interest and effort to promote adequate diets for the poor. These can and will continue to take their toll and operate to negate to a marked degree the effectiveness of "easy" food supply efforts if it is left to stand by itself.

Attached are:

1. Report of Food Stamp operation for March 1969.

2. Statement of administrator of the program.

3. Extracts from minutes of meetings held in November with the "poor".

4. Statement of Bruce L. Shumway, ACSW, Director of Social Services—San Juan County Welfare Office.

5. Statement of (Mrs.) Evelyn Roberts, Social Service Director—Carbon County Welfare Office.

6. Others.

STATE OF NEW MEXICO,
OFFICE OF THE GOVERNOR,
Santa Fe, July 25, 1969.

Hon. LEONARD FARBSTEIN,
U.S. Representative, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Thank you for your recent letter in which you expressed your concern about states support of food assistance programs.

I am happy to report that New Mexico operates through its Health and Social Services Department food assistance programs in all 32 of its counties. At the present time 21 counties are served through the food stamp program with the remaining counties being served through direct distribution of commodities. All but two of the available commodity items are distributed in our program.

We estimate that more than 50 percent of the people in New Mexico that are eligible to participate in the food stamp program are actually taking advantage of this assistance. Further, we have experienced an increased participation in the food stamp program when implemented in new counties to replace the commodity distribution program. The Health and Social Services Department has established outreach efforts and made food programs more accessible through expansion of distribution points and field certifications.

Although the commodities and the stamps are provided to the state at no cost, administrative costs of the program are borne substantially by the state. It would be helpful if provisions were made for additional federal sharing of the cost of administration of the programs. An interesting aside is that in New Mexico's food stamp program the sales tax revenue generated by the use of "bonus" stamps alone exceeds the administrative cost of the total program to the state. Thus, direct revenue to the state from the program is an additional benefit beyond the obvious input to the local economy by the food stamp program.

New Mexico has applied for consideration for additional food stamp counties in this fiscal year. However, because of lack of state resources any expansion will have to be offset by savings in commodity distribution costs in the affected counties. Even with this limitation we feel that we can expand the food stamp program on a moderate scale during this fiscal year.

Sincerely,

DAVID F. CARGO,
Governor.

STATE OF SOUTH DAKOTA, OFFICE OF THE GOVERNOR,
Pierre, July 28, 1969.

Representative LEONARD FARBSTEIN,
House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: Thank you for your letter of July 14th regarding the anti-hunger programs in the various states.

We are happy to inform you that South Dakota has made considerable progress on this during the past year. December of 1968, working in connection with the county commissioners, we have established the Food Stamp Program in 41 of our counties. Previous to that, only one county was on this program.

Our situation now is that we have 42 of our 67 counties on the Food Stamp Program, 24 counties on the Donated Foods Program and one as yet uncommitted. This one uncommitted county has expressed an interest in the Food Stamp Program.

With regards to the donated foods, your statistics show our state to be one of the better ones, in that 27 of our counties had taken advantage of the (20–22 column) of the different types of donated foods.

Our rate of participation has been good in the donated foods program and is improving in the Food Stamp Program. Participation in the Food Stamp Program will improve here as we plan additional out-reach activity for this purpose.

We do not feel that we have a great amount of hunger and malnutrition in South Dakota. We feel that, that which we do have comes more from lack of education, planning ability and self-management rather than lack of available funds or programs.

You will be interested in learning that we are also working on this program through our State Homemaker Service and our State Extension Service. We are currently piloting some programs to help mothers in low-income families with their food purchases and preparation, and also with budgeting and home management.

We appreciate your interest and will look forward to further results of your study.

Sincerely yours,

FRANK L. FARRAR,
Governor.

STATE OF NEW HAMPSHIRE,
Concord, July 28, 1969.

Hon. LEONARD FARBSTEIN,
Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Thank you for your letter concerning the Federal anti-hunger program.

Although I do not believe that the state of New Hampshire has quite the problem that many states have, legislation was submitted to the General Court requesting funds for the administration of the food stamp program. I regret that they turned down this legislation due primarily to a "hold the line" budget pending a report from our Citizens Task Force.

I requested legislation creating the Citizens Task Force to provide an in depth management study of state government in New Hampshire together with a study of the needs and goals of New Hampshire for both immediate and long range planning. It would be my hope that this program would also be looked into by the Citizens Task Force.

I recognize the merit of the food stamp program and hope that we can pass legislation at some future date in New Hampshire so that we may take advantage of it.

Most sincerely,

WALTER PETERSON,
Governor.

STATE OF CALIFORNIA,
Sacramento, July 28, 1969.

Hon. LEONARD FARBSTEIN,
Member of Congress, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Governor Reagan has asked me to reply to your letter concerning the Food Stamp and Surplus Commodities Program. There were numerous problems involving this program which the past administration had not resolved prior to its termination.

Our former Director of Agriculture, Richard Lyng, is now Assistant Secretary of Agriculture in Washington, D.C., and is responsible for the Food Stamp and Surplus Commodity Program. Dick Lyng is a man in whom we have great confidence. We are, therefore, sending your letter to Mr. Lyng for his appraisal of your comments.

Sincerely,

EARL COKE,
Assistant to the Governor for Cabinet Affairs.

OFFICE OF THE GOVERNOR,
Phoenix, Ariz., July 29, 1969.

Hon. LEONARD FARBSTEIN,
Congress of the United States, House Office Building, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Because of the Governor's heavy schedule, he has asked me to reply to your letter of July 14th.

The "hunger question" for Arizona and for most of the other Western states is much different than it is in the East or Northeast. We have a scattered population and a small tax base. Even in the cities of Phoenix and Tucson, many of our people live on or near farm land or have gardens in their own back yard.

To Arizonans it does not seem so simple to say that if we are handing out our 22 commodities, our diets are O.K., but if we are not handing out the 22, then our people are suffering from malnutrition. Out here we need to know which ones are receiving supplementary diets from fresh fruits and vegetables. That is difficult to determine.

Enclosed you will find a copy of a letter written by Mr. John O. Graham, Commissioner of our Welfare Department, that will explain what Arizona is doing about the problem and what kind of difficulties we have encountered. Please view the contents of this letter in the light of the fact that in Arizona only 16.6% of the land area is in private hands and is taxable. The Federal Government, or trust lands of the seventeen Indian tribes, occupies 72% of our state. Incidentally, your tabulation listed fifteen counties for Arizona, but we have just fourteen.

Sincerely yours,

STAN WOMER,
Staff Administrator.

STATE OF ARIZONA, DEPARTMENT OF PUBLIC WELFARE,
Phoenix, Arizona, July 11, 1969.

DEAR SIR: Your recent letter to Governor Jack Williams concerning the Supplemental Food Program for low income groups vulnerable to malnutrition, has been referred to this department for our attention. We have no argument with your basic position that this is a good program and one which can accomplish a great deal.

This program first came to our attention in November or December of 1968. We recognized at that time that this program could be a valuable asset to people who were vulnerable to malnutrition. In order to gain experience with this program and to try to determine the possible utilization by members of the low income group we undertook a very limited Pinal County-Gila River Indian Project. Both the representatives of the Department of Agriculture and the officials of this department estimated the size of the program to be much smaller than it is projected now to become when it is made a statewide program. Also at the time of undertaking the pilot project this department had already submitted its budget request for this fiscal year to the legislature and the Governor and there was no provision for financing an additional increase in the Surplus Commodities Distribution Program.

Since implementing the pilot project the department has run into a great difficulty with its basic Surplus Commodity Distribution Program. When the federal government increased the number of commodities available for distribution over a year ago this department estimated the cost of distributing these additional commodities at approximately twice the then cost of our Surplus Commodities Distribution. Our request to the legislature was made on this basis. Since that time we have found that because of the additional commodities now offered a great many more people are interested in the program and are drawing commodities. This has resulted in our costs going up in a very steep spiral. Also since implementing the pilot project we have found that this program is going to cost several times what we had originally estimated to be the possible maximum cost. For example, in the limited pilot project now being supported we are distributing in excess of 80,000 pounds of food per month.

In view of the above facts I think it is easily understood that this department is in a very tight financial situation with regard to

our Surplus Commodity Distribution Program. We anticipate difficult problems during the current fiscal year in being able to maintain just the basic surplus commodity program which we are now operating. We would very much like to make the Supplemental Food Program statewide but the only way we could do it would be to cut back on the number of commodities being made available to the rest of the commodity recipients. We believe that if we did this we would be creating more malnutrition than we would be correcting.

We anticipate in our budget request to the legislature for 1970–71 which we are presently working on our State Board will request from the legislature funds to implement the Supplemental Food Program statewide.

Sincerely,

JOHN O. GRAHAM,
Commissioner.

EXECUTIVE DEPARTMENT, STATE OFFICE BUILDING,
Baltimore, Md., July 30, 1969.

Hon. LEONARD FARBSTEIN,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Your letter of July 14 has been referred to my office.

Governor Mandel is very much interested in the State's making optimum use of the federal antihunger programs. This, in fact, is one of the major priorities of his recently appointed Commission on Childhood Nutrition.

I hope to give you a more extensive reply shortly.

Sincerely,

Mrs. ELLEN WEISS,
Administrative Assistant to Dr. Paul A. Weinstein.

STATE OF IDAHO,
Boise, July 31, 1969.

Hon. LEONARD FARBSTEIN,
Member of Congress,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Response is made to your letter to me concerning the operation of the Food Stamp and Surplus Commodities program.

In Idaho, we have had a surplus commodities distribution program in the northern counties of the State for a number of years. These are the counties of Idaho that are most economically depressed. This Surplus Food Distribution program is operated jointly between the counties and the State. The counties provide and finance the warehousing and distribution costs; the State Department of Public Assistance handles the certification of the recipients. Consideration is being given to expansion of this program into southern Idaho. It is necessary first that the county commissioners be convinced of the need for the Surplus Food Distribution program in order that they will come forth with necessary overhead for warehousing and distribution costs. The State has indicated its willingness to assist any county desiring a Surplus Food Distribution program. Consideration is also currently being given to a Food Stamp program statewide.

Thank you for your interest and the information.

Sincerely,

DON SAMUELSON,
Governor.

THE STATE OF NEVADA,
Carson City, Nev., July 31, 1969.

Hon. LEONARD FARBSTEIN,
Congressman, 19th District, New York, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: I am writing in response to your letter of July 14, 1969, Congressman Farbstein, regarding the Food Stamp and Surplus Commodities Programs in Nevada.

Currently, Nevada has no Food Stamp Program. A request was made to implement the Program at the last legislative session, but it was turned down. Basically, the philosophy of the Food Stamp Program is good, but the drawbacks negate the good points; i.e., the Program is not geared to public assistance standards and the welfare recipients, who are the prime users of the Program.

The mandatory stamp purchase requirements does not give the individual the right to purchase foods to meet and suit his own needs. Also, to administer such a program would be costly.

Of the seventeen counties in Nevada, thirteen participate in the surplus Commodities Program. Most of them are satisfied with the Program and prefer it over Food Stamps. The Nevada State Purchasing Division makes available to each county all of the commodities on the food list, except corn grits, lentils, and bulgur.

Most recipients in Nevada are not familiar with and unable to use these items. In one county butter is not requisitioned during the summer months because of the lack of storage facilities. Therefore, it is not the intent of this State to force on to counties commodities they are unable to use or handle.

Please feel free to write me again if additional information is needed.

Sincerely,

PAUL LAXALT,
Governor of Nevada.

EXECUTIVE CHAMBERS,
Honolulu, August 1, 1969.

Hon. LEONARD FARBSTEIN,
U.S. Representative,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: This is in reply to your July 14, 1969, letter regarding your investigation of the administration of the Federal anti-hunger program.

Hawaii was one of the first states in the Western Region to establish the Food Stamp Program in all of our counties. The program has been statewide since April 1967.

The following points are being suggested by our people towards making the food programs more effective in combating hunger in the United States:

1. Remove the responsibility for the food programs from the United States Department of Agriculture and place it with the U.S. Department of Health, Education and Welfare. The USDA is too much farmer oriented to understand the problems of seeing that the poor are adequately fed. HEW is already charged with the responsibility of administering programs for low-income families, and the food programs could easily be integrated within its structure.

2. Provide federal matching costs incurred by the state or counties in administering the program. At present, only certification costs are matched by federal funds; clerical and administrative staff and other administrative costs are solely financed by the state. Also provide federal matching funds to finance outreach programs.

3. Increase the food stamp bonus amount in line with cost of living. At present, the amount of bonus or free food stamps was determined in 1966. Since that time, food costs have increased, yet low-income families on food stamps in 1969 receive the same amount as in 1966, scarcely enough to purchase a nutritionally adequate diet.

With these improvements, it is felt that the number of counties participating in the Food Stamp Program will increase and the rate of participation among eligible individuals will rise.

Warmest personal regards. May the Almighty be with you and yours always.

Sincerely,

JOHN A. BURNS.

P.S.—As you may notice we do not have a surplus commodity program.

J. A. B.

STATE OF VERMONT,
Montpelier, August 1, 1969.

Hon. LEONARD FARBSTEIN,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. FARBSTEIN: Thank you very much for your letter of July 14 concernings the anti-hunger program which the Federal Government has been administering.

Your sources of information obviously are far more complete than ours here in Vermont and I shall, therefore, confine my remarks strictly to our own programs. Under the leadership of our Social Welfare Commissioner, John Wackerman, Vermont became a full participant in the food stamp program. Senator Aiken also pushed very hard to see the State take up the benefits of this program and the State of Vermont is now fully covered.

Unfortunately, we find that we have a very difficult problem in encouraging the use of stamps by the very people who need them. I regret to say that only a very small percentage of all welfare recipients in the state are on the program and the number of non-welfare recipients who participate is likewise extremely limited. People apparently feel reluctant to use stamps, particularly in the smaller communities, because of the feeling in their minds that there is some stigma attached to the program.

We are most concerned about this situation because the reluctance or refusal by persons in need to take advantage of the program often results in the need to provide welfare recipients with the highest possible cash grant. Even under these circumstances the total food available for the family may not meet appropriate standards. The extra food purchasing power which would be available to these people through the use of food stamps would mean an adequate and balanced diet. I suggest that this same problem exists in many areas and I suggest further that you should consider the necessary revisions to welfare regulations so as to permit state administrations to require welfare recipients to use the stamps.

I thank you very much for your informative letter about this vital subject and I hope that your efforts to encourage full utilization of these programs will be successful.

Sincerely,

DEANE C. DAVIS.

STATE OF MONTANA,
Helena, August 7, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: This will acknowledge receipt of your letter of July 14 concerning state Food Stamp and Surplus Commodities programs.

Your investigation has indeed pointed up some very surprising statistics and as you say, also very challenging statistics.

I am having an investigation made of the situation in Montana at this time and when it is completed, I will be able to correspond more thoroughly with you concerning these programs.

Sincerely yours,

FORREST H. ANDERSON,
Governor.

DEPARTMENT OF ADMINISTRATION,
Helena, Mont., August 15, 1969.

Mr. FRANK R. SENNETT,
Office of the Governor,
Helena, Mont.

DEAR MR. SENNETT: This has reference to your memorandum of August 13, 1969, received in this office today, relative to Surplus Commodities.

