

## HOUSE OF REPRESENTATIVES—Thursday, March 13, 1969

The House met at 12 o'clock noon.

Rabbi J. Harold Romirowsky, Oxford Circle Jewish Community Center, Philadelphia, Pa., offered the following prayer:

Heavenly Father, Thou hast crowned man with the capacity to choose between good and evil; teach us to recognize each as we meet it. Thou hast placed man above all the other creatures in Thy plan; enlighten us that we may act in a way which is worthy of that exalted position. Thou hast endowed our beloved land with an abundance elsewhere unknown; teach us to share it and thus acknowledge that it is not because of our wisdom that we possess so much, but because of Thy great goodness. Thou hast granted the inhabitants of this land—those who occupy the high offices—great power to determine the destiny of others; inspire them to be mindful in this season of freedom that they are godlike not in power and knowledge, but that they are in Thine image only when they try to emulate Thy graciousness, goodness, and loving-kindness for all whom Thou hast created. Amen.

### THE JOURNAL

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

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

### TRIBUTE TO RABBI J. HAROLD ROMIROWSKY

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

Mr. EILBERG. Mr. Speaker, I listened with pride and admiration to the opening prayer of my friend and constituent, Rabbi J. Harold Romirowsky.

My admiration for this man of faith is inspired by his deeds as well as by his words. For if we are to know a man by his good works, this distinguished Philadelphia rabbi should be celebrated, his achievements trumpeted.

Here is a man born to a family of the Jewish faith—his great-grandfather and grandfather were distinguished rabbis in Chicago. He has combined this tradition of scholarship and faith with that ancient, yet modern, commitment to service.

He came to Philadelphia 15 years ago as rabbi of the Oxford Circle Jewish Community Center. In his tenure, that congregation in my district of northeast Philadelphia, has grown to 1,000 families and now is among the largest in my city.

Once in our city, this distinguished rabbi plunged into community life. The organizations, both religious and secular, he has served are countless. Currently he is president of the Philadelphia branch of the Rabbinical Assembly.

In our community he has spearheaded the ecumenical movement toward better understanding between Christians and Jews. For his work with Philadelphia's Northeast Council of Synagogues and Churches, he and a Methodist colleague, were honored throughout the State of Pennsylvania.

And in these baffling times when so many of our most talented, promising youth are in open revolt, this great rabbi's work with the young deserves mention.

His youth program at Oxford Circle has been honored seven times by the national Jewish community.

By ancient Jewish tradition, a rabbi is considered blessed if one of his students follows his example and seeks a career in the rabbinate. Not one, but five of the rabbi's former students were so inspired by his example that they are now studying for the rabbinate.

And indeed, a sixth, his oldest son, Mitchell, is studying to follow in his father's footsteps.

Most importantly, Rabbi Romirowsky is a man of great compassion who understands the problems of those in need.

He and his lovely wife, Blanche, who is with us in the gallery today, worked long and diligently to pioneer the teaching of Torah to blind boys so that they could be bar mitzvahed. His wife, whose five brothers also are rabbis, has continued this work, teaching the blind both Hebrew and English by Braille.

I am delighted that Rabbi Romirowsky could be with us today and I commend to my colleagues his continued good works and his continuing inspiration.

### GIVEAWAYS DO NOT SOLVE INTERNATIONAL PROBLEMS

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

Mr. PASSMAN. Mr. Speaker, the record certainly supports the fact that the legislative and the executive branches of our Government have become obsessed with the idea that we must give away the wealth of America to foreign nations to secure their friendship. It matters not too much, it would appear, whether these foreign nations operate under dictatorships or outright socialistic or semicomunistic forms of government, the aid continues to pour into their coffers.

For instance, Brazil, which the AID pointed out as a democratic showplace, proud of its fusion of the races, has slipped out of the ranks of the democracies. It is now a dictatorship. Very recently, this new dictatorship recessed the congress for an indefinite period and arrested several congressmen who would not go along with the new regime. Individual political rights were swept out of existence. Literally hundreds of critics of the current dictatorship were thrown into jails, their crime and their only crime being opposition to the regime—no subversion or sabotage.

Mr. Speaker, Brazil has been the recipient of over \$2.5 billion of U.S. aid. After the present government of Brazil imposed extremely severe restrictions on the rights of individuals, our Government suspended aid to that country. We waited for certain reforms which did not come, so unless the Congress promptly protests, our State Department will again start pouring aid into Brazil. This obviously will convince other nations that they can topple democracies, destroy individual rights, and set up as bad a form of government as can be created by the mind of man and still get our aid.

Why, Mr. Speaker, do we not come to our senses before we find ourselves bankrupt without a friend left on the face of the earth?