In Montana there are currently two types of Programs designed to provide assistance to needy families. These Programs are: A—the U.S. Department of Agriculture Donated Commodity Program, which is handled by

this office, and B—the Food Stamp Program which is administered by the State Department of Welfare. Both programs are designed for the same basic purpose i.e. food for the needy, and because of this either program, but not both, may be inaugurated in any one county. In addition to the needy family feeding program, the Donated Commodities or Direct Distribution Program supplies Commodities to all state-owned institutions as well as 12 other institutions and 4 Child Care and Development Centers and 3 Headstart Programs. The needy family feeding program is currently in operation in 2 counties, Flathead and Roosevelt, as well as 6 Indian Reservations. During the fiscal year 1968–1969 we distributed a total of 29 different commodities totaling 4,167,426 pounds with a value of $923,894.38. We enclose a Xerox copy of our schedule broken down to institutions, needy families and summer camps. We have provided commodities to approximately 4500 inmates of institutions, 19,000 needy persons and 82 summer camps feeding 24,354 children.

The cost to the state of Montana has been approximately $15,000 per annum from the inception of the Program in 1958, to date. This includes the salary of the Supervisor and one secretary as well as office space, supplies, telephone and telegraph, travel, etc. Commodities are stored in the State Hospital warehouse in Warm Springs. They are received by carload under federal Bill of Lading and thus there is no cost to the State at this point. Transportation costs from Warm Springs to the Recipient Agency must be paid by the R/A. Due to high freight rates resulting from long distances in Montana, transportation costs are considerable and represent one of the major reasons why many counties in Montana are not participating in this Program. Storage and warehouse facilities in Warm Springs are limited and thus we have not attempted to carry large stocks of all Commodities available but we have tried to provide limited amounts of each Commodity as they have become available. You will note from the enclosed schedule that most Commodities are available for needy families but many Commodities are not available to institutions or summer camps.

Food Stamps are being issued, as of this date, in 15 counties, 9 additional counties have been designated to receive Food Stamps, and in addition 11 counties have applied but have not yet been approved by the U.S. Department of Agriculture. Thus a total of 35 counties are either participating in the Food Stamp Program or soon will be. One year ago there were only 5 counties in that Program.

The U.S. Department of Agriculture held a national conference in Washington last January 14–17. At that time the committee on which I served passed a resolution that the States could not possibly bear the costs of a greatly expanded Direct Distribution Program without federal financial assistance. This resolution was approved in a meeting of the whole and is currently being developed by the U.S. Department of Agriculture as a Cost-Sharing Program. Indications are that Montana might receive as much as $125,050.54. We enclose a copy of our letter to Washington regarding this matter. At a regional conference held in San Francisco July 22–24 it was stated by a Washington representative of the U.S.D.A. that they are continuing their efforts to make federal funds available at the earliest date possible.

Hopefully such funds could be used to provide more suitable warehousing and cold storage facilities, in Helena, and also provide funds for increased travel and administrative costs necessary to expand the program toward more active participation in the Supplemental Food Program, Out-Reach (aimed at participation by additional counties) all of which is being accented by the Department of Agriculture.

Very truly yours,

J. A. BULEY,
Commodity Supervisor.

OFFICE OF THE GOVERNOR,
Helena, Mont., August 21, 1969.

HON. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: In regard to your letter of July 14, concerning state Food Stamp and Surplus Commodities Programs, I am enclosing a schedule of USDA Donated Commodities and a letter sent to Howard P. Davis, U.S. Department of Agriculture, which describes the situation relative to the needy family program in Montana.

Also enclosed is a letter written by Mr. J. A. Buley, Commodity Supervisor of the Department of Administration, which describes in detail the types of programs designed to provide assistance to needy families in Montana.

I believe it is important to point out that in Montana the state does not force these programs upon any county. The decision to participate rests upon each Board of County Commissioners. I think it can be said unequivocally that every county in the state would participate, providing that the expenses of a program were at least shared by the federal government.

Montana state government is continually re-evaluating its position regarding problems of hunger and how it can best work in conjunction with the federal and local governments in helping to solve these problems. At this time, both the Commodity Supervisor and the Department of Welfare are diligently working to try and find the most feasible way to get as much assistance as possible to every needy individual in the state.

The Governor's Council on Human Resources is also considering proposals which might well affect the future of food stamp and food commodity distribution programs in this state. One of their main considerations is the fact that if both these programs were allowed to be in effect in every county at the same time, this would result in a well balanced program.

I appreciate the opportunity to discuss this situation and would be pleased to receive any further reports you have in this area.

I am taking the liberty of sending copies of your letter to the Montana Congressional delegation so that they may have a clearer picture of the food program in Montana.

Sincerely yours,

FORREST H. ANDERSON,
Governor.

USDA DONATED COMMODITIES—WAREHOUSE AND CARLOAD DISTRIBUTION, FISCAL YEARS 1968-69

	Institutions		Needy families—Welfare and Indians		Summer camps		Total	
	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value
Butter	39,892	$8,872.60	144,032	$32,036.95	3,568	$867.74	187,492	$41,777.29
Lard, 24 2-pound cases	4,236	911.22	61,336	13,463.46	2,380	578.82	67,952	14,953.50
Lard, 16 3-pound cases	6,288	1,327.72	46,800	10,236.16	0	0	53,088	11,563.88
Lard, 48 1-pound cases	2,304	511.59	38,832	8,935.20	939	228.36	42,075	9,675.15
Shortening	6,096	1,412.43	16,080	3,725.74	0	0	22,176	5,138.17
Milk, N.F.	28,998	6,634.81	221,454	48,674.61	3,316	806.45	253,768	56,115.87
Flour, A/P	191,452	25,753.24	1,261,550	294,539.64	16,460	4,003.07	1,469,462	324,295.95
Flour, bread	104,000	23,244.37	0	0	0	0	104,000	23,244.37
Peanut butter	336	80.07	89,619	19,989.43	864	210.12	90,819	20,280.25
Potatoes, instant	0	0	86,532	19,368.92	0	0	86,532	19,368.92
Rice, 24 2-pound cases	192	46.69	149,136	32,729.42	1,732	421.22	151,060	66,394.66
Rice, 50-pound bag	16,900	3,782.14	0	0	0	0	16,900	3,782.14
Beans, dry, 12 2-pound cases	144	35.02	319,540	41,587.97	1,748	425.11	321,432	42,048.10
Beans, dry, 50-pound bag	1,850	417.37	0	0	0	0	1,850	417.37
Beans, green, canned, 24 No. 303 cases	0	0	49,007	10,440.81	0	0	49,007	10,440.81
Canned beef, 24 29-ounce cases	0	0	43,938	10,573.80	0	0	43,938	10,573.80
Chopped meat, 24 30-ounce cases	0	0	236,475	52,796.88	2,044	497.10	238,519	53,293.98
Milled wheat	19,800	4,450.70	102,456	22,949.96	1,884	458.43	124,140	27,859.09
Cheese, 6 5-pound cases	210	50.04	182,610	40,612.70	2,075	504.64	184,895	41,167.38
Cheddar cheese, 40-pound block	19,467	4,214.24	0	0	0	0	19,467	4,214.24
Raisins, 48 1-pound cases	424	100.08	68,208	15,827.28	2,361	574.20	70,993	16,501.56
Raisins, 30-pound cases	10,440	2,346.08	0	0	0	0	10,440	2,346.08
Apricot nectar, 12 3-pound cases	0	0	26,012	5,648.78	0	0	26,012	5,648.78
Grape juice	0	0	61,413	14,070.07	0	0	61,413	14,070.07
Tomatoes, canned	0	0	28,547	6,563.65	0	0	28,547	6,563.65
Prune juice	0	0	41,364	8,943.86	0	0	41,364	8,943.86
Egg, mix scrambled	0	0	40,266	8,846.03	0	0	40,266	8,846.03
Fowl, chicken	0	0	32,888	7,620.16	0	0	32,888	2,620.16
Peas, canned green	0	0	44,077	9,742.99	0	0	44,077	9,742.99
Milk, evaporated	0	0	51,419	11,312.70	0	0	51,419	11,312.70
Tomato juice	0	0	85,775	17,618.41	0	0	85,775	17,618.41
Turkey, canned boned	0	0	58,420	12,130.66	0	0	58,420	12,130.66
Sirup, corn	0	0	9,312	1,986.42	0	0	9,312	1,986.42
Corn, canned	0	0	3,840	933.89	0	0	3,840	933.89
Grape fruit juice	0	0	74,088	18,024.20	0	0	74,088	18,024.20
Total	453,029	84,190.41	3,675,026	801,930.75	39,371	9,575.26	4,167,426	923,894.38

DEPARTMENT OF ADMINISTRATION,
Helena, Mont., July 2, 1969.

HOWARD P. DAVIS,
Deputy Administrator, Consumer Food Programs, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. DAVIS: We have received your letter of June 23, 1969, relative to the report of the Commodity Distribution Cost-Sharing Seminar. You have asked for our individual reaction and comments regarding the contents of that report.

OBJECTIVES

1. Federal funds are needed in Montana if we are to expand the Needy Family Program in any way whatsoever. We conduct the Program under strict legislative budgetary limitations of $15,000 annually. Our warehouse consists of partial use of the State Hospital warehouse at Warm Springs, Montana. Our administrative staff consists of the Commodity Supervisor and a part-time secretary, utilizing extremely limited space in the State Purchasing Division. We greatly need a central warehouse located on R. R. trackage in Helena, together with adequate freezer and cooler storage as well as the necessary warehousing equipment relating to unloading carload shipments and handling of outgoing shipments to Recipient Agencies. The administrative staff must be increased by at least one field man, a full time secretary and a fulltime bookkeeper. These matters have already been discussed with officials of your Area office in San Francisco.

2. We can do little toward bringing in nonparticipating areas unless federal funds are made available to us.

3. Improving the total effectiveness of the Needy Family Program depends entirely on increased personnel, greater efficiency in warehousing and out-going shipments as well as more frequent visits to Distribution Centers. This can only be accomplished with additional funds.

SCOPE

In terms of the out-reach program, if the state could be assured of federal funds to provide adequate warehousing and personnel at the state level, thereby assuring a full range of commodities to all participating counties, we would be prepared to work with Commissioners, Tribal Councils, County Extension Offices, Health Departments, Welfare and other groups to provide the out-reach program to all eligible families in each county.

COMMENTS

We believe that the report of the Cost-Sharing Seminar is well conceived and most timely. We are not certain as to the precise conditions effecting State funding but we trust that the foregoing will point out our inability to provide large sums of money, in excess of our budget, for later reimbursement. We believe that grants should be made on the basis of carefully prepared estimates followed by certified fiscal audits of each grant.

To summarize, it will require federal funds above the state level to expand or improve the Needy Family Program in any way. We have gone as far as we can on available state funds. Any improvements in the Program, additional services and expansion, in any direction, must come from federal funds.

Very truly yours,

H. F. WEGGENMAN,
Acting State Controller.

EXECUTIVE CHAMBERS,
Hartford, Conn., August 12, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: This is in response to your letter of July 14 regarding the role of State governments in meeting problems of hunger.

We agree that State governments must exhibit initiative in the Food Stamp program, and Connecticut has done this. Connecticut has been participating in the Food Stamp program since June, 1965, and has expanded its operation to include three areas of the State encompassing about 50 per cent of our population.

A donated Food Program is operating in still another area of the State, supplying 21 commodities and covering 33 towns with 11,565 people participating.

The recently-concluded session of the Connecticut Legislature authorized our State Welfare Department to administer the Food Stamp program on a State wide basis.

Our Welfare officials recognize that the Food Stamp program alone cannot solve the basic problem of inadequate diet. To improve the nutritional level of its users, the program in Connecticut also includes an information and nutrition education group in each area where the Stamps are being used.

Demonstrations on use of donated foods are conducted by nutritionists of the State Health Department for recipients.

The Extension Department of our State University has also expanded its program to include 20 nutrition aides who work in deprived areas teaching families basic nutrition.

Case workers in our Welfare Department are also being prepared for training to better understand the Food Stamp program and encourage its use.

If there is any more information you desire, I am sure our State Welfare Commissioner Bernard Shapiro can supply it in detail.

Sincerely,

JOHN DEMPSEY,
Governor.

STATE OF OREGON,
Salem, August 14, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: We find your letter of July 14, most interesting but somewhat depressing. It is indeed unfortunate that today we have in the midst of plenty a great number of people who suffer from hunger or malnutrition.

We are trying to alleviate this problem in Oregon by making available to the poor the Abundant Foods and Food Stamp programs in all counties.

At this time, of the thirty-six counties in Oregon we have the Abundant Food program in thirty-four and the Food Stamp program in one. The one remaining county has appropriated funds for the biennium and will enter the Abundant Food program in September.

As you can see from the material I have attached of the thirty-four counties participating in the Abundant Food program all but one are dispensing the twenty-three items offered by USDA. (Exhibit I.) The other county offers all but rolled wheat and bulgar. The participants in that county prefer rolled oats to rolled wheat and are not using bulgar at all. The county coming into the program in September will offer all commodities.

Our State staffs responsible for both programs maintain a constant surveillance on the operations both as to policy and services and strive to improve the programs and resolve problems as they arise.

In an effort to improve services we have enlisted the services of the Extension agencies to demonstrate to participants the use of commodities, issue recipes and show how to plan nutritious meals through better budgeting and purchase of "best buy" food items.

To combat the transportation problem we have enlisted the services of such agencies as CAP, VISTA, VML, Salvation Army, and various church groups. In some counties deputy sheriffs and county commissioners act as proxies. We have established itinerant offices and stores in some of the more remote communities but need to do even more along this line especially in our sparsely settled but geographically large counties.

Our Exhibit II gives you an idea of the food programs activity by county which of course varies month to month.

Our staff tries to maintain at least a 70% participation in the Abundant Food program and where counties fall below that they attempt to find the reasons and remedy the cause.

Exhibits III and IV are a small sample of the type of studies made. These two in particular give you an idea of why we here in Oregon have not adopted the Food Stamp program in all counties. It is not doing the job it should do. We are encouraged, however, from reading the several congressional amendments proposed to improve the Food Stamp Act; and if, as is expected, many of the oppressive restrictions are removed, the program may attain the success everyone has expected of it but that it never quite achieved. We have stated our views about the problems of poor participation in the Food Stamp program and offered solutions to members of USDA, the Secretary of Agriculture, and to several members of Congress, and we find many of our suggestions reflected in the prepared amendments.

When the time comes that we believe the Food Stamp program will surpass the Abundant Food program in efficiency and service to needy people we will change over to the Food Stamp program.

I hope this gives you some idea of our concern for the hungry poor, and of our efforts to do everything possible under present regulations to alleviate the problem. I assure you that we will continue to study and improve our programs to the very limits to which we can go.

Sincerely,

TOM MCCALL, *Governor.*

EXHIBIT I

SURPLUS COMMODITIES—OREGON ABUNDANT FOOD PROGRAM

COMMODITY AND UNIT

Dry Beans, 2 lb. pkg.
Margarine or Butter, 1 lb. print.
Cornmeal, 5 lb. pkg.
All Purpose Flour, 10 lb. pkg.
Lard/Shortening, 1 lb. print, or lard/shortening, 2 lb. print, or lard/shortening, 3 lb. pkg.
Dry Milk, 4½ lb. pkg.
Peanut Butter, 2 lb. cn.
Rice, 2 lb. pkg.
Canned Meat, 30 oz. cn.
Rolled Oats and Rolled Wheat, 3 lb. pkg.
Cheese, 5 lb. loaf.
Bulgur, 2 lb. pkg.
Prunes, 1 lb. pkg.
Split Peas, 1 lb. pkg.
Dehydrated Potatoes, 1 lb. pkg.
Canned Grape Juice, No. 3 cylinder can, or prune juice, 32 oz. container, or Apricot nectar, No. 3 cylinder can.
Canned Whole Chicken, 50 oz. can.
Scrambled Egg Mix, 12 oz. can.
Canned Peas, No. 303 can.
Canned Green Beans, No. 303 can.
Corn Syrup Blend, 16 fl. oz. container.
Cheese, 2 lb. loaf.
Farina, 14 oz. pkg.
Milk Beverage Mix, 2 lb. pkg.
Instant Dry Milk, 2.4 lb. pkg.
Evaporated Milk, 14½ oz. cans.
Tomato Juice, No. 3 cylinder cans.

The retail value of above items for one person taking all items is $9.82.

For a family of five, $51.98.

For a family of ten, $98.17.

TABLE H.—ABUNDANT FOOD AND FOOD STAMP ACTIVITY, MARCH 1969

EXHIBIT II

	PA only				Percentage PA households participating	Non-PA only		PA—Non-PA		Total	
	Households		Persons			Participating		Participating		Participating	
	Eligible	Participating	Eligible	Participating		Households	Persons	Households	Persons	Households	Persons
Abundant food: Total	12,981	9,413	38,787	28,866	73	12,454	43,699	547	2,657	22,414	75,222
Baker	149	119	359	278	80	219	668	9	36	347	982
Benton	110	73	349	242	66	188	641	13	61	274	944
Clackamas	893	669	2,889	2,088	75	1,142	3,980	57	285	1,868	6,353
Clatsop	217	175	552	433	81	227	619	8	31	410	1,083
Columbia	202	167	530	502	83	440	1,496	11	46	618	2,044
Coos	618	458	1,821	1,307	74	823	2,705	11	61	1,292	4,073
Crook	110	69	271	154	63	140	476	6	20	215	650
Curry	81	64	222	170	79	263	886	3	14	330	1,070
Deschutes	202	178	594	525	88	231	753	5	13	414	1,291
Douglas	881	636	2,640	1,960	72	719	2,599	25	103	1,380	4,662
Gilliam	3	2	8	8	67	7	11	0	0	19	19
Grant	41	38	128	102	93	86	295	1	4	125	401
Harney	44	32	111	86	73	26	89	0	0	58	175
Hood River	60	48	150	137	80	235	896	3	14	286	1,047
Jackson	935	623	2,617	1,661	67	492	1,717	11	52	1,126	3,430
Jefferson	41	30	150	109	73	102	355	4	4	136	468
Josephine	545	378	1,564	1,111	69	742	2,748	29	152	1,149	4,011
Klamath	629	328	1,502	832	52	284	972	18	78	630	1,882
Lake	57	40	159	119	70	66	233	2	8	108	360
Lane	1,991	1,418	6,170	4,438	71	1,584	5,580	62	312	3,064	10,330
Lincoln	372	245	876	716	66	418	1,311	14	46	677	2,073
Linn	633	493	1,918	1,551	78	791	2,700	35	173	1,319	4,424
Malheur	316	246	1,234	1,023	78	223	1,038	19	98	488	2,159
Marion	1,826	1,335	5,923	4,548	73	1,111	4,299	103	576	2,549	9,423
Morrow	38	25	113	104	66	32	97	0	0	57	201
Polk	301	220	890	688	73	347	1,335	25	118	592	2,141
Sherman	7	7	17	17	100	9	25	0	0	16	42
Umatilla	424	337	1,195	951	80	340	1,121	14	69	691	2,141
Union	135	101	280	212	75	163	532	9	36	273	780
Wallowa	61	31	108	72	51	106	330	5	20	142	422
Wasco	129	90	354	243	70	174	672	5	20	269	935
Washington	550	424	1,899	1,470	77	414	1,327	23	117	861	2,914
Wheeler	15	12	37	29	80	12	51	0	0	24	80
Yamhill	365	302	1,157	980	83	298	1,142	17	90	617	2,212
Food stamps: Multnomah County	7,134	3,098	18,240	8,861	43	1,015	2,539	73	338	4,186	11,738

EXHIBIT III

COMPARISON OF MARION COUNTY ABUNDANT FOOD PROGRAM AND MULTNOMAH COUNTY FOOD STAMP PROGRAM

To: Tony Cardiello, Supv. Special Services
From: Keith Putman, Dir., Research & Statistics

PERIOD UNDER STUDY

This study covers the months of October, November and December, 1968. This time period was selected because the new additions to the Abundant Food Program were first distributed in October. Also new wholesale and retail prices became effective in October.

MULTNOMAH COUNTY—FOOD STAMPS

1. Certification costs—costs for the quarter were as follows:

Salary for 9 employees	$11,437
Postage	58
Total	11,495

2. Distribution costs—costs for the quarter were as follows:

Salary for 8 employees	$11,205
Rent	1,860
Upkeep	1,874
Personal services	990
Utilities	208
Total	16,137

3. Total administrative costs, $27,632.

4. The administrative cost spread over the number of persons participating during the quarter equals $0.78 per participant.

5. Utilization of food stamps—Public Assistance households that were eligible for food stamps during the quarter numbered 19,826. Those households that participated in the program totaled 9,217. This is a participation rate of 46%.

Based on other source data, there are an estimated 14,358 low income households living in Multnomah County who are not on public welfare. An average of 1,123 of these households participated in the Food Stamp Program during a given month. This is a participation rate of only 8%.

A comparison of eligible PA and non-PA households to those using food stamps produces a ratio of 5:1.

6. Value to participant—the value of food stamps issued during the quarter was:

Retail value	$640,498
Cash paid by participants	441,405
Bonus value	199,093

Persons participating during the quarter numbered 35,286. This gives a bonus stamp value of $5.64 per person.

MARION COUNTY—ABUNDANT FOODS

1. Certification costs—costs for the quarter were as follows:

Salary for 2.5 employees	$2,964
Postage	57
Travel	3
Total	3,024

2. Distribution costs—costs for the quarter (excluding the cost of food) were as follows:

Salary for 3.3 employees	$3,958
Rent	1,186
Upkeep	36
Utilities	253
Freight	360
Handling	5,359
Personal services	372
Travel and supplies	25
Total	11,549

3. Total administrative costs, $14,573.

4. The administrative cost spread over the number of persons participating during the quarter equals $0.60 per participant.

5. Utilization of abundant foods—Public Assistance households eligible for abundant foods during the quarter numbered 4,671. Those households that participated in the program totaled 3,168. This is a participation rate of 68%.

There are an estimated 6,132 low income households not on welfare in Marion County. An average of 1,177 of these households participated in the Abundant Food Program during a given month. The participation rate for this group is 19%.

A comparison of eligible PA and non-PA households to those using abundant foods produces a ratio of 3.4:1.

6. Value to participant—the retail value of abundant food issued during the quarter was $226,954. Since there is no cost to the recipient for the food, this can be considered the Bonus Value.

Persons participating during the quarter numbered 24,201. This gives a bonus value of $9.37 per person.

IF MARION COUNTY ADOPTED THE FOOD STAMP PROGRAM

Since we have no history on food stamps other than Multnomah County, we must assume that Marion County participation would be similar to Multnomah.

A comparison of the two programs is shown below. The actual figures for the last quarter are given under Abundant Foods. Using the relationship of costs to participation in Multnomah County as a guide, Marion County figures were projected under the Food Stamp Program. The third column reflects the anticipated loss or gain expected through participation in the Food Stamp Program.

Although the county would experience a savings of $9,782 or 67% in total administrative costs, the number of persons being served would be reduced by 15,672 or 65%. This would result in a financial loss to those recipients not served of $146,847. Since the value of food per person exceeds that of stamps by $3.72, those persons served would experience a loss of $31,813 as well. Total loss to needy persons of $178,660 must be compared against administrative savings of $9,782.

It is not practical to establish a common formula to be used for all counties in determining their participation and costs under the Food Stamp Program. Abundant Food participation and administrative costs are too varied among the counties to make this desirable. It would be best to look at counties individually to determine the feasibility of their adoption of the Food Stamp Program.

	Abundant foods	Food stamps	Loss or gain under food stamps
PA person participation	9,365	6,763	−2,602
Non-PA person participation	14,836	1,766	−13,070
Total persons	24,201	8,529	−15,672
Participation rate (percent)	68	24	−44
Certification costs	$3,024	$2,815	$209
Distribution costs	11,549	1,976	9,373
Total administrative costs	14,573	4,791	9,782
Administrative cost per participant	.60	.56	.04
Retail food and bonus stamp values	226,954	48,104	−178,850
Value per participant	9.37	5.64	−3.73

EXHIBIT IV

MULTNOMAH COUNTY FOOD STAMP PROGRAM—STUDY BASED ON APRIL, MAY AND JUNE 1967

OCTOBER 30, 1967.

You have asked for a comparative analysis of the abundant food program and the food stamp program. This was done, using Marion and Polk data for the abundant food portion of the study.

The conclusion of the analysis is that the abundant food program has the same monetary value to the user as he would receive under a stamp plan. However, of those eligible for abundant food or food stamp, a much higher proportion utilize the abundant food.

1. Administrative costs for the quarter ending June, 1967—

Food Stamp, 78 cents per person per month.

Abundant Food, 38 cents per person per month.

2. Extent of utilization:

A. Previous studies have shown that the number of persons in Multnomah County who formerly utilized abundant food was 2 times greater than the number utilizing food stamps. This same phenomenon was reported in Detroit, Michigan with a drop of nearly 60% when stamps were substituted for food in mid-1961.

B. A comparison of the number of welfare recipients to stamp users in Multnomah produces a ratio of 10:6—that is 10 persons on assistance for every 6 persons buying stamps. In abundant food counties the ratio is 5:6—that is 5 persons on assistance for every 6 getting abundant food. A comparison of these ratios (10:6 versus 5:6) shows that twice as many are utilizing abundant food as food stamp. The discrepancy in the utilization rate is much more pronounced in "low income" families than in welfare families, with proportionally fewer "low income" families using food stamps.

3. Value to recipient:

A. The value of the bonus stamps issued is $5.21 per person who buys stamps. The *retail* value of commodities distributed was $4.62 per person receiving commodities. Retail value is used because that—rather than wholesale—is the value to the recipient. Also, since the food stamp is spent on *retail* prices the only valid comparison to abundant food would be terms of the retail price. The $4.62 was obtained in a quarter when neither butter nor cheese was distributed. Either commodity, had they been distributed, would have raised the $4.62 above the $5.21 bonus stamp level. From this it can be concluded that the *maximum* extra value of stamps is 59 cents.

In months in which more expensive commodities are distributed the value of abundance food will exceed the value of bonus stamps.

B. Abundant food is available to all qualified low income persons, regardless of the amount of disposable income they have on food distribution day. Food stamps are available only to those qualified low-income people who meet the further qualifications of having disposable income equal to the "book" value of the stamps they must buy in order to get the bonus—or "free" stamps. This latter qualification has been widely believed to be the cause of the low rate of utilization.

C. Had Multnomah been in the abundant food program, twice as many persons (66,400) would have received commodities as received stamps. To the low income population of Multnomah County the abundant food value would have been $306,700—which is $133,500 more than received under food stamps.

4. A valuable study would be to compare the food utilization patterns of abundant food and food stamp users.

STATE OF NEW YORK,
Albany, August 19, 1969.

Hon. LEONARD FARBSTEIN,
House Office Building,
Washington, D.C.

DEAR MR. FARBSTEIN: Governor Rockefeller has asked me to thank you for your letter of July fourteenth concerning New York State in which you ask views on the hunger problem and the appropriate role of state government in the attack on malnutrition.

Food assistance programs should be considered in the context of a state's effort to deal with problems of poverty. In New York State we have a comprehensive public assistance program which adequately meets the needs of public assistance recipients. The federal food assistance programs are supplementary programs which should raise the nutritional level of public assistance recipients, as well as other eligible low-income groups.

A public assistance family in New York State receives a cash payment equal to 100 percent of the amount of money required to adequately meet the needs of the family. In some states, on the other hand, a public assistance family may receive only fifty percent of the total amount that a state has determined to be adequate. It is possible, therefore, that these states are attempting to partially offset the inadequacies of their public assistance payments through the federal food assistance programs.

The state is the logical vehicle to take the initiative for having the local districts participate in the food assistance programs and as you undoubtedly know, the 1969 Legislature approved my proposal to establish a broad new food program as part of the statewide attack on malnutrition and hunger. The enabling legislation requires every local social services district to apply for participation in the Federal Food Stamp Program and implement it immediately upon receipt of federal approval. Recognizing, however, that sufficient federal funds may not be available to implement the Food Stamp Program on a statewide basis, the legislation also requires each local social services district to maintain a commodity distribution program until federal approval is received for the Food Stamp Program.

At the same time, New York State took legislative action this year to provide $8 million in state funds to finance the total administrative costs of operating both food assistance programs in all districts of the State, thus relieving localities of any administrative costs.

Recognizing that it is vitally important for people to know what food to purchase, how to store it, plan for its use and prepare it properly in order to receive maximum nutrition, the State has initiated a major nutrition education program for all public assistance recipients and low-income families receiving food assistance.

The policies regulating the federal food assistance programs are established by the United States Department of Agriculture. The programs designed to alleviate hunger and malnutrition should be administered by the Department of Health, Education and Welfare and not by the Department of Agriculture which is primarily concerned with farm production and the needs of the farmers. The Governor, therefore, has recommended transfer of the food assistance programs from the Department of Agriculture to the Department of Health, Education and Welfare.

Your interest in writing to the Governor on this important matter is appreciated.

Sincerely,

ALTON G. MARSHALL.

STATE OF MAINE,
Augusta, Maine, August 18, 1969.

Hon. LEONARD FARBSTEIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: I have been greatly interested in the food distribution programs for some time and I share some of your concerns about the relative lack of enthusiasm with which some governmental units have approached this problem. On the other hand, I have been reassured to see the extent to which the program has been expanded in Maine within the last year for we now have statewide utilization program for all practical purposes. Unfortunately, our last legislature did not see fit to appropriate funds to provide financial support for the program and, therefore, it must still be financed by municipal funds, county funds, or OEO grants.

Sincerely,

KENNETH M. CURTIS,
Governor.

STATE OF RHODE ISLAND &
PROVIDENCE PLANTATIONS,
Providence, August 19, 1969.

Hon. LEONARD FARBSTEIN,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Thank you for your very informative letter of July 14 concerning the Federal anti-hunger program. Your findings on inadequate commodity availability as well as low participation rates in Northeastern states are most disturbing.

In order to determine what the situation is in Rhode Island, I have forwarded copies of your letter to Anthony P. Travisono, Director of the Department of Social Welfare, and William F. Carroll, Jr., Director of the State Office of Economic Opportunity, and have directed them to investigate the anti-hunger program in our state and report their findings and recommendations to me.

Thank you for calling this serious matter to our attention. I can assure you of my commitment to adequate food programs for the poor.

Sincerely,

FRANK LICHT,
Governor.

STATE OF MINNESOTA
St. Paul, August 22, 1969.

Hon. LEONARD FARBSTEIN,
Congress of the United States,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Reference is made to your letter of July 14, 1969. I have received a report from our State Department of Public Welfare regarding counties participating in the Commodity Distribution Program.