### TRANSFERRING AUTHORITY OF SPEAKER TO RECOGNIZE MOTIONS TO SUSPEND THE RULES FROM MARCH 17 TO MARCH 18

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the authority for the Speaker to recognize for motions to suspend the rules in order on Monday, March 17, 1969, under clause 1, rule XXVII, be transferred to Tuesday, March 18, 1969.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman what is the necessity for this request?

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

Mr. GROSS. Yes. Of course.

Mr. ALBERT. Monday is St. Patrick's Day and, of course, there are appropriate celebrations in many districts.

We would like to accommodate those Members who would like to attend St. Patrick's Day functions. We do not have any substantial business scheduled for Tuesday. As a matter of fact, I do not believe we have any bills that will be brought up under the Private Calendar although Tuesday is Private Calendar day and is the only business scheduled for that day.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. I would also like to inform the gentleman from Iowa that March 17 is also Evacuation Day, a holiday in Suffolk County and the city of Boston.

Mr. GROSS. What are they going to evacuate?

Mr. BURKE of Massachusetts. If the gentleman will yield further, that was the day on which the British evacuated Boston. It was one of the first victories by our colonial forces. It is a very memorable day in the hearts and minds of the people of Boston. In fact it is a dual holiday. I do not know which has preference, but I have an idea that St. Patrick's Day has preference. George Washington, who led the troops up to Dorchester

heights on that historic occasion issued orders that the password for the day was "Patrick."

Mr. GROSS. Does the gentleman think that this evacuation can take place in one day? Perhaps, we ought to go over until Wednesday.

Mr. BURKE of Massachusetts. It is my opinion that we would be using good judgment if we allowed all of this business to go over until Tuesday, and I am sure all the Members will be back Tuesday ready to work.

Mr. GROSS. I would like to ask the distinguished majority leader how many bills there are to be considered under suspension of the rules?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, there are five.

Mr. GROSS. I am not trying to get the schedule for next week.

Mr. ALBERT. We have notice of five suspensions.

Mr. GROSS. Five suspensions.

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. These would come up, then, on Tuesday rather than on Monday.

Mr. ALBERT. That is correct.

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

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

There was no objection.

#### FIRST ANNUAL PLAN FOR U.S. PARTICIPATION IN THE WORLD WEATHER PROGRAM—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 Interstate and Foreign Commerce:

##### *To the Congress of the United States:*

I am pleased to transmit to you, in accordance with Senate Concurrent Resolution 67 of the 90th Congress, the first annual plan for United States participation in the World Weather Program. This document describes the long-range goals of the World Weather Program and the activities in support of that program which have been planned by eight Federal agencies for Fiscal Year 1970. The budget figures shown in this report are consistent with those which appeared in the budget submitted to the Congress on January 15, 1969.

I commend this report to you and hope you will give it your careful attention, for it describes activities which can contribute in important ways to the quality of American life. The World Weather Program promises, for example, to produce earlier and more accurate weather forecasts than we now receive. It is also exploring the feasibility of large-scale weather modifications. Because so much of our social and economic life is significantly influenced by weather conditions, it is important that we encourage those advances in weather prediction

and control which our scientists now foresee.

This project, and our role in it, also have great political significance. For the World Weather Program, growing out of United Nations initiatives in the early 1960's, has developed into a most impressive example of international cooperation. On a scale never attempted until this decade, scientists and governments in many countries are joining hands across national boundaries to serve the entire human community. Their example should be instructive for all of us as we pursue lasting peace and order for our world.

This report "talks about the weather," but it demonstrates that we can do far more about our weather than merely talk about it. I believe that the plans for American participation which are outlined here reflect the sense of both the Congress and the Executive Branch of our government that the United States should give its full support to the World Weather Program.

RICHARD NIXON.

THE WHITE HOUSE, March 13, 1969.

#### LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of inquiring of the distinguished majority leader the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from Michigan the program for next week is as follows:

Monday is Consent Calendar day.

Tuesday is Private Calendar day, and under the unanimous-consent agreement heretofore reached, there are five suspensions scheduled for consideration on Tuesday next, which are as follows:

S. 1058, to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government;

H.R. 7206, salary adjustment for the Vice President and certain officers of Congress;

H.R. 2669, to amend the War Claims Act of 1948 with respect to claims of certain nonprofit organizations;

H.R. 2171, relating to national observances and holidays; and

H.R. 8438, to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969.

Wednesday and the balance of the week, H.R. 8508, to establish limitation on national debt, subject to a rule being granted; and H.R. 515, to amend the National School Lunch Act and the Child Nutrition Act of 1966, subject to a rule being granted.

Any further program, of course, may be announced later.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding, and if I may have the attention of the distinguished majority leader, I would ask: Do I understand that no rule has been granted on the increase in the debt ceiling?