Your table shows that two of our counties are ordering between 11 and 13 of the available 20 to 22 commodities. One county is ordering 16 items and the remaining counties are essentially ordering all available commodities. I am informed that several of our counties have severe space restrictions in their storage areas but our State Agency has been urging them to procure larger quarters to enable them to order a greater variety of foods. You realize, of course, that in Minnesota each county has the option of ordering whatever foods they want, so this is beyond the control of our State Agency.

We share your concern regarding low participation rates in the Food Stamp Program. There are a number of factors involved, some of which are being discussed at the present time in congressional hearings on this subject. I would urge your support of a number of proposals to simplify the present food stamp program administration in order to make it easier for eligible people to participate. I especially urge your support of H.R. 12222 which authorizes the deduction of food stamp purchases from public assistance grants and would enable our county welfare departments to mail the remaining assistance grant and the food stamps directly to the recipient.

We appreciate the difficulties of purchasing food stamps throughout the year by the aged, disabled and mothers with small children, especially when purchase points are at considerable distances from their places of residence. We further understand that there are proposals in Congress to reduce the amount of money that people must pay for food stamps, together with other proposals to simplify this quite cumbersome food supplement program.

We realize there are people who are in need of food supplement programs in every county of our state and we are attempting to make available benefits of these programs to everyone who needs them.

Sincerely,

HAROLD LEVANDER,
Governor.

THE STATE OF WISCONSIN,
Madison, August 29, 1969.

HON. LEONARD FARBSTEIN,
House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Thank you for your interesting and informative letter concerning the current administration of the Federal anti-hunger program. It is certainly a program which needs immediate and constant attention.

There are several reasons why the South *appears* to have better food distribution than the North. The first consideration is that "virtually half of America's poor live in the 16 Southern and border states, an area that holds less than a third of the total U.S. population" (from a report of the Institute for Research on Poverty, University of Wisconsin). Coupled with this alarming statistic is the fact that the public assistance standards and payments are considerably lower in the South than the Northern states. Therefore, as is particularly obvious in Mississippi, the Southern state will put more emphasis and support into a food distribution program since it is almost 100% federal money and with minimum administrative detail, as compared to welfare programs. In the Northern state, where the assistance payment is much higher, there is more cash available to the recipient to supplement any food distribution he may receive. For example, in Wisconsin a family of 4 receives $129 of its monthly allotment for food (1968 figures). Since food programs are based on voluntary participation the recipient can either use this $129 to supplement food programs, or choose to maintain their food budget within this amount.

In Wisconsin, the Food Stamp and Surplus Commodity distribution programs are administered by county social service departments according to the State Plan of Operation. The county boards of supervisors vote on whether they will participate in a food program or not. They also decide which program their county will administer. All public assistance households that purchase, prepare, and consume their own food are eligible to participate. (Non-assistance households with net incomes below the maximum income levels in the non-assistance income schedule are also eligible.) The county social service staff explains the program to the recipients. The state has no authority to control the choice of the county boards.

We believe that all eligible households should participate in one or the other program as provided in their county. A frequently expressed reason for not participating in the Food Stamp Program is that individuals and families believe they do not normally spend the amount of the purchase requirement for food. (The purchase requirement is the minimum amount the U.S.D.A. has established for a household to spend in order to purchase its allotment of stamps.) Some eligible non-assistance households will not apply because they view the program as a welfare program.

Wisconsin has 34 counties under the commodity distribution program. Of these, 29 distribute all 23 commodities, the other 5 distribute 20 commodities or more.

We now have 35 counties within the food stamp program (Calumet just started). As you can see by the chart enclosed, 42.9% of the public assistance recipients in food stamp counties participate in the program. The statistics also show a participation increase of almost 40% over the past year. This is partly due to the increase in the number of participating counties. Also, during the past two months the brewery strike in Milwaukee and the influx of migrant workers have added to the non-assistance household totals.

The lack of utilization of food programs is not the sole cause of hunger and malnutrition. Most welfare recipients are unsophisticated in the art of obtaining the most nutrition per dollar spent. Therefore, nutritional education and assistance is a vital complement to any food program. The economics involved in efficient dietary spending are complex for the average, educated suburban housewife. The welfare housewife easily becomes the victim of the ghetto price gouger who frequently charges 150% of what the affluent pay for the same item. The commodities recipient must be helped to prepare the commodities that are being distributed and to know what additional foods are necessary to assure a nutritionally sound diet.

Sincerely,

WARREN P. KNOWLES,
Governor.

WISCONSIN FOOD STAMP PROGRAM REPORT—STATISTICS FOR JULY

	1968	1969
Number of: Counties selling food stamps	28	34
Number of:		
People in participating families	35,604	49,811
Public assistance	24,662	32,247
Nonassistance	10,952	17,564
Nonassistance—minimum income	(1)	6,883
Total value of stamps issued	$633,368	$866,956.00
Cash amount participants paid	411,587	546,258.71
Bonus amount received by participating households	221,781	320,697.29
Average bonus amount received by each person	6.23	6.44

[1] Not computed.

Note: Calumet submitted their application for food stamps and has been approved to participate in the program making the 35th county. They will begin issuing stamps Aug. 4, 1969.

STATE OF WISCONSIN, FOOD STAMP PROGRAM, MONTH OF DECEMBER 1968

County	Number of public assistance recipients on food stamps	Percent	Total public assistance recipients in county	ADC recipients	OAA recipients
Adams	107	31	342	148	104
Barron	396	36	1,097	557	290
Bayfield	145	35	418	150	174
Burnett	165	35	474	166	167
Columbia	166	28	597	360	134
Crawford	249	50	495	230	138
Door	111	40	277	132	90
Douglas	1,067	58	1,845	1,009	391
Dunn	241	39	623	274	211
Eau Claire	444	31	1,441	762	343
Forest	143	24	604	225	114
Grant	443	46	971	493	324
Green	93	34	274	105	114
Iron	56	34	163	50	85
Kewaunee	60	33	182	77	61
Lafayette	133	34	323	135	108
Langlade	266	41	648	254	234
Marinette	610	48	1,268	746	282
Milwaukee	21,915	44	50,115	32,596	2,923
Monroe	309	34	898	487	202
Oneida	337	47	724	427	137
Pepin	144	49	293	150	91
Pierce	130	33	395	159	155
Price	80	33	245	68	121
Richland	148	43	342	114	142
Rusk	280	43	656	319	199
St. Croix	138	39	353	201	92
Trempealeau	263	34	772	368	297
Vernon	179	31	570	165	270
Waukesha	892	47	1,883	1,331	165
State totals for food stamp counties	29,710	42.9	69,288	42,258	8,158

Note: The above is a list of counties administering the food stamp program in December 1968, showing a percentage comparison of the total public assistance recipients in each county with the public assistance recipients participating in the stamp program. Shown also is number of ADC recipients and OAA recipients in each of these counties.

STATE OF NORTH DAKOTA,
EXECUTIVE OFFICE,
Bismarck, August 29, 1969.

HON. LEONARD FARBSTEIN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FARBSTEIN: By now I am sure other northern states have sent you information which illuminates the challenge of feeding the hungry far more than a cursory examination of USDA records permits.

I will send you copies of letters I have received from the heads of our North Dakota Public Welfare Board and North Dakota Department of Public Instruction, which is charged with distribution of surplus food commodities. You will note that North Dakota ranks at the top of those states which are providing for hunger among their disadvantaged.

Sincerely yours,

WILLIAM L. GUY,
Governor.

PUBLIC WELFARE BOARD OF NORTH DAKOTA,
Bismarck, N. Dak., August 21, 1969.

Re letter from Representative Farbstein.

HON. WILLIAM L. GUY,
Governor of North Dakota,
Bismarck, N. Dak.

DEAR GOVERNOR GUY: Many of the statements and charges made in Representative Farbstein's letter are not based on fact and are inaccurate. He states that 11 counties are participating in the surplus commodity program in North Dakota, and that 10 of these counties distribute less than the total number of commodities available. The fact is that only seven counties in North Dakota administer the surplus commodity program and of these seven counties, three distribute all commodites and the other four distribute all commodities except "bulgar wheat". Corn grits are not available or distributed in North

Dakota since they are not a part of our food pattern. Farina has not been available for distribution. Forty-one counties in North Dakota participate in the food stamp program. Five county welfare boards have not accepted either program.

Representative Farbstein assumes that the food stamp program and the surplus commodity program are the only anti-hunger programs administered by states and counties in this nation. I am "shocked" at this assumption.

The public assistance programs, Old Age Assistance, Aid to the Blind, Aid to the Disabled, and Aid to Families with Dependent Children are the major "anti-hunger" programs.

Representative Farbstein states that the midwest "has the worst level of food programs for the poor" and that "the southern states are generally doing a great deal to combat hunger and malnutrition and have relatively the best programs in the country." Representative Farbstein states that he has arrived at these conclusions after examining Department of Agriculture data. I would suggest that he look at the whole picture.

The following is a list of southern states and midwest states and the actual budgeted needs currently being provided for a family of four:

Southern States	
Mississippi	$55
Florida	85
Alabama	89
Arkansas	90
Texas	114
Louisiana	116
Tennessee	120
Missouri	124
Georgia	125
Midwest States	
Wyoming	$200
Nebraska	200
Montana	224
South Dakota	229
Midwest States—Continued	
Kansas	237
Iowa	224
North Dakota	251
Minnesota	266
Illinois	279

I doubt that the southern states "are doing a great deal to combat hunger and malnutrition and have relatively the best programs in the country," and that in contrast the midwest and North Dakota specifically should be criticized.

Representative Farbstein states that he believes the Department of Agriculture "lacks direction and motivation for it is caught in the cross fire of divided loyalties between the farmer and the hungry. Inevitably it is the hungry who suffer." I do not know where Representative Farbstein's loyalties are, but when he implies that Mississippi is doing a great deal to combat hunger and malnutrition and has relatively the best program in the country when the facts are that it allows less than $14 per month per person for total living, including food. I wonder if he really knows what he is talking about.

Sincerely yours,

LESLIE O. OVRE, *Executive Director.*

THE STATE OF NORTH DAKOTA,
DEPARTMENT OF PUBLIC INSTRUCTION,
Bismarck, N. Dak., August 26, 1969.

Hon. WILLIAM L. GUY,
Governor, State of North Dakota,
State Capitol,
Bismarck, N. Dak.

DEAR GOVERNOR GUY: Mr. McKinney asked for my reaction to Congressman Farbstein's letter of July 14 regarding the food stamp and commodity distribution programs.

North Dakota has both food stamp and commodity distribution programs. The food stamp program operates in forty-one counties, the commodity distribution in seven counties and on three Indian Reservations. Counties having neither food programs are Bowman, Slope, McKenzie, Eddy and Renville.

The Department of Public Instruction handles the food distribution program with the Public Welfare Board doing field supervision in the counties and the BIA supervising the program at the Indian Agencies.

The seven counties distributing commodities are Burleigh, Cass, Ramsey, Grand Forks, Rolette, Walsh and Ward. Of these only three (Burleigh, Cass and Grand Forks) distribute twelve months in the year. The other counties distribute nine or ten months. Ramsey County distributes to a very limited number of people. The Public Welfare Board has consistently urged counties to distribute twelve months out of the year.

Attached to this letter is a family distribution guide listing foods available and quantities distributed to various size families. North Dakota has had 22 items for distribution most of the year. We accept all commodities offered except corn grits.

I am inclined to think that the commodity distribution program is superior to the food stamp program because a wide variety of nutritious foods are available to eligible needy households. There is no assurance that food stamps will be spent for nutritious foods. I realize that county-wide distribution of foods is not possible in most counties. Distances and distribution problems could make food stamps most desirable.

It must be remembered that the State cannot force the counties to accept either the food stamp or the commodity distribution program because the State exercises only supervision over county welfare procedures.

There is a very interesting article, "The Politics of Hunger," in the June 21, 1969 issue of the Saturday Review of Literature. This magazine is available in our library if you do not have a copy.

Sincerely yours,

Mrs. ETHEL HEISING,
Director, School Food Services.

FAMILY DISTRIBUTION GUIDES FOR DONATED COMMODITIES

[In units per month]

Commodity	Unit	Number of persons									
		1	2	3	4	5	6	7	8	9	10
Dry beans	2-pound package	1	2	3	4	5	6	7	8	9	10
Bulgur	2-pound package	1	1	1	1	1	2	2	2	3	3
Butter	Pound	2	4	6	8	10	12	14	16	18	20
Cheese	2 lb loaf	1	2	3	3	4	4	5	6	6	7
	5 lb loaf	¼	½	¾	1	1¼	1½	1¾	2	2½	1½
Chicken, or turkey, or beef or pork w/natural juices.	Can	1	2	3	4	5	6	7	8	9	10
Corn meal	5 lb. package	1	1	2	2	3	3	4	4	5	5
Scrambled egg mix	12 oz. can	1	2	2	3	3	4	4	5	5	6
Flour	10 lb. package	2	4	6	8	10	12	14	16	18	20
Fruit or vegetable juice (carrot tomato, prune, grapefruit).	Can or bottle	1	2	3	4	5	6	7	8	9	10
Lard/shortening (as available)	3 lb. can	1	1	1	2	2	2	3	3	3	4
	Pound	1	2	3	4	5	6	7	8	9	10
Chopped meat	No. 2½ can	1	2	3	4	5	6	7	8	9	10
Evaporated milk	14½ oz. can	2	4	6	8	10	12	14	16	18	20
Regular nonfat dry milk	4½ lb. package	1	2	3	4	5	6	7	8	9	10
Peanut butter	2 lb. can or jar	1	2	1	2	2	2	3	3	3	4
Dehydrated potatoes (instant mashed).	1 lb package	1	2	3	4	5	6	7	8	9	10
Dried prunes	1 lb. package	1	1	2	2	2	3	3	4	4	5

STATE OF NEW JERSEY,
Trenton, September 5, 1969.

Hon. LEONARD FARBSTEIN,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FARBSTEIN: Thank you for your recent letter expressing your concern with respect to the administration of the federal anti-hunger program and soliciting my views on this important matter.

We in New Jersey share your staunch commitment to meeting the nutritional needs of our poorer citizens. In April of 1968 I called upon the Boards of Chosen Freeholders of 10 New Jersey counties not at that time participating in the Food Stamp Program to speed its implementation, and subsequently shared in your dismay at the lack of encouragement or support for our efforts on the part of the federal Department of Agriculture. Six of our counties were among those you cited as pending federal approval on a prolonged basis. Included among these was Essex County, in which we anticipated providing food stamps to some 80,000 low-income citizens, largely residents of the Newark area, for an annual bonus of $6 to $7 million.

I am proud to report to you that over the past year we have, through concerted efforts and in spite of obstacles at the federal and local levels, forged ahead in this vital area. As of June of this year, 17 of our 21 counties were participating in the Food Stamp Program, covering some 88,000 low-income citizens at a monthly bonus of $586,000. A one-month-old program in Essex County has already doubled these figures, and we have solid plans for extending the program to the remaining three counties by November 1 of this year. We estimate that by that time some 175,000 to 200,000 New Jerseyans from low-income families will be actively participating in the Food Stamp Program, providing a monthly food purchasing bonus of about $1.2 million.