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Would it not be possible to bring that bill up under suspension on Tuesday? The Senate might very well whip that half-billion-dollar foreign handout bill, passed yesterday with the unwise approval of the House, through to final passage. Without an increase in the debt ceiling there might be no way the \$480 million could be expended.

Mr. ALBERT. Mr. Speaker, if the gentleman from Michigan will yield, I believe that is a question, if the gentleman from Iowa will bear with me, that should be addressed to the Chair, because a question of recognition for suspension purposes rests exclusively in the discretion of the Speaker.

Mr. GROSS. In that way it would not necessitate getting a rule. This bill has been available for some time.

Mr. ALBERT. The gentleman is right, and the gentleman is making a worthy observation.

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

#### ADJOURNMENT TO MONDAY, MARCH 17, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

#### CALENDAR WEDNESDAY BUSINESS DISPENSED WITH ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

#### TRIBUTE TO BOSTON UNIVERSITY

(Mr. McCORMACK (at the request of Mr. ALBERT) was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. McCORMACK. Mr. Speaker, on this occasion honoring the one hundredth anniversary of Boston University, I would like to express my deepest admiration for the grand traditions and splendid purposes of the school, and extend congratulations to everyone connected with it. Of all the institutions of Greater Boston, none can be said to have effected a more positive influence or es-

tablished a finer reputation, over the past 100 years.

Founded as a theological seminary, May 26, 1869, with the object of promoting virtue, piety, and learning in the useful and liberal arts and sciences, the university has benefited the city of Boston and the Commonwealth of Massachusetts to a most remarkable degree.

Constructed in the general vicinity of several expensive private colleges, Boston University was designed to serve the interests of the people-at-large, rich and poor alike. In keeping with Massachusetts tradition, extending back to the first schools ever established in the land, at Plymouth Colony, the founders of the university were determined to assure equal educational opportunities to everybody, regardless of economic standing.

As education has progressed over the years, so has the university curriculum, and as the student body has increased, rendering the job of teaching more difficult, so the staff has increased in competence, to meet the educational crises of the hour.

Composed today of 16 schools and colleges, open to men and women of every race, color, and creed, Boston University is surely an enduring monument to the wisdom and the purpose of its founders.

**AUTHORIZING THE COMMITTEE ON BANKING AND CURRENCY TO CONDUCT AN INVESTIGATION AND STUDY OF PRICES OF LUMBER AND PLYWOOD**

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 306 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 306**

*Resolved*, That the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized and requested to conduct a full and complete investigation and study of the high price of lumber and plywood.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated him, and may be served by any person designated by such chairman or member.

The committee shall report to the House on or before November 1, 1969, the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California

(Mr. SMITH) and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 306, as indicated by the reading of the Clerk, is making a request to the Committee on Banking and Currency for a complete investigation and study of lumber and plywood prices quoted in this country.

This is a very serious problem that has concerned all Americans in the last year or two.

I would like at this time, Mr. Speaker, to commend my good friend and colleague, the gentleman from Nebraska (Mr. MARTIN), for his interest and concern in this matter and I might say many others who have for the past year or two been very greatly concerned about what is happening in the whole area of lumber prices.

The U.S. Government is deeply involved in a housing program to meet the needs of many Americans who certainly are in need of improved living conditions and improved housing.

We find ourselves on the one hand attempting to construct low- and moderate-income housing to meet these needs, while on the other hand, we see the ever-escalating prices of most building due to the price of lumber. For example, during the past 18 months we have seen as much as a 200- to 300-percent increase in lumber of the type used in the framing of ordinary housing, and almost a doubling of the prices of plywood in the past year or 18 months.

Mr. Speaker, this resolution does make a request of the Banking and Currency Committee which has jurisdiction over housing to make a complete and thorough study of this problem. We would hope that this can be accomplished soon.

Mr. Speaker, I urge the adoption of this resolution and reserve the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. SMITH).

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

Mr. Speaker, I concur completely in the remarks made by the distinguished gentleman from California (Mr. SISK) and I associate myself with his comments.

From the volume of mail and telegrams and phone calls, the people in my office recently have indicated that the cost of lumber has gone up so much that housing starts are not starting, or are stopping to some extent, and that the additional cost in building homes has gone up to a point where it is creating a very serious situation because of the logs being shipped out and the shortage of lumber.

The other day in the Committee on Rules when this was heard, the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas (Mr. PATMAN), was there as well as the distinguished ranking minority leader, the gentleman from New Jersey (Mr. WIDNALL), in presenting the IDA matter and this was brought to their attention.

My understanding was that they understood it and they had jurisdiction to do this under the Import-Export Act and

would proceed in that regard; and that they had no objection to the resolution being passed today.

Mr. Speaker, I would like at this time to yield 5 minutes to the gentleman from Nebraska (Mr. MARTIN) who brought this matter originally to our attention.

Mr. MARTIN. Mr. Speaker, on February 24 I made some remarks on the floor of the House calling the attention of the Members to the dramatic increase that has occurred in the cost of lumber over the last 15 months.

On the following day, I introduced a resolution—the same as the resolution that we have before us at the present time.

I would like again to call to the attention of the Members that this increase in the cost of lumber and plywood has been greatly in excess of 100 percent over the last 15 months, but that the largest percentage of that increase has occurred in the last 120 days.

For instance, in the case of dimension lumber—2 by 4's, 2 by 6's, and so forth, in November 1967 it was approximately \$70 per thousand feet at the mill. Today the price is \$140 per thousand feet.

In regard to plywood, in November 1967, one-quarter-inch AD, it cost approximately \$57 per thousand feet f.o.b. the mill. Today that plywood is \$144 per thousand feet.

You can see the tremendous increase that has occurred in the plywood market.

What are the reasons for this? Well, it is the old law of supply and demand—too much demand and not enough supply.

Let me go back to one of the basic reasons that are given by the manufacturers for this increase. Last year we exported from the United States to Japan 2½ billion feet of logs. The manufacturers say that this is one of the primary reasons for the rapid increase in the cost of lumber.

Let us analyze that—and I got these figures from our Forestry Service, which controls Federal timber in the United States, only a few days ago. Of that 2½ billion feet of logs that were exported last year to Japan from the United States, over two-thirds of those logs came from private timber holdings. Some of our largest mills and manufacturers in the Northwest control millions of acres of timber that they have owned for many years at a cost of from \$5 to \$10 per acre—not per thousand, but per acre. Evidently they can make more money through a capital gains tax by exporting the logs, and over two-thirds of the 2½ billion feet of the exported logs has come from private timber holdings rather than from the Federal forests.

In the foreign aid bill which Congress passed last year and which is currently the law, the export of logs from Federal timber holdings is restricted to 350 million feet per year. But again I wish to call your attention to the fact that this is only from Federal timber holdings. That action will result in a reduction in the export of logs from this country. But the biggest violators, and the ones that are causing the most trouble, are the privately owned mills in the Northwest

who own timber and who are exporting logs.

The manufacturers also want to increase the allowable cut from the National Forest Service. The National Forest Service has done a tremendously fine job in trying to maintain a perpetual yield of timber for years and years to come. They tell me that this can be increased somewhat, a very small percentage, but it is not going to immediately alleviate the situation that exists.

Another reason for the increase in the last 120 days is the bad weather—the snows that the Northwest has experienced. This we have had before. I am very happy that this resolution was approved by the Rules Committee and that the distinguished chairman of the Banking and Currency Committee, the gentleman from Texas (Mr. PATMAN), is going to proceed immediately with hearings on this vital problem concerning this essential product in home construction.

You will recall that the steel industry increased prices from 5 to 6 percent over the last few years, and the pressure of the Office of the Presidency of the United States forced a rollback in those increases in steel prices, which were at a maximum of 6 percent, and here we have an increase of over 100 percent, and so far nothing has been done.

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

Mr. MARTIN. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. I have no quarrel in any way with the resolution. I think the study needs to be conducted. But in a technical way, is the resolution necessary? Could its purpose not be accomplished within the framework of the present committee's jurisdiction?

Mr. MARTIN. That is correct. The present committee has jurisdiction to proceed with hearings in this area. But I think because of the seriousness of the situation it is well to call to the attention of the Members of the House what is going on in the lumber industry today.

Mr. WAGGONNER. I thank the gentleman.

Mr. MARTIN. Mr. Speaker, in conclusion I would like to point out that according to a report made by the Securities and Exchange Commission, the average net profits of the lumber manufacturers for the first three quarters of 1968 increased 97.9 percent. In view of the fact that the rapid increase in lumber and plywood has occurred in the last 120 days, if present prices continue throughout the year, their earnings should be up several hundred percent for 1969.

In the present situation, the lumber manufacturers have lost all sense of responsibility and ethical behavior. Lumber and plywood are today being sold on the auction block to the highest bidder.

This situation, Mr. Speaker, calls for immediate action because of the grave situation which currently exists. I trust that the extensive hearings of the Banking and Currency Committee will bring about a reduction in the price of lumber and a return to sanity in this industry.

Mr. SISK. Mr. Speaker, I yield 10

minutes to the gentleman from Texas (Mr. PATMAN).

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the gentleman from Nebraska (Mr. MARTIN) is to be commended for bringing to the attention of this body and joining in the concern that the House Committee on Banking and Currency has had over the fantastic increases in lumber prices which are so seriously and adversely affecting housing construction in the United States.

In fact, at the first meeting of our committee, soon after January 3, one of the first discussions that came up was the question of increased prices and costs affecting the housing industry.