Needless to say, we do not, by any means, view our role in the fight against hunger and malnutrition as complete. In implementing the Food Stamp Program throughout New Jersey, we are experimenting with such innovations as employing ADC mothers as official Food Stamp certifiers in areas such as Newark, and in this and other ways hope

to extend certification and participation to all who are in need of support in maintaining an adequate family diet. Notwithstanding this sustained effort, I have recently directed the New Jersey Departments of Agriculture, Education, Institutions and Agencies, Treasury and Health to take full advantage of all new federal initiatives in alleviating hunger and malnutrition wherever they may exist. And, in my recent Special Legislative Message on Health, I requested specific appropriations which would enable a comprehensive survey of nutritional needs in New Jersey in cooperation with the National Nutrition Survey being conducted by the Surgeon General of the United States; unfortunately, the Legislature has not as yet considered this particular recommendation.

All of these efforts reflect a conviction to which I firmly adhere, and which was suggested by your inquiry into our progress in the anti-hunger field—that state government ought to identify itself as energizer and innovator in this area, as in all such areas in which both the immediate needs of low-income citizens, as well as their integration into the mainstream, are at stake.

I appreciate your interest in my views in this crucial field, and commend you on your extraordinary concern for the needs of the hungry throughout the nation.

Sincerely yours,

RICHARD J. HUGHES, *Governor.*

AMISTAD: FRIENDSHIP

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

Mr. DE LA GARZA. Mr. Speaker, the recent dedication of Amistad Dam marked the culmination of years of dedicated effort by a number of Texans. The finished dam is an inspiring example of what can be accomplished by collaboration between two such good neighbors as the United States and Mexico.

It was in September 1948 that the International Boundary and Water Commission instituted a study program to evaluate the relative merits of all damsite possibilities on the Rio Grande from Del Rio to a point 345 miles upstream. By late 1952 the Commission had concluded that any of 13 sites or groups of sites would be suitable, and 2 years later the Commission decided on what is now Amistad as the site. The structure was originally known as Diablo Dam, bearing the name of the river. However, the site was below the confluence of the Rio Grande and the Diablo.

In 1959, Texas Gov. Price Daniel suggested Dos Amigos as a fitting name. However, it was found after President Eisenhower's visit to Mexico in February of the same year that this name did not appeal to Mexican officials. Efforts continued to hit on a designation that indicated the dam was an international and collaborative concept. Mexican President Lopez Mateos visited Washington in the fall of 1959 and suggested the name, Amistad. He and President Eisenhower announced it as their choice on October 12 of that year.

Representative CLARK FISHER, of the 21st Congressional District of Texas, introduced enabling legislation July 1, 1959; hearings were held by the appropriate House committees in February and March of 1960; and authorization to build the dam was passed by the House on July 7, 1960. Senate hearings were held that same month, and under the leadership of Senator Lyndon B. Johnson the Senate Appropriations Committee added $5 million to the sum asked by the State Department.

My predecessor as Representative from the 15th District, Joe Kilgore, was very active in bringing about authorization of the project. He did highly valuable work in acting as a catalyst in getting together people representing upstream and downstream interests. The people of south Texas owe a great debt of gratitude to him, Representative FISHER, and Senator Johnson for their work on behalf of this outstanding project.

At the dedication it was the Mexican President's turn to entertain the U.S. President on Mexico's side of the border. Because of space limitations the guest list was severely restricted. Invited to represent Texas were Senators YARBOROUGH and TOWER and Representatives FISHER and GEORGE BUSH, of Houston.

This history of Amistad is important to both the United States and Mexico—and especially, of course, to south Texas.

MILITARY AIRLIFT COMMAND

(Mr. PRICE of Illinois asked and was given permision to revise and extend his remarks in the body of the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, at Scott AFB situated near Belleville, Ill., within the district which I have the honor to represent, the Military Airlift Command maintains its headquarters.

This command, now under the able leadership of Gen. Jack C. Catton, provides airlift support for all our military forces. The mission of MAC, as it is usually called, however, is not all limited to airlifting troops and equipment. MAC is also responsible for aeromedical evacuation of troops domestically and from theaters of combat; for aerial search, rescue, and recovery of military personnel and equipment; weather reconnaissance, sampling, forecasting, and dissemination; documentary photography and audiovisual services; aerial electronic survey and photomapping; and procurement of commercial airlift for the Department of Defense.

This history of MAC, dating back through its ancestors ATC and MATS, has always been a glorious one. The advent of the C–5A now moves it ahead to another era of military air transportation that would even challenge the imagination of the "boys from the bicycle shop."

The Air Force Association in connection with its annual fall meeting pays tribute to this great major air command in its monthly magazine, Air Force and Space Digest, I insert this article at this point in the RECORD:

THE MILITARY AIRLIFT COMMAND

(NOTE.—Gen. Jack J. Catton assumed four-star rank along with command of the Military Airlift Command on August 1, 1969. He had commanded SAC's Fifteenth Air Force prior to that. From 1964 to 1968 he served at Headquarters USAF at the Pentagon and spent the final year of this tour in the post of Deputy Chief of Staff, Programs and Resources.)

For the Military Airlift Command the past year may well have been a preview of the 1970s—an era in which the teaming of the C–141 and the C–5 will afford the nation an unsurpassed airlift capability and permit the rapid deployment of combat troops and equipment to any point on the earth at jet speeds.

A series of dramatic airlift demonstrations, some of vast proportions, have indicated what the future may hold. This effort was conducted at the same time that MAC continued to meet its requirement to support allied forces in the Republic of Vietnam. Two operations in particular illustrated MAC's capability as well as its tremendous potential.

Operation Focus Retina in March involved the airlift of 2,700 members of the US Army—"MAC's Best Customer"—from the east coast of the United States to the Republic of Korea. This 10,000-mile airlift demonstrated the US national resolve to support its allies and its ability to place its combat forces in the most distant of locations on the shortest notice, equipped and ready to fight.

Operation Reforger/Crested Cap saw more than 17,000 Army and Air Force personnel airlifted from the United States to Germany and returned. The four-month exercise ended in April. This exercise highlighted the merits of the dual-base concept, showing how the number of US personnel in Europe could be reduced without adversely affecting operational readiness.

While these two operations perhaps best illustrate the expanding role of strategic airlift, many others took place throughout the year. Another large and long-distance movement took more than 4,500 troops and their equipment from Colorado to Vietnam. Exercises, featuring heavy MAC participation, were held in Georgia, Spain, Alaska, Greece, Hawaii, North Carolina, Kansas, and Puerto Rico.

The full impact of worldwide mobility requirements fell almost exclusively on MAC's fleet of C–141 Star-Lifters. But relief for the future was on the horizon, as the giant C–5 Galaxy entered its flight-test program. The first C–5 will be turned over to MAC in December.

The C–5 has a tremendous cargo-carrying capacity. A record load takeoff of 762,000 pounds was recorded in June. Added to the troop-carrying capability of the C–141, it will provide MAC with the ability to deliver an Army division—with virtually every piece of combat equipment it uses—to any place in the world.

Another significant development in capability took place during the past year with the delivery to MAC of eight C–9 Nightingales, the first aircraft designed specifically for aeromedical-evacuation operations. The C–9, which is truly a "flying hospital ward," is now in operation on MAC's domestic air-evac routes. An additional four C–9s are scheduled for delivery.

MAC's commander since 1964, Gen. Howell M. Estes, Jr., retired on August 1. He was succeeded by Gen. Jack J. Catton, formerly commander of the Strategic Air Command's Fifteenth Air Force.

The command, with headquarters at Scott AFB, Ill., has about 100,000 officers, airmen, and civilians at 419 locations in the U.S. and nearly forty foreign countries. While the command's primary mission is the operation of an airlift system for peace and war, there are additional MAC global missions that serve both the Air Force and the Department of Defense. These include:

Aeromedical evacuation; domestic and intertheater.

Aerial search, rescue, and recovery of downed flyers and space personnel and hardware.

Weather reconnaissance, sampling, forecasting, and dissemination.

Documentary photography and audiovisual services.

Aerial electronic survey and photomapping.

Executive agent for the procurement of commercial airlift for the Department of Defense.

To carry out these missions, MAC is composed of three distinct types of units. Two numbered Air Forces, with their subordinate wings and support units, make up the strategic airlift force. Three additional airlift wings perform specialized airlift services, and four technical service organizations provide the other mission services.

About seventy percent of MAC personnel are directly associated with airlift requirements. In addition, augmentation comes from the Air Reserve Forces and from commercial passenger and cargo aircraft. The continuing upward trend in airlift requirements is illustrated by the fact that MAC moved more than 2,800,000 passengers in the fiscal year that ended June 30. In the previous year, the figure totaled 2,700 000. Likewise, cargo movement increased from 679,079 tons in FY 1968 to more than 700,000 in the past year. Systemwide, MAC airlift crews averaged more than 73,000 flying hours per month.

In its worldwide aeromedical evacuation of sick and wounded, MAC operates in two distinct fashions. Overseas, the C–141 jets, after completing their cargo or passenger flights, are refitted to accommodate stretcher and ambulatory patients designated to move to theater medical facilities or return to the States. Within the continental US, the domestic air-evac system carries patients to specialized centers and to hospitals nearest their homes. Flight nurses and highly skilled medical technicians accompany all aeromedical flights. The number of patients moved by the international aeromedical operation was 98,959 during the first eleven months of FY 1969, as compared with 87,414 for all of FY 1968.

Significant developments also occurred in MAC's technical services and special mission units—organizations that support a variety of Air Force and Department of Defense requirements.

The Aerospace Audio-Visual Service completed the movement of photographic and video products and services units to its new centralized headquarters at Norton AFB, Calif. AAVS is charged with photographic documentation of significant USAF events, documentation of missile and space projects, and production of orientation and training films and video products. It operates the largest motion picture lending library in the world, and manages the Air Force film depository.

Supporting all Southeast Asia photographic requirements (except reconnaissance), AAVS crews have taken more than two million feet of documentary motion picture film, shot about a half million documentary still photographs, and processed more than four million feet of film from airborne cameras, for weapons evaluation and analysis purposes.

The Aerospace Rescue and Recovery Service, headquartered at Scott AFB, raised its total number of US and allied servicemen saved in Vietnam during the past year to 2,527—1,702 in the face of enemy fire. In its twenty-two-year history of search, rescue, and recovery, ARRS has recorded some 14,000 saves while assisting in 55,000 more. ARRS has occupied a vital role in the retrieval of vehicles and astronauts since the beginning of the space program. Humanitarian activities range from midocean searches to the rescue of stranded mountain climbers and aid to victims of natural disasters. Personnel of the command have received 6,196 decorations since December 1964, including one Medal of Honor, sixteen Air Force Crosses, and 198 Silver Stars.

Air Weather Service, also headquartered at Scott AFB, using solar telescopes, computers, satellite data, jet aircraft, and other tools and techniques of the modern scientist, operates a global network of environmental-support facilities to serve the Air Force and the Army. In a tradition which, in 1970, will mark its centennial of observing and forecasting conventional weather conditions, today's military weathermen provide space-environment forecasts for manned spaceflights like Apollo, fly special weather reconnaissance for satellite and missile launches, and give frontline combat weather support in Southeast Asia.

Extending the meaning of "weather" to encompass all of man's expanding spheres, AWS observes the sun and forecasts, on an operational basis, solar events that affect spaceflight, communications, and other operations. Still charged with global weather-support responsibility, AWS is the single manager for all Department of Defense atmospheric sampling, flying worldwide synoptic and storm reconnaissance missions (Hurricane Hunters and Typhoon Chasers). In its new role of weather modification, AWS has already developed operational techniques to disperse cold fog to permit resumption of operations at air bases affected by this adverse weather condition.

Aerospace Cartographic and Geodetic Service, headquartered at Forbes AFB, Kan., assumed its new designation during the past year. The unit formerly was designated the 1370th Photo Mapping Wing. The new name more accurately portrays its mission of gathering geodetic data for the cartographic needs of the Air Force and Army. In addition, ACGS conducts ground surveys and gravity-measuring activities at missile sites, radar installations, and satellite-tracking stations. This data is vital to accurate space and missile operations.

The 89th Military Airlift Wing, Andrews AFB, Md., carries out MAC's special air missions. One of the heaviest responsibilities of any element of the Air Force is borne by this unit—the air transportation of the President of the United States. "Air Force One" is probably the most widely known jet craft in the world today. The 89th also provides airlift for the Vice President, Cabinet members, other top government officials, and visiting foreign dignitaries.

The 443d Military Airlift Wing, Altus AFB, Okla., has stepped up its simulator and flight training for C–5 flight crews and ground personnel. The wings' special mission is training and because of its mission it is known as the "University of MAC." The 443d continues its training of crews and ground personnel for the C–141 and other aircraft in the MAC inventory.

Considerable activity was recorded by the command's Reserve Forces, which number about 50,000 in 345 flying and support units.

Four AF Reserve Associate Airlift Groups were organized at MAC bases during the past year. These organizations are integrated with active-duty units and use the same equipment and facilities. The Reserve personnel perform actual missions during their active-duty service periods, including the flying of jet aircraft. The program has proved highly successful in increasing the flying-hour utilization of MAC's C–141 fleet.

Active duty for ten Air Force Reserve units—some 3,200 officers and airmen—was terminated between May 27 and June 18. A total of 5,900 Reservists were mobilized early in 1968 as a result of the *Pueblo* crisis. Some were released earlier in 1969, though many others have elected to remain on active duty.

ADDRESS OF SENATOR CHARLES H. PERCY, JAPANESE AMERICAN ASSEMBLY, SHIMODA, JAPAN, SEPTEMBER 5, 1969

(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, it was my great privilege a few days ago to have been one of the delegates from the United States participating in the Second Japanese American Assembly, Shimoda, Japan.

At this assembly some 35 Japanese leaders in business, government, publishing, education, and all other areas participated with a like number of Americans in a discussion of the range of problems affecting relations between our two countries.

One of the principal addresses delivered during the assembly was that of our distinguished colleague, Senator CHARLES H. PERCY, of Illinois, who made a splendid address about trade relations between the United States and Japan.

I insert the text of Senator PERCY's outstanding address at this point in the RECORD.

A CONTINUING SOLID FOUNDATION IN JAPANESE-AMERICAN TRADE

I speak to you tonight from the perspective of a former businessman who now devotes his full time to public service as a United States Senator. I also speak to you from the heart, as a longtime and steadfast friend and admirer of Japan.

My Japanese friends know that throughout my business career at Bell and Howell Company I fought hard for freer international trade among all nations. When President Eisenhower asked me to serve as legislative chairman of the Committee on National Trade Policy, I shared responsibility for extension of the Reciprocal Trade Act even though at the time the vast majority of my colleagues in my own photographic industry opposed such an extension. We won that battle and we have won every major battle since to liberalize American trade policies.

Japan has played a special role in my efforts as a businessman to expand world trade ties. As President of Bell and Howell, I moved to organize a Japanese affiliate. After a considerable amount of negotiation, my former company succeeded in complying with the rules governing foreign firms that invest in Japan. This joint American-Japanese venture now employs more than 1,000 persons and is a commercial success for the United States as well as Japan. Throughout its 10-year history, there has been a buildup of capital investment, employment, sales and earnings in Japan. At the same time, the parent company's growth of capital investment, employment, sales and earnings in the United States continued to expand rapidly. In addition, its activities contributed importantly to the earnings of foreign currencies by both countries.

So it is from this vantage point of both business experience and mutual respect that I would like to share my views with you regarding the future of Japanese-American trade relations. While I speak as an individual Senator and not for the Administration, I feel certain that my analysis of the trade situation is shared by many of my fellow legislators and members of the Nixon Administration.