We have a commitment over the next 10 years of constructing 26 million houses. That cannot be done unless we do something about the increases in the cost of construction and financing housing. I am pleased to know of the interest and the support of the gentleman from Nebraska (Mr. MARTIN), and also the Rules Committee that reported this resolution.

The Committee on Banking and Currency is aware of this, and—as I have publicly indicated—will begin immediately to investigate the reasons why these fantastic price increases have occurred. In fact, our committee announced the day before yesterday, on the 11th, that we were commencing then to begin this investigation. We had our staff working on it. We did not announce the date, but I can say now it is contemplated we will start public hearings on Monday, March 24. In view of the urgency of this situation, we feel it is justified to have the first hearing on that Monday.

Our investigation, however, will go beyond the matter of the skyrocketing lumber prices, important though this particular subject is. The Congress has, at least since 1949, promised the American people that we would pursue a policy to assure a decent home for every American. Rather than meeting this objective, we seem to continually be falling further and further behind. Just last year the Banking and Currency Committee brought to this floor and Congress enacted the Housing and Urban Development Act of 1968, which calls for the construction over a 10-year period of 26 million housing units. This objective must be met or again we will be charged with making great pious, but platitudinous, statements which we cannot fulfill. I have challenged the administration and the Congress with the responsibility of getting to the bottom of why our housing goals in the past have not been met and with providing the necessary solution to this dilemma.

To indicate the importance of this subject, it is my intention to hold these hearings before the full Committee on Banking and Currency. I recognize the emergency situation for the homebuilding industry as a result of the tremendous increase in lumber costs that have occurred in recent years and months. Of course, when I say "lumber," that means plywood and other wood that goes into housing. However, I want to state that

the Banking and Currency Committee inquiry will be broadened into a detailed analysis of all of the factors that have given rise to the rapidly increasing price of homes. I have contacted a number of members of the House Banking and Currency Committee and I am convinced there is a general consensus within the committee that we must eliminate whatever the factors are that price housing out of the range of millions of Americans through such things as rising interest rates and skyrocketing construction costs. I know this subject has strong bipartisan support within our committee and this body.

It is our intention to begin these hearings, as I said, starting a week from Monday, March 24. The committee will welcome all witnesses who can shed light on this subject, and I trust that the esteemed gentleman from Nebraska, who is so knowledgeable on the subject of lumber and lumber prices, will be our first leadoff witness. Again, I reiterate that I welcome the support of Members of this body in this undertaking.

Mr. Speaker, I shall read a telegram that I received on this subject, which is dated yesterday, March 12, 1969:

RED BLUFF, CALIF.,  
March 12, 1969.

HON. WRIGHT PATMAN,  
Chairman of House Banking Committee,  
House of Representatives,  
Washington, D.C.:

Read where your committee is about to investigate lumber prices. We are vitally concerned both as producers and sellers of lumber products as well as being a large consumer of lumber products. We feel your committee should start with some of the past and present practices of the forest service. In the last ten years these practices have driven a large number of producers to the walls. Now that there is a heavy demand for finished lumber production the productive capacity is not available. Some relief could be accomplished by making more timber available. Failures of the forest service:

1. Failure to make available year after year the allowed allotments from national forests.
2. Past exporting of logs to Japan.
3. Placing too much land into non-economic wilderness areas.

The above three practices are major causes for the wild bidding on government stumpage and resulting high lumber prices.

4. Changes in policy of payment bonds for forest service sales—particularly hard on small and medium size operators. One of our subsidiaries, Commander Box & Lumber Co., headquartered in Texarkana, Texas, employing several hundred "hard core" employees, is among the many suppliers of government containers that is suffering from the high prices of lumber. It is the largest supplier of ammunition boxes in the country. Although Commander Industries, Inc., principal supplier of Commander Box & Lumber Co. has absorbed a thirty-percent increase in lumber prices during the last sixty days, our subsidiary is presently losing money on contracts accepted before last November.

Future bids for government contracts will have to reflect recent lumber increases—if we are unsuccessful in future bids our Texarkana and Marshall plants may have to be closed. If we can provide you any information that can be of use to your committee we would be happy to oblige.

W. D. SCHAWB,  
President, Commander Industries, Inc.

Mr. Speaker, I hope this resolution will be adopted by a unanimous vote. It is very important. We must do something

about this urgent problem as quickly as possible.

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

Mr. PATMAN. I am glad to yield to the gentleman from Nebraska.

Mr. MARTIN. I should like to commend the distinguished chairman of the Banking and Currency Committee for this prompt action in holding these hearings. I want to assure him it will be a pleasure for me to testify before the committee as he has indicated.

Mr. PATMAN. I thank the gentleman very much.

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

Mr. PATMAN. I am glad to yield to the gentleman from Connecticut.

Mr. MONAGAN. I also want to commend the gentleman from Texas for this proposal.

I do not have any final conclusion myself as to what the issues are in this case finally, but I do know that there are complaints from my own district about the tremendous increase in the prices of lumber to the consumer and to the middleman. Therefore, I think this is very evidently in the public interest.

Mr. PATMAN. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Speaker, I am very, very pleased that the distinguished chairman of our Banking and Currency Committee has announced that we will promptly go into hearings with respect to this serious problem. It speaks well for what has been presented by our colleague, the distinguished Congressman from Nebraska (Mr. MARTIN), in pressing for a resolution to investigate the recent marked price changes in the lumber industry.

I had urged that our Subcommittee on Housing conduct such an investigation, and had been promised action by the subcommittee; now, I am especially pleased that the chairman of the full committee has stated that he will schedule the hearings before the full committee so that each Member can benefit by the testimony which will be received.

This is a crucial time for the American homebuilding industry. Congress last year called for the construction and renovation of 26 million units in the next decade. This is a goal which will be difficult to reach, but it can be reached. However, it can be reached only if we do not have such problems as sky-high lumber prices.

The homebuilders are worried. Those who are planning for a development of housing cannot plan, because from day to day the costs are skyrocketing. There are no firm prices.

The homebuyer is scared off from buying by finding that a house which last year would have cost him \$20,000 is now \$22,000 or \$23,000, and the upping of the price of \$2,000 or \$3,000 per house is largely because of these escalating costs.

The prices of many basic building materials—including furring strips and plywood—have jumped as much as 100 to 200 percent in the past 18 months. Estimates for housing starts for 1969 run as

high as 1.65 million, compared to 1.5 million in 1968. Housing demands are certain to continue to increase. But in the face of rising lumber prices, housing starts may well be down because of the substantial increase in homebuilding costs.

The housing industry uses 40 percent of the softwood lumber produced in this country. We must look very closely at the relationship between rising lumber costs and rising housing costs. The inflation we are now experiencing has had a substantial effect on the housing industry, but the lumber price increases are well beyond what might be caused by inflation.

It is high time we found out the facts and learned exactly who is responsible. We should find out whether the industry itself is responsible, whether the demand is greater than the supply, whether there has been some conspiracy in connection with the price changes and the effect of major export of logs. A broad-scale inquiry is fully warranted on the basis of information that has come to my own office. I have received many letters and telephone calls and visits from interested people. This is something that warrants the attention of the American people. I am sure the way it is now being laid out, with a full-scale committee inquiry, we can get at the bottom of it and make positive recommendations. I urge the adoption of this resolution.

#### AMENDMENT OFFERED BY MR. SISK

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

The Clerk read as follows:

Amendment offered by Mr. SISK: On page 2, line 6, after "designated" insert the word "by".

The amendment was agreed to.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### TO CREATE A SELECT COMMITTEE TO REGULATE PARKING ON THE HOUSE SIDE OF THE CAPITOL

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 282 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 282

*Resolved*, That (a) there is hereby created a select committee to be composed of three Members of the House of Representatives to be appointed by the Speaker, one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) The said committee is hereby authorized to exercise direction over the Sergeant at Arms of the House of Representatives in the assignment of space for outdoor parking of automobiles in squares 639, south of 635, and 692, located adjacent to the House Office Buildings, and for all other outdoor parking of automobiles on the House side of the United States Capitol Grounds.

SEC. 2. The House Office Building Commission, in carrying out the duties imposed upon the Commission by the Acts of March

4, 1907 (40 U.S.C. 175), May 28, 1908 (40 U.S.C. 183 and 184), and April 22, 1955 (40 U.S.C. 175), is hereby authorized to delegate so much of such duties as pertain to the direction and supervision of the Architect of the Capitol in the assignment of space for parking of automobiles in the garages in the Rayburn House Office Building, the Cannon House Office Building, and the two underground garages in squares 637 and 691, located adjacent to the House Office Buildings, and the issuance of regulations governing such assignments, to the select committee herein created.

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

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH).

Pending that, Mr. Speaker, I think the reading of the resolution shows it to be self-explanatory. I have no requests for time and yield back the balance of my time.

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

Mr. Speaker, the resolution speaks for itself. I would like to commend the gentleman from California (Mr. SISK) for taking on and handling this difficult job of assigning parking spaces to the Members and their staffs.

I urge the adoption of the resolution and yield back the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### APPOINTMENT AS MEMBERS OF SELECT COMMITTEE TO REGULATE PARKING

The SPEAKER. Pursuant to the provisions of House Resolution 282, 91st Congress, the Chair appoints as members of the Select Committee To Regulate Parking on the House side of the Capitol the following Members of the House: the gentleman from California, Mr. SISK, chairman; the gentleman from Ohio, Mr. HAYS, and the gentleman from Iowa, Mr. GROSS.