JAPAN'S LEADING ROLE AS WORLD ECONOMIC POWER

Japanese-American trade patterns reflect the rise of Japan to its present leading role as a world economic power. This growth in fact largely rests upon the mutually beneficial trade relationship that has developed between Japan and the United States since World War II. But this relationship is sorely threatened today.

Japan wisely realized from the outset that her potential as a major trading nation depended upon her continuing ability to maintain a high rate of domestic capital

investment, the importation of great quantities of raw materials, tight quality production controls and, finally, the export of finished products. This policy also entailed restrictions on foreign investments and imports. The United States has served as both a prime source of raw materials and as a major export market.

As the present decade opened, Japan had the highest ratio of capital investment to national wealth in the world. In 1961, half of her total imports were raw materials while 91 per cent of her exports were finished or semi-finished goods. The United States was the largest single customer for Japan's exports and Japan was the second largest market for American exports, after Canada.

In that year, 1961, the U.S. balance of trade with Japan was more than three quarters of a billion dollars—in favor of the United States. This marked the high point of Japan's trade deficit with America and also reflected Japan's largest balance-of-payments deficit. This severe payments problem led Tokyo to adopt restrictive monetary and trade policies, which in turn helped bring a temporary halt to the Japanese economic boom.

These facts illustrate an economic law that is all too well known to international businessmen and government planners alike: A nation's payments position can have a pronounced effect on its rate of growth and on its trade dealings with other nations.

Now the U.S. has its own severe balance of payments problem. The payments deficit in the second quarter of 1969 exceeded $3 billion and in the previous quarter the deficit ran to $4.5 billion.

JAPANESE TRADE POLICIES

Basic Japanese trade policies have remained relatively unchanged throughout the post-war period. Meantime, Japan's economic power has risen dramatically. Thus, today, Japan still invests heavily in key export industries such as automobiles and electronics, imports largely raw materials and relies upon the American consumer for her major market.

Under these policies, it is estimated that the U.S. trade deficit with Japan this year will exceed $1.5 billion. American consumers will, in all probability, purchase more than half of the total Japanese exports of sporting goods, plywood, clothing, footwear, tape recorders, television and radio sets and nuts and bolts. Japanese car exports are also rising rapidly, and her photographic products continue to do well.

At the same time, Japan is diversifying her sources of supply for raw materials. As a result, the American share of Japanese imports has fallen from 36 percent in 1961 to 27 per cent in 1968. On the other hand, the increasing acceptance of Japanese exports in the United States has raised the percentage of Japanese sales to our country from 25 per cent in 1961 to 32 per cent in 1968.

The fact that a major part of Japan's export-oriented industry has an established market in the United States has served to aggravate our own balance of payments crisis and to raise fresh loud voices in America calling for retaliation in kind against Japanese import controls.

From the vantage point of Washington, New York, Los Angeles and Chicago, we see a nation across the Pacific that enjoys a high standard of living operating under the world's third-largest economy.

We see a nation with substantial and growing financial reserves in a strong balance-of-payments position.

JAPANESE TRADE RESTRICTIONS

And we see a nation with an elaborate system of export preferences, restrictions on direct foreign investment, and a variety of nontariff trade barriers more appropriate to a country that is in its initial stages of economic growth.

An adverse reaction to this disparity is growing within the American business community, in the government and in the halls of Congress. If it is not soon reversed, this adverse reaction could lead to a serious impediment to Japan's continuing ability to market an ever-increasing volume of exports in the United States.

Each day brings more bitter letters from the American business community in protest against the barriers that they have encountered in trying to sell their goods in Japan.

Each week brings a fresh appeal to the Congress to impose restrictive quotas on a wider range of Japanese imports.

Each month brings fresh draft legislation proposing to protect American industry against Japanese inroads.

And—perhaps most alarming of all—a number of my colleagues in Congress from both sides of the political aisle who in the past have been known as advocates of a freer trade are beginning to join in the new protectionist cry. If the United States reverses the free trade policy it has pursued, since the aftermath of the dark days of Smoot-Hawley, and goes protectionist, the flood gates will open and other nations will follow.

Ultimately, this trend, if allowed to go unchecked, will harm Japan who will be the biggest loser, and it will harm the United States. Politically and economically, our two nations should enjoy the closest ties if we are to live in peace and stability.

Japanese markets provide jobs for more than 400,000 Americans and, undoubtedly, millions of Japanese workers.

Moreover, we have an identical interest in an early and honorable end to the Vietnam war and the restoration of peace and prosperity to all of Southeast Asia.

Fortunately, these danger signals are being read in Japan today. Thus, at a conference of the Joint U.S.-Japan Committee on Trade and Economic Affairs last July, the Japanese and the American delegations agreed in principle to deal with our differences on nontariff barriers to trade. Technical discussions will begin next month (October) to seek improved trade relations.

JAPAN'S AID TO UNDERDEVELOPED NATIONS

I also would like to commend Japan's growing initiative in aiding the underdeveloped nations, particularly in Asia. Japan's pledge of $200 million to the Asian Development Bank matches, dollar-for-dollar, the U.S. commitment, and marks the first time that any nation has matched the U.S. contribution to an international lending agency.

At the same time, the United States is embarking upon a strong and positive program to bolster confidence in the dollar abroad and to protect its value at home. In his appeal to the Congress to extend the surtax, President Nixon demonstrated the kind of fiscal responsibility that is absolutely essential to the conduct of our government if destructive inflation is to be halted.

Furthermore, in his balance-of-payments message last April, the President said, ". . . we will be working with our major trading partners abroad to insure that our products receive a fair competitive reception." I welcome and support the President's approach.

Since the dollar is the standard of international trade throughout most of the world, a severe blow to the dollar would, in the long run, fall as a severe blow on all trading currencies and impair the economies of all trading nations. I can assure you we shall do all in our power to keep the dollar strong.

Japan has a legitimate concern that Washington, in its zeal to reduce or to eliminate our balance-of-payments deficit and to halt inflation, deals fairly with her in our bilateral trade account.

At the same time, the United States has a strong interest in further substantial moves by Japan toward a liberalization of her quantitative and other trade restrictions, a reform of the import licensing system and an easing of restrictions on direct foreign investment.

A SPIRIT OF MUTUAL TRUST

I think we can all agree that a start has been made in this direction but it is just a start and a small one at that; in my view, we still have a long way to go. We should proceed in a spirit of mutual trust seeking equity on both sides of the Pacific.

For example, I do not think for a moment that all of the trade barriers arise in the Far East. Such U.S. practices as the "American Selling Price" system of customs' valuation, U.S. shipping requirements, curbs on log exports to Japan, state-level "Buy American" legislation and federal procurement policies, should be subject to liberalization over a period of time as we work ourselves away from any restrictive practices, few as they may be.

America's role in the post-war reconstruction of Japan and Japan's dramatic ascension to preeminent industrial status are now a matter of history. The present time finds us both carefully examining our traditional trade relationships. If that examination brings creative and productive results—and this conference is certainly a positive step toward that goal—then I am confident that a solid foundation can be laid for our mutual trade and continuing friendship and interdependence.

As the leading industrial nations of the free world, both Japan and the United States carry a heavy responsibility. We are beginning to have more and more common internal problems . . . or shall we call them, challenges or opportunities? We have in common, in both east and west, the fact that we are living in times of revolution and upheaval, politically, economically, socially and one might even say spiritually.

For centuries people have been willing to live like their fathers did before them . . . . but no longer. They know better now, and whether it be sons and daughters, tribes or village groupings, black, white or yellow, nations or continents, they want to be somebody, they want to have something, and they want it NOW. In both the United States and Japan, there are new internal pressures that make it urgent that we place a floor over the pit of human disaster and at the same time continue to raise the ceiling over the level of human individual opportunity. And we must show by example, not by preaching, that we are competent to manage our own internal affairs and use our great material wealth to continue the Quiet Revolution that has been going on inside our countries for so many years.

A QUEST FOR SOLUTIONS TO COMMON PROBLEMS

We must show that we can effectively deal with the rapid urbanization of our populations without destroying the pleasantness of life and work. We share in common a quest for the solution to problems of pollution, of air and water. When I drive now through the streets of Tokyo and see the heavy cloud banks of smog rising from automobile exhausts, factory chimneys and back yard garbage disposals I think I am in Los Angeles. We must find ways to provide an adequate amount of moderately priced, attractive housing for our people. We must learn to move traffic through our city streets today at least as fast as it used to move by horse and buggy through our streets of yesterday. And mass transit must be developed using new concepts that will move people in large numbers swiftly, economically and in comfort, taking into account a desire for individual dignity and treatment.

We must find an answer to lawlessness, practiced by youth as well as adults. We have a great problem of violence against person as well as property; here in Japan it is more against property than person. An an-

swer must be found for a more orderly means of protest and constructive criticism within the framework of tolerable levels, whether it be on a university campus or in an urban ghetto. We must accelerate the planning and development of new towns that can serve as models for improved urban living. We must learn how to live in a "disposable" society in which commerce packages our products in paper or cellophane wrappers, in aluminum cans that won't even rust away or in disposable bottles, with municipal governments being required to assume responsibility for their ultimate disposal. We have even a problem of disposing of our junk and abandoned automobiles that make our streets and countryside increasingly unsightly. We need to place emphasis not only on the physical sciences but also on the social sciences, arts and humanities.

We must find a way constantly to upgrade the education and skill of our working force in a technologically dominated society where changing needs require great adaptability and where acquired skills of trained people can quickly and frequently become obsolete. We are just beginning to learn what can be done through better nourishment of stomach and mind to give the children of the poor a better chance to start the race of life on a more equal footing. This offers great promise to society.

CHALLENGE WE FACE TOGETHER

These are just some of the challenges of the future that we can face together. Working to find the answers and sharing our knowledge and experience as we go along will not only help bind us together but fulfill what other developed and developing nations expect of us. It is not enough that we just have the greatest GNP and GNP growth in the world today. It seems to me that a nation able to land men on the moon within a decade of making the decision to do so, working together with a nation that has achieved the economic miracle that is can use this great knowledge and great growth not only to raise expectations but also to elevate the mind and spirit of all mankind.

THE ENVIRONMENT: ACS REPORT IS PRACTICAL ANTIPOLLUTION GUIDE

(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, this week the House is scheduled to vote on H.R. 12549, a bill to provide for the establishment of a Council on Environmental Quality.

I believe, therefore, that Members will read with particular interest an article published in the September 12, 1969, issue of Science, the publication of the American Association for the Advancement of Science, which touches on this general subject.

The article, by Phillip M. Boffey, reports on the publication earlier this month by the American Chemical Society report entitled. "Cleaning our Environment—The Chemical Basis for Action."

Mr. Speaker, the article to which I refer follows:

THE ENVIRONMENT: ACS REPORT IS PRACTICAL ANTI-POLLUTION GUIDE

In the past several years, the public has become increasingly concerned over problems of environmental pollution. Scientists have warned that pollution is disrupting the world's ecology, legislators have taken the first faltering steps toward alleviating the problem, and news media have even assigned specialists to cover the "environment beat." Considerable attention has been focused on the all-to-visible evidence that the environment is deteriorating, but relatively less concern has been given to the question of just what can and should be done to clean up the mess created by a modern technological civilization. Indeed, arguments between conservationists and polluters often bog down in sterile debate over whether various antipollution measures are technologically feasible and economically practical.

Last week the American Chemical Society (ACS) issued a report entitled "Cleaning Our Environment—the Chemical Basis for Action" [1]—which may make a valuable contribution toward the search for a "cure" for our environmental ills. The 249-page report, which covers air and water pollution, solid waste disposal, and pesticides, culminates a 3-year study by more than 100 experts from various disciplines assembled by the ACS. It reviews the current state of the art of the science and technology of environmental improvement (what is known and how it is being used; what might be learned and how it might be used) and also makes 73 recommendations to accelerate the development and use of the science and technology.

The central conclusion of the report is that technical know-how has advanced to the point where "this country can take enormous strides, now toward a cleaner environment" if it is willing to devote sufficient energy and financial support to the task. Though the report states that "extensive fundamental research" is still required to "elevate man's understanding of the environmental system," it stresses that "the nation's effort to improve its environment should be concentrated, for the present, on the use of existing science and technology."

The report is aimed at legislators, government officials, industrial leaders, and others who must deal with environmental problems but who are "one or more steps removed from direct involvement with the pertinent science and technology." It also seeks to interest scientists, engineers, and university professors who are not now involved with environmental problems but who may have useful ideas to contribute to their solution.

Lloyd M. Cooke, a Union Carbide scientist and chairman of the ACS subcommittee that put the report together, said the document offers "nothing particularly dramatic . . . no panaceas" but he said it is "probably the most comprehensive study of its kind." Another subcommittee member, Franklin A. Long, of Cornell, described the study as a "concise encyclopedia or handbook" summarizing the results of research and actual experience with pollution abatement. Long said the report contains nothing startlingly original or new, but that the ACS hoped it has performed a useful service by pulling together scattered bits of information and putting them in context.

However, some scientists and engineers concerned with pollution affairs have grumbled privately that the report is too "chicken-hearted" in its recommendations. They complain that it won't make many people mad and won't get many people excited. Barry Commoner, Washington University ecologist, called the report "Pollyannaish" in its analysis of the degree of environmental contamination and said the report is "inadequately sensitive" to ecological—as opposed to purely chemical—considerations.

The study grew out of conversations late in 1965 concerning how the ACS might best contribute to public affairs. The decision to analyze environmental problems was particularly stimulated by the publication, in November 1965, of a report on "Restoring the Quality of Our Environment," issued by the President's Science Advisory Committee. The ACS seems to have experienced the usual difficulties in lining up experts to conduct the study, but the group ultimately assembled seems reasonably well-balanced between industrial, academic, and government interests. The four-man subcommittee [2] in charge of the study included three men from industry and one academic. But the 26-man task force that put together the initial drafts included only six representatives from industry with the rest coming from universities or various government bodies.[3] Sections of the report were also reviewed by some 80 additional experts. Participants in the study insist that there were enough conflicting interests represented to prevent blatant bias from creeping into the final product—but if reactions at a press conference are indicative, some conservationists are skeptical.

The report is too wide-ranging to permit easy summarization, but several persistent themes emerge throughout the document. One is that an appalling lack of knowledge is hampering pollution control efforts. There are so few "experts" in solid waste disposal, for example, that the ACS subcommittee was not even able to organize a task force to study that aspect of the pollution problem. That section of the report had to be put together by the subcommittee itself and a number of special reviewers.

The report emphasizes the "primitive condition of our fundamental knowledge of how living things are affected by long-term, low-level exposure to pollutants" and the "even more primitive condition of our knowledge of the effects of pollutants on the ecology." The report says the relationship of contaminants to ecology is "very nearly a total mystery," and adds: "It is possible to conceive of ecological cycles in which the specific toxicity of a pollutant for a single species could cause an entire food chain to collapse, but the extent to which this might happen is unknown. Too little is known of the effects of pollutants on too few species to suggest even how such problems might be attacked. That they must be attacked in the long run

[1] Available from Special Issue Sales, American Chemical Society, 1155 16th Street, NW, Washington, D.C. 20036; $2.75.

[2] The subcommittee included Lloyd M. Cooke, Union Carbide, chairman; William O. Baker, Bell Labs; Arthur M. Bueche, General Electric; and Franklin A. Long, Cornell.