#### AUTHORIZING COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 268 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 268

*Resolved*, That, effective from January 3, 1969, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigation in connection with all matters coming within the jurisdiction of the committee, including, but not limited to, the following matters:

(1) Personnel requirements and manpower utilization, the United States Civil Service Commission, and the Federal civil service generally.

(2) The classification of all mail, postal rates, fees, and size and weight of all classes of mail.

(3) Compensation and other emoluments of Federal civil officers and employees.

(4) The administration of the civil service retirement, insurance, and health benefits programs.

(5) The administration, management, and operation of the Post Office Department, mailability of articles and printed matter, including, among other things, the mailing of obscene matter and unsolicited articles.

(6) The purchase, lease, rental, use, and modernization of land, buildings, vehicles, and equipment for the postal field service, including research, development, and engineering programs related thereto.

(7) The activities of the Bureau of the Census, National Archives and Records Service, and the collection, reporting, and data processing activities of the Government generally.

(8) The classification of Federal civilian positions, including, among others, General Schedule positions subject to chapter 51, of title 5, United States Code, and postal field service positions subject to chapter 45, of title 39, United States Code.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized to do so by the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman or, in his absence, the vice chairman of the committee or any member of the committee designated by such chairman or, in his absence, the vice chairman and may be served by any person designated by such chairman, or vice chairman, or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other members or employees traveling abroad.

Mr. MATSUNAGA (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 268 provides the regular authorization for investigative power which is necessary for the normal operation of the Committee on Post Office and Civil Service. The resolution authorizes the Committee to sit and act within the United States only.

It is identical to resolutions which have been adopted in the past and was reported by the Committee on Rules without amendments.

Mr. Speaker, I urge the adoption of House Resolution 268 in order that the Committee on Post Office and Civil Service will have authority to conduct investigations and studies of matters within its jurisdiction, and funds may be made available to it.

Mr. SMITH of California. Mr. Speaker, I concur in the statements which have been made by the distinguished gentleman from Hawaii with reference to this resolution. The resolution is identical to the resolution as in years past, and I urge its adoption.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### AUTHORIZING THE COMMITTEE ON GOVERNMENT OPERATIONS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 213 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 213

*Resolved*, That the Committee on Government Operations is authorized to conduct full and complete studies and investigations with respect to matters within its jurisdiction, and for the purpose of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit during the present Congress at such times and places either within or without the United States, whether or not the House is in session, has recessed, or has adjourned, and to hold such hearings and take such other actions as are authorized under rule XI(8) (d) of the Rules of the House of Representatives relating to the Committee on Government Operations.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Government Operations of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or

if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman of the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 3, line 2, after the word "agency," insert the following language: "Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

The committee amendment was agreed to.

The SPEAKER pro tempore (Mr. PATTEN). The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) and, pending that, I yield myself such time as I may consume.

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

Mr. BOLLING. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding, and I would merely ask the gentleman from Missouri if he would like to correct the wrong spelling of the word "carrying" in line 4 on the first page of the resolution.

Mr. BOLLING. I would say to the gentleman from Iowa that there are two typographical errors. The gentleman from Iowa is calling my attention to an error appearing at what portion of the resolution?

Mr. GROSS. In line 4 of the first page of the resolution, the word "carrying."

Mr. BOLLING. The gentleman is correct. There is an error in the spelling of the word "carrying" on line 4 of the first page of the resolution, and there is an error in the spelling of the word "time" appearing in the committee amendment, on page 3, line 5, of the resolution.

Mr. Speaker, I ask unanimous consent to correct the spelling of the word "carrying" in line 4 on page 1 of the resolution, and the spelling of the word "time" in line 5 on page 3 of the resolution.

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

There was no objection.

Mr. BOLLING. I thank the gentleman.

Mr. GROSS. Mr. Speaker, would the gentleman yield further?

Mr. BOLLING. Certainly, I will yield further to the gentleman.

Mr. GROSS. Mr. Speaker, I would ask the gentleman from Missouri if we have been giving the Committee on Government Operations the authority, by virtue of similar resolutions in the past, to sit at any time the House may be in session?

Mr. BOLLING. Yes; the committee already has the authority, I believe it is one of the few committees that has that authority, but this is to sit any time outside, where they do not have the authority to do so that is needed.

This resolution is for some trip.

Mr. GROSS. I thank the gentleman.

Mr. BOLLING. Mr. Speaker, the gentleman from Missouri would like to ex-

plain a special provision in this resolution that is contained in the committee amendment. The gentleman from Missouri (Mr. HALL) has been interested for some time in seeing to it that Members only receive 1 day of per diem for 1 day of absence from this country.