[3] The task force was headed by T. E. Larson, Illinois State Water Survey. The air environment group was headed by James P. Lodge, National Center for Atmospheric Research, and included A. P. Altshuller, National Air Pollution Control Administration; Frances L. Estes, Gulf South Research Institute; W. L. Faith, consulting chemical engineer; Melvin W. First, Harvard School of Public Health; Max S. Peters, University of Colorado; Paul W. Spaite, National Air Pollution Control Administration. The water environment group was headed by James J. Morgan, Caltech, and included William L. Klein, Ohio River Valley Water Sanitation Commission; Thomas J. Powers, Dow Chemical; and Richard Woodward, of Camp Dresser & McKee. The pesticides panel was headed by Daniel MacDougall, Chemagro Corp., and included W. F. Barthel, National Communicable Disease Center; E. P. Lichtenstein, University of Wisconsin; D. J. Lisk, Cornell: Louis Lykken, Berkeley; Robert L. Rudd, University of California at Davis; W. M. Upholt, Federal Committee on Pest Control; and M. R. Zavon, University of Cincinnati. Analytical and instrumentation contributors included David Hume, M.I.T.; Mrs. Foymae Kelso West, Gulf South Research Institute; and Philip W. West, Louisiana State University. Biological aspect contributors included Robert Ball, Michigan State; Daniel Nelson, Oak Ridge National Laboratory; and Charles Renn, Johns Hopkins.

is certain . . . If man were to destroy any of at least half a dozen types of bacteria involved in the nitrogen cycle, say, life on earth could end."

A LACK OF KNOWLEDGE

In some cases, lack of sufficient knowledge is making it difficult to decide whether proposed antipollution steps would really work. Thus there have been suggestions that phosphates should be removed from household detergents to remove one of the nutrients that leads to excessive growth of algae in lakes and other waters. But the report suggests that other sources of phosphorus compounds may still be enough to cause excessive algal growth, and it concludes that a sound decision for or against phosphates in detergents would benefit from further knowledge.

Even some existing pollution standards have no scientific basis to back them up, the report says. Public health officials, for example, have established certain bacterial quality standards for waters at bathing beaches. These standards are commonly based on counts of the coliform group of bacteria, and the coliform count is interpreted as indicating the extent of contamination from fecal matter. But coliforms can come from many sources, the report says, and the fraction that is of fecal origin can vary from less than 1 percent to more than 90 percent. "There is in fact no significant epidemiological basis for the total coliform standards used to assess the quality of bathing waters," the report says. "Very large sums of money are likely to be spent in the next decade primarily to meet bacterial quality standards for recreational waters. There can be no assurance that the money will be spent wisely unless a sound basis is established for such standards."

Another persistent theme of the report is that the pollution technology currently in use in this country is generally antiquated. The technology used to monitor air pollutants, for example, is largely 10 to 20 years old, and the methods used to handle and dispose of sludges in waste water treatment have been known, if not fully developed, for close to four decades. Yet the report insists that the technology already exists to upgrade pollution abatement programs. "That the need for water management in the U.S. has outrun the application of available technology is due more to negligence than to ignorance," the report asserts. Similarly, the report notes that European nations, under the pressure of urban growth, are already using solid waste management practices that are available in this country but are not yet widely used.

The ACS group recognizes that cleaning up the environment will be no easy matter. For one thing, it is difficult to whip up enthusiasm for pollution control. "People may rail at companies for making detergents that contain the algal nutrient, phosphorus, but how many families have switched from synthetic detergents to soap for that reason?" the report asks. "Companies may rail at the actions of pollution control officials, but how many companies have acted to abate pollution without some inducement . . . be it improved public relations, the possibility of profit, or threat of legal action?" The report also acknowledges that there is not likely to be any dramatic "fiscal profit" in pollution control, just better health, cleaner lakes and rivers, cleaner laundry, longer life for the paint on houses, and less corrosion of electrical and other equipment. The report further cautions that environmental problems "are rarely amenable to sweeping solutions; the benefits of even major breakthroughs in research are more likely than not to be limited to discrete subsystems of the overall system."

For each of the four pollution topics covered, the report analyzes the evidence that pollution is causing ill effects, and makes recommendations for alleviating the problem.

With respect to pesticides, the report notes that the incidence of fatal poisonings in the U.S. has held virtually constant at 1 per 1 million population over a 25-year period, despite a vast increase in pesticides usage. It also states categorically: "There is no evidence that long-term low-level exposure to residues of pesticides such as occurs in the diet or environment in the United States has any undesirable effect on human health." But the report expresses concern at "strong" presumptive evidence that pesticide residues are inhibiting the productivity of entire ecosystems. The report recommends that persistent pesticides "only be used in minimal amounts and under conditions where they have been shown not to cause widespread contamination of the environment." It also calls for better biological and cultural methods for controlling pests. The eradication of just three pests—the boll weevil, the bollworm, and the codling moth—could reduce the amount of insecticide applied annually in the U.S. by an estimated 40 percent, the report says.

The ACS group made no recommendation concerning the growing movement by state and national governments to ban the use of DDT, but at a press conference Daniel MacDougall, head of the pesticide task force, characterized the push for a total ban on DDT as an "over-reaction." MacDougall is research director for the Chemagro Corporation of Kansas City, Missouri, a manufacturer of pesticides though not of DDT. An editor of *Field and Stream* magazine vigorously criticized the pesticide section of the report and implied that the pesticide panel was more interested in protecting manufacturers than wildlife, but MacDougall later stressed that he had reviewed the facts objectively as a scientist and pointed out that his seven copanelists from government and the universities had all agreed with the report's conclusions.

With respect to air pollution, the report notes that incidents of lethal accumulation of pollutants have occurred, and it adds that, while "typical urban concentrations are not acutely lethal . . . it is difficult to argue that their lesser concentrations make them harmless." The report also cites evidence that air pollution has damaged plants, rubber, fabrics, dyes, and nylon hose. Unfortunately, such damage is likely to become still more prevalent in the coming years. Though improvements have been made in control of air pollution from industry, the report finds, "the general situation is getting worse because of instances of failure to apply existing control technology, growth of industry, and lack of economic technology in some cases." Similarly, while existing standards restricting automobile emissions will reduce total national emissions over the next several years, the trend is expected to start upward again in the mid-1970's as the number of cars in use continues to increase. Nor is the report very hopeful that new technologies—such as nuclear plants and steam- or electrically powered automobiles—will solve the air pollution problem in the near future. The report calls for more stringent automobile emission standards, and inspection; rapid promulgation of federal air quality criteria so that industry will be goaded into taking action; research on the main contaminants in the atmosphere and on their movements; research on ecological and public health problems; and accelerated development of various technologies that would help reduce air pollution.

With respect to water pollution, the report states that "very little is known" of possible effects on human health of the variety of largely unidentified chemical compounds that enter sources of water supply in municipal and industrial wastes, both treated and untreated. "It is thus impossible to be entirely sanguine about the ability of water treatment plants to cope with steadily increasing chemical pollution as water reuse increases," the report says. The main concern lies in the effects of long-term, low-level exposure. The report urges greater research on sewage treatment "primarily to seek radical innovations, based on fundamental understanding of microbiological processes." It also calls for laboratory and epidemiological work on the effects of long-term, low-level exposure to water pollutants, as well as studies of the movement of enteric viruses in soil and groundwater.

With respect to solid wastes, the report states that, while "a well-defined relationship between solid wastes and human health has not been demonstrated under the conditions that prevail in the U.S.," it is nevertheless "possible to conclude that, for some diseases, a relationship exists." The report finds that "the technology used to handle and dispose of solid wastes in the U.S. lags well behind that used to control air and water pollution," and that the basic science of solid waste handling "remains in relatively primitive condition." Nevertheless, the report notes that "the technology is available to sharply upgrade the handling and disposal of municipal refuse in the U.S."—it is simply not being applied to any great extent. The report calls for education, research, and demonstration projects to spur progress "in this neglected area."

The report is not an unqualified success. It seems to do a much better job of reviewing the current state of the art than it does of recommending steps to alleviate environmental pollution. Indeed, the report's 73 recommendations are, for the most part, addressed to everyone—and thus to no one in particular. Little effort is made to establish priority among the great number of recommendations (58 of the 73 are designated as having the most immediate import"). And, ironically, for a report that stresses the possibility of taking enormous strides, now," the vast majority of the recommendations call for research, development, study, investigation, measurement, assessment, and the like—not for the kind of direct action that will have an immediate effect in reducing pollution. The report sheds little light on how the economic and political factors that inhibit pollution abatement might be overcome—indeed, the ACS group ruled such nonscientific" aspects of pollution control beyond the scope of the study.

No doubt, there will be ardent conservationists who believe the report is too weak, and "public-be-dammed" industrialists who find it too strong, but all extremes of opinion in the pollution controversy should find it a useful source of ammunition to buttress their positions. Anyone who disagrees with the report's recommendations can simply read its review of the state of the art and make up his own mind about what should be done next. In that sense, the report constitutes an important addition to the ever-burgeoning literature on environmental problems.

—PHILIP M. BOFFEY.

TRIBUTE TO A GREAT LADY

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

Mr. CLEVELAND. Mr. Speaker, last month I read a heartwarming and meaningful editorial in the Manchester Union Leader, Manchester, N.H. This editorial which follows my remarks, concerns Mrs. Florence Barnaby of Brookline, N.H.

Mrs. Barnaby at 82 lives alone without running water or electricity. Yet she lives a life of happiness and contentment which all too few will ever experience.

As the editorial points out, Mrs. Barnaby is very special in another way also. She not only warms the lives of those that know her, with her charm and char-

acter, but she also does her service to her community. She picks up trash which has been thrown by others on the road near her home.

The world would be a better place to live if there were more people like Mrs. Barnaby.

The article follows:

SHE HAS VERY LITTLE BUT SHE HAS EVERYTHING

Recently this newspaper carried on the front page a picture of Mrs. Florence Barnaby of Brookline, with other pictures and a story by Tom Muller on the back page.

Mrs. Barnaby has very little but, on the other hand, she has everything. Without running water or electricity and only a wood stove to cook and keep herself warm in the winter, she manages, at 82, to have more fun out of life than many a person with a big bank roll and everything except happiness.

Mrs. Barnaby has all the answers to a happy life. She takes care of herself; she is not on welfare; she makes do with her small limited income from Social Security; she asks for no favors from anyone. And she radiates happiness and contentment.

There is one other little item that stands out in Tom Muller's story. Not only is Mrs. Barnaby self-sufficient and happy but she has a concept of what a citizen's duty is, namely, to take care not only of her own dwelling but to have a pride in the community and the state in which she lives. So, Mrs. Barnaby thinks it is up to her to walk up and down the road outside of her dwelling and pick up the trash that other thoughtless pigs in human form throw out.

If all the social reformers, all the deep thinkers and intellectuals who are always trying to reform the world would take a look at Mrs. Barnaby and her life and would imitate her, most of the problems of this world would be solved. But, alas, that is much too simple and inexpensive an answer to be popular.

PASSENGER RAIL SERVICE

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

Mr. BOLAND. Mr. Speaker, passenger rail service in the United States verges on the ludicrous. Most travelers shun the railroads, preferring a long wait at the airport or a traffic jam on the highway to the forbidding prospect of rail travel. Anyone who has taken a train trip lately can tell you why—schedules that are whimsically ignored, cars that are grimy and airless, dim lighting, bad food at high prices, a deafening clatter that few railroads trouble to mute, the shudder and lurch of the passenger coaches virtually every time the engineer changes speed. Rail passenger service must be improved—improved dramatically—if the railroads are to lure travelers away from the airlines and highways. A balanced transportation system in this country demands adequate rail service: air and auto travel is increasing at such an alarming pace that airports and highways are routinely choked with traffic.

Yet intercity passenger train runs are decreasing rather than increasing, dropping from more than 1,500 a decade ago to a mere 513 now. A great public market exists for comfortable and briskly efficient rail service—the kind of service seen so often in Europe and so rarely in the United States. Just one example is the Metroliner, the high-speed train traveling between Washington and New York. This train never begs for patrons. Indeed, most days it is booked solid.

One way to nudge the railroads into improving passenger service—the most promising way, it seems to me—is to set minimum standards for such service. Yet the Interstate Commerce Commission, after nearly a year of delay and dithering, ruled last week that it does not have the statutory authority to hand down binding minimum standards. I disagree—and disagree emphatically. The statutory code, I think, plainly and explicitly gives the ICC the authority it needs. That question, in any case, is now academic. It is now up to the Congress to pass legislation that unequivocally grants to the ICC the power to establish passenger service standards. Together with a number of my colleagues, I will introduce such legislation within the next few weeks.

The railroads' abysmally bad passenger service—service that would be considered scandalous in any other country—has to be improved.

And the relevant Federal regulatory agencies—the ICC, for one, and the Federal Railroad Administration—must spur such improvement by establishing standards of rail service and safety.

JUMBO TRUCKS: PROCEED WITH CAUTION

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

Mr. CLEVELAND. Mr. Speaker, again this year, the House will be asked to vote on a bill which, if passed could compromise the safety of millions of Americans. I am talking about H.R. 11870, a bill which would permit bigger vehicles on the Nation's Interstate Highway System.

For the past 3 months I have received numerous letters and telegrams from trucking interests requesting that I support this bill. During the same period I have also received many letters from concerned citizens who fear that these larger vehicles will endanger their driving. Although I sympathize with the trucking industry and their economic considerations, I cannot and will not vote to compromise the safety of the American people.

Last week, Francis Turner, Federal Highway Administrator, testified before the Subcommittee on Roads of the House Public Works Committee. In his statement he said:

> We do not have sufficiently reliable evidence to make a clear case for or against this proposal on safety grounds.

I interpret this statement as meaning that, if passed, the result could mean possible disaster for the motoring public. If we do not really know the positive and negative effects on driving and handling ability of these larger vehicles, then how with a clear conscience can we act favorably on this bill?

May I suggest that the recent editorial in the New York Times, entitled "Jumbo Trucks," which I have included at the end of my remarks, is worthy of careful reading by my colleagues. May I also point out that the editorial's suggestion to Congress to "proceed with caution" makes good sense.

The editorial follows:

JUMBO TRUCKS

Every motorist should shudder at the legislation now under consideration in Washington to sanction use of trucks even more gigantic than those that now jam the highways. The presence of such mammoth bulk carriers is bound to add to the hazards of driving.

The legislation would permit the widening of trucks and buses to eight and a half feet, as against the present eight-foot limit. The excuse is that the change would permit more comfortable seating in buses, but it would undeniably add to the difficulties of drivers attempting to pass these broad-beamed monsters. There is no Federal limit on length now. However, the bill proposes that the maximum be fixed at 70 feet; the Department of Transportation wants five feet trimmed off that figure. Either figure is too long.

Worst of all, the bill increases the over-all weight limit from 73,280 pounds to 108,500—almost 50 percent. While the proposed law would apply only to Federal highways, trucks conforming to these regulations would have to make local pick-ups and deliveries. That necessity would place states and local communities under heavy pressure to modify their own standards or lose fast service. Local streets, not engineered for such loads, would be even fuller of holes—if that is conceivable. The best road sign for Congressional consideration of the measure: Proceed With Caution.

FRESHMAN ECONOMICS—THE AUTO INDUSTRY

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

Mr. PODELL. Mr. Speaker, in the interest of enlightening the reigning economic wizards of the administration on causes of inflation, I offer another recent development which may be of some passing interest. The auto industry is one of the powerhouses of our Nation. Its pricing policies determine those of its so-called competitors. Last week, General Motors raised prices of all its 1970 cars 3.9 percent. An average model will be up $125 from 1969. Profound White House silence greeted this disastrous inflationary move, the sharpest increase in a decade. Obviously the board of directors of G.M. decided to get away with the same act of national pilferage the administration allowed the steel industry to perpetrate upon us recently. One must admire these gentlemen, for they perform their plundering expeditions in broad daylight, and will need moving vans to cart away their loot, unless the moving industry also raises prices.

Last year G.M. raised prices 2 percent, and immediately pleaded with Government to allow the move, informing the President before it was announced. This year the story was different, as industry expected no opposition and got none. Net result? Inflation. This automobile behemoth wipes away a crocodile tear, and blames it all on "increased labor and material costs." What nonsense. How much bigger will dividends and bonuses

be this year? They ought to make facinating reading. Fairy tales used to begin with, "Once upon a time", "the State Department or the Pentagon announced today," and other such ventures into the realm of the absurd and nonsensical. Today they commence with, "The X industry raised prices across the board, stating that materials and labor costs occasioned the increase."

Simultaneously, the Justice Department agreed to settle a suit accusing all major auto builders of conspiring to retard development of auto antipollution devices. The companies agreed not to do so in the future. Bad little boys with hands caught in the cookie jar. They possess technology to produce such devices, but choose not to do so. Intensive lobbying by the industry produced a desired result from the administration; sweeping of the suit under the rug. A full, open trial of all charges, such as I and other Members of this House called for, would have been a major milestone in controlling mounting pollution of our environment by auto exhausts. All the utterly damning evidence painfully collected by the Department of Justice will never see light of day. Now everyone down there can go back to full time wiretapping of civil rights leaders and other such enemies of the people.

Here then, Mr. Speaker, is the classic dichotomy. Ignoring a blatant price hike by the auto industry's giant, Government allows the best chance for public exposure of a conspiracy to perpetuate pollution of the environment by this industry to go a-glimmering. Ignoring a disastrous shot in the arm to the inflationary spiral, it allows these companies, caught in a conspiracy to continue ecological pollution, to get off scotfree. While little people across the Nation groan under burdens of tight money, unfair taxes and a constantly eroding environment, Government not only denies them relief, but rewards an industry guilty of such actions. This is inspiring moral degradation and political debauchery, indeed. Yet wise old owls who pose as administration economists blink knowingly at us, ignoring the well-known fact that the owl is the most stupid of birds.

Yet tomorrow or the day after, the rest of our auto companies, in the name of holy competition, will surely raise prices along lines laid down by General Motors. They too will claim high labor and material costs dictate their regrettable move. Who pays? The average car buyer, who must pay more for his land battleship, coated with chintzy chrome and emitting enough pollutants to sicken most living things. Safety? Never heard of it. Pollution control? Surely. When gargoyles dance at Radio City Music Hall.

Not only is there no competition, which immediately precludes necessity for such hikes, but there is no word from the only protector people have. The consuming public is helpless, as the administration bows down before economic idols proven bankrupt years ago. Labor unions daring to let out a peep about wages are denounced as subversive creators of inflation. Presidents of companies raising prices are thrown testimonial dinners. Justice? Fairness? Foreign languages, pal. Foreign languages.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. POLLOCK (at the request of Mr. GERALD R. FORD), for September 15 through September 17, 1969, on account of official business for the House Committee on Merchant Marine and Fisheries.

Mr. BROTZMAN (at the request of Mr. GERALD R. FORD), for today, 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:

(The following Members (at the request of Mr. BURKE of Florida), to revise and extend their remarks and to include extraneous matter:)

Mr. HALPERN, for 5 minutes, on September 15.

Mrs. DWYER, for 5 minutes, today.

Mr. SAYLOR, for 15 minutes, today.

(The following Members (at the request of Mr. FLOWERS), to revise and extend their remarks and to include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 20 minutes, today.

Mr. ADAMS, for 60 minutes, on September 23.

Mr. ADAMS, for 60 minutes, on September 24.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HOLIFIELD during consideration of the electoral college bill.

Mr. ASPINALL, to insert his statement immediately following the colloquy of Mr. HALL and himself on H.R. 4869.

Mr. ASPINALL, to insert his statement on H.R. 9756 before passage of the bill.

Mr. GROSS and to include extraneous matter.

Mr. BOLAND and to include extraneous matter.

Mr. SIKES during his remarks on the bill H.R. 13194.

Mr. MADDEN and to include a letter from the Home Builders of Northern Indiana.

Mr. BROYHILL of Virginia to extend his remarks in Committee of the Whole following Mr. DOWDY.

Mr. LENNON, to revise and extend his remarks and to include extraneous matter in the remarks made by him in the Committee of the Whole today.

(The following Members (at the request of Mr. BURKE of Florida) and to include extraneous matter:)

Mr. FINDLEY.

Mr. MICHEL in three instances.

Mr. ASHBROOK in two instances.

Mr. TAFT in four instances.

Mr. UTT.

Mr. BEALL of Maryland.

Mr. HOSMER in two instances.

Mr. WYMAN in two instances.

Mr. SCOTT.

Mr. WOLD in two instances.

Mr. STEIGER of Wisconsin.

Mr. GUBSER.

Mr. HASTINGS.

Mr. GUDE.

Mr. DERWINSKI in three instances.

Mr. FULTON of Pennsylvania in five instances.

Mr. BURKE of Florida.

Mr. FREY.

Mr. BROYHILL of Virginia.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. LONG of Maryland in five instances.

Mr. SIKES in five instances.

Mr. EILBERG.

Mr. PATMAN.

Mr. MOSS.

Mr. WILLIAM D. FORD.

Mr. HOWARD in two instances.

Mr. BROWN of California in three instances.

Mr. PURCELL in two instances.

Mr. CORMAN.

Mr. PICKLE in two instances.

Mr. EVINS of Tennessee in two instances.

Mr. RARICK in three instances.

Mr. MIKVA.

Mr. GONZALEZ in two instances.

Mr. RODINO in two instances.

Mr. BINGHAM in two instances.

Mr. MONTGOMERY in two instances.

Mr. BURKE of Massachusetts.

Mr. TUNNEY.

Mr. COHELAN in two instances.

Mr. RYAN in three instances.

Mr. HANNA in four instances.

Mr. HAMILTON in two instances.

Mr. BOGGS in two instances.

Mr. OBEY in six instances.

Mr. O'NEILL of Massachusetts in two instances.

Mr. FLOWERS.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 227. An act to provide for loans to Indian tribes and tribal corporations, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2068. An act to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child-care centers for preschool and school-age dependents of employees; to the Committee on Education and Labor.

HOUSE JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on Sept. 12, 1969, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 614. Joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week."

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p.m.) the House adjourned until tomorrow, Tuesday, September 16, 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:

1147. A communication from the President of the United States, transmitting a determination by him that outlays for designated items will exceed the estimates therefor in the April "Review of the 1970 Budget," pursuant to the provisions of title IV of the Second Supplemental Appropriations Act of 1969 (Public Law 91–47) (H. Doc. No. 91–157); to the Committee on Appropriations and ordered to be printed.

1148. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting notification that the Department of the Navy proposes to transfer the Coast Guard Cutter *McLane* to the Marine Navigation and Training Association, Inc., Chicago, Ill., pursuant to the provisions of 10 U.S.C. 7308(c); to the Committee on Armed Services.

1149. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in order to provide for the indemnification of persons sustaining certain losses as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes; to the Committee on the District of Columbia.

1150. A letter from the Secretary of the Interior, transmitting notification of the reassignment of the Government Comptroller of the Virgin Islands, pursuant to the provisions of section 17(a) of Public Law 90–496; to the Committee on Interior and Insular Affairs.

1151. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to prohibit unauthorized entry into any building or the grounds thereof where the President is or may be temporarily residing, and for other purposes; to the Committee on the Judiciary.

1152. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting the report of the Commission on Federal Enforcement of School Desegregation, pursuant to the provisions of Public Law 85–315, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Foreign Affairs. H.R. 11711. A bill to amend section 510 of the International Claims Settlement Act of 1949 to extend the time within which the Foreign Claims Settlement Commission is required to complete its affairs in connection with the settlement of claims against the Government of Cuba; without amendment (Rept. No. 91–488). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History; with an amendment (Rept. No. 91–489). Referred to the Committee of the Whole House on the State of the Union.

Mr. DADDARIO: Committee on Science and Astronautics. H.R. 11542. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; without amendment (Rept. No. 91–490). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 13776. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H.R. 13777. A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a 10-year period; to the Committee on Education and Labor.

By Mr. BRADEMAS:

H.R. 13778. A bill to amend section 2 of the National Housing Act relative to mobile homes; to the Committee on Banking and Currency.

By Mr. COLLINS:

H.R. 13779. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 13780. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 13781. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 13782. A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a 10-year period; to the Committee on Education and Labor.

By Mr. ICHORD:

H.R. 13783. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. KRYOS:

H.R. 13784. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LOWENSTEIN:

H.R. 13785. A bill to provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13786. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. MELCHER.

H.R. 13787. A bill to improve farm income and insure adequate supplies of agricultural commodities by extending and improving certain commodity programs; to the Committee on Agriculture.

By Mr. REES:

H.R. 13788. A bill to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO:

H.R. 13789. A bill to amend title 10 of the United States Code to require the Secretary of Defense to notify the Governor of any State of any shipments of chemical and biological warfare materials proposed to be made into or through such State; to the Committee on Armed Services.

By Mr. RUPPE:

H.R. 13790. A bill to provide for the designation of two highways in the States of Michigan, Wisconsin, and Minnesota as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 13791. A bill to amend the Act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act; to the Committee on House Administration.

By Mr. UTT (for himself and Mr. BOB WILSON):

H.R. 13792. A bill to amend the Export Control Act of 1949 to authorize restrictions to curb illicit drug trade; to the Committee on Banking and Currency.

By Mrs. DWYER:

H.R. 13793. A bill to establish an Office of Consumer Affairs and a Consumer Advisory Council, and for other purposes; to the Committee on Government Operations.

By Mr. FINDLEY:

H.R. 13794. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. FOUNTAIN:

H.R. 13795. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 13796. A bill to provide transportation allowances to wives of servicemen stationed in the Vietnam area for visits by them to their husbands under certain conditions; to the Committee on Armed Services.

By Mr. THOMPSON of Georgia:

H.R. 13797. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such acts; to the Committee on Education and labor.

H.R. 13798. A bill to amend the Communications Act of 1934 to provide grants to States for the establishment, equipping, and operation of emergency communications centers to make the national emergency telephone number 911 available throughout the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 13799. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 13800. A bill to amend title I of the Housing Act of 1949 to extend, in certain pending cases, the period prior to approval of a neighborhood development program within which a public improvement or facility must have been commenced in order to qualify as a local noncash grant-in-aid; to the Committee on Banking and Currency.

By Mr. WRIGHT:

H.R. 13801. A bill to authorize the modification of the Trinity River project, Texas; to the Committee on Public Works.

By Mr. FULTON of Pennsylvania (for himself and Mr. PODELL):

H.J. Res. 900. Joint resolution to authorize the President to award appropriate medals honoring those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious; to the Committee on Science and Astronautics.

By Mr. MOORHEAD (for himself, Mr. CORBETT, Mr. FULTON of Pennsylvania, and Mr. GAYDOS):

H.J. Res. 901. Joint resolution to authorize the President to designate the period beginning October 12, 1969 and ending October 18, 1969, as "National Industrial Hygiene Week"; to the Committee on the Judiciary.

By Mr. PURCELL:

H.J. Res. 902. Joint resolution providing for creation of a joint committee to study and make recommendations concerning establishment of a national college student congress; to the Committee on Rules.

H. Con. Res. 339. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. KUYKENDALL:

H. Res. 541. Resolution for investigation of credit card collection practices; to the Committee on Rules.

By Mr. PODELL (for himself, Mr. MURPHY of New York, Mr. OTTINGER, Mr. GILBERT, Mr. BIAGGI, Mr. FARBSTEIN, Mrs. CHISHOLM, Mr. GROVER, Mr. ROSENTHAL, Mr. SMITH of New York, Mr. DULSKI, Mr. LOWENSTEIN, Mr. BRASCO, Mr. POWELL, Mr. RYAN, Mr. REID of New York, Mr. HALPERN, Mr. KOCH, and Mr. WYDLER):

H. Res. 542. Resolution to establish a select committee of the House of Representatives to investigate the relocation of the Naval Applied Science Laboratory in Brooklyn, N.Y.; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

266. By the SPEAKER: A memorial of the House of Representatives of the State of Missouri, relative to the death of Senator Everett McKinley Dirksen; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 13802. A bill for the relief of Giuseppe Romeo; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 13803. A bill for the relief of Grace Duggan; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 13804. A bill for the relief of Orlando F. Cudal; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 13805. A bill for the relief of David Z. Glassman; to the Committee on the Judiciary.

H.R. 13806. A bill for the relief of Irwin Katz; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 13807. A bill for the relief of Claude G. Hansen; to the Committee on the Judiciary.

By Mr. KING:

H.R. 13808. A bill for the relief of Mrs. Soon Hi Sue; to the Committee on the Judiciary.

By Mr. REES:

H.R. 13809: A bill for the relief of Passwood Enterprises; to the Committee on the Judiciary.

By Mr. ZION:

H.R. 13810. A bill for the relief of Lt. Col. Robert L. Poehlein; 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:

239. By the SPEAKER: Petition of the 1969 New Mexico Constitutional Convention, relative to restoration of funds for the completion of the Twin Ditch project in the San Jose area of Albuquerque; to the Commission on Appropriations.

240. By the SPEAKER: Petition of Richard A. McQuade, Rosemont, Pa., relative establishment of a military guard at Independence Hall; to the Committee on Armed Services.

241. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to the U.S. Marine Corps; to the Committee on Armed Services.

242. By the SPEAKER: Petition of Louis J. Costanza, Bayonne, N.J., relative to the war in Vietnam; to the Committee on Foreign Affairs.

243. By the SPEAKER: Petition of Richard A. McQuade, Rosemont, Pa., relative to establishment by the United States of a new nation in Africa for Americans of African descent; to the Committee on Foreign Affairs.

244. By the SPEAKER: Petition of the City Council, Elizabeth, N.J., relative to taxation of State and local government securities; to the Committee on Ways and Means.

245. By the SPEAKER: Petition of the Board of County Commissioners, Lake County, Ohio, relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—*Monday, September 15, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

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

Eternal Father, who has brought us to this new day, help us to make our world a better world. Help us to make our Nation a better nation. Help us to be better men, and to place our talents of mind and heart and voice under the guidance of Thy spirit. Enable us to be good workmen who need not to be ashamed, rightly dividing the word of truth. When we are uncertain, help us to turn to Thee with confidence, to hear again the still, small voice saying, "This is the way, walk ye in it."

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 12, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

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

ORDER FOR RECOGNITION OF SENATOR MURPHY

Mr. MANSFIELD. Mr. President, with the permission of the distinguished Senator from Mississippi (Mr. STENNIS), I ask unanimous consent that, at the conclusion of the morning business, the distinguished senior Senator from California (Mr. MURPHY) be recognized for not to exceed 30 minutes.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.