Despite the fact that we have received assurances from the new chairman of the Committee on Accounts, the gentleman from Ohio (Mr. HAYS), that that is surely going to be the practice, in the Committee on House Administration there has been some doubt as to whether that has always been the practice, and we thought that in the Committee on Rules it would be nice to make sure that that barn door was double-locked, so we included it as an amendment, which has been adopted already, this provision which makes it impossible—regardless of what happens from this day forth, at least as far as this committee is concerned—that it makes it impossible under any circumstances for a Member to draw double per diem for any one 24-hour period of absence from this country.

Now, I have been assured, insofar as it affects any other committee, that that same practice will be followed by the Committee on House Administration, so I believe that the door of the barn is now double-locked, and I believe the horse is still in the barn.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I believe this is a wise provision that the committee has put in the bill.

Mr. BOLLING. I thank the gentleman.

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

Mr. BOLLING. I am happy to yield to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman for yielding.

I merely want to say that I believe this is a wise and just provision. I notice that the gentleman said that such a provision would now be required by the Committee on House Administration in the future. Does that mean, then, that in future rules the gentleman will also include this provision?

Mr. BOLLING. The gentleman is absolutely correct. There is no intention to particularly designate the Committee on Government Operations, as far as I am concerned. It will be a part of the requirement of the Committee on Rules for any committee to include this provision.

Mr. HOLIFIELD. That is a very satisfactory answer. I believe the amendment is a just amendment. I just wanted to be sure, because while I do not personally know of any case where this has occurred in the past in the House Committee on Government Operations, it is entirely possible that it has, and if it has I want it stopped for the future.

Mr. BOLLING. Mr. Speaker, I now yield 30 minutes to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume. I simply want to say that I concur in the remarks made by the distinguished gentleman from Missouri (Mr. BOLLING), and I urge the adoption of this resolution.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### NIXON'S ADMINISTRATION—THE FIRST 50 DAYS

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

Mr. WYMAN. Mr. Speaker, just over 7 short weeks ago, Richard M. Nixon was inaugurated President of the United States and his administration was born. In the days that have passed since that historic day, much has transpired to give all Americans cause for a sense of pride that they have selected as their Chief Executive a man fully competent in every respect to deal with the monumental tasks and problems with which this country and the world are faced.

Through the medium of his press conferences he has shown not only a keen awareness of a wide range of situations and problems, both foreign and domestic, but also by his articulate responses to questions of the press, that, although he is staffing an administration with the highest caliber individuals available, he is not leaving any one particular area of concern entirely to someone else. Rather, he has done his homework and is as fully knowledgeable of these problems as is possible.

In the area of foreign affairs, his trip through Western Europe was, in a sense, triumphant, and he has indicated a very real ability to negotiate in this area. Certainly it is no mean task to be able to get along with President de Gaulle, but President Nixon not only "got along" but their parting was on an unusually friendly basis. This is bound to result in better United States/French relations than have been the case in a long, long time.

On the domestic front, he has met several situations head-on and not attempted to delay or circumvent any. His reaction to campus disorders was both swift and comforting to those of us who have long held that these situations must be dealt with firmly—and fairly. His decision on the much talked about Sentinel anti-ballistic-missile system is expected within the next 24 hours, and although many have speculated that he will try to avoid this question, I do not believe this to be the case and that he will take his stand now and not later, no matter what the uproar may be.

In short, Mr. Speaker, we are truly blessed in having a President, at long last, who is a leader, in every sense of the word. We are blessed in having a President who is probably the best qualified individual to have held that office in two generations or more.

There has been some criticism of a few of the high-level appointments that have been made to date, but this is just another indication that President Nixon holds the best interests of his country first, and he is trying to staff his administration with the best qualified men and women, regardless of political affiliation.

This administration has lived but 50

days. But if these first 50 days are an indication of the kind of administration to which this Nation can look forward to the next 3½ or 7½ years, then when the time comes for Dick Nixon to turn over the reins of Government to the next in line, this country and this world should truly be a better place for all to live.

#### AMERICAN LEGION SALUTE

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

Mr. ROBERTS. Mr. Speaker, on Saturday the American Legion will officially celebrate the 50th anniversary of its founding March 15, 1919, in Paris, France. I would like to salute this organization for its half century of service to the entire country.

The American Legion is known all over the world for its many programs benefiting both the youth of the country and returning war veterans.

I am very proud to have the first American Legion post of the 666 posts in Texas, and one of the first in the Nation, in the Fourth Congressional District. Post 1 in Commerce, Tex., was founded on July 1, 1919.

The American Legion deserves special commendation for its golden anniversary gift to the Nation, the permanent lighting at the Tomb of the Unknowns in Arlington National Cemetery.

This morning the Honorable William C. Doyle, national commander of the American Legion, testified before the Committee on Veterans' Affairs. I am pleased to include his remarks.

STATEMENT OF WILLIAM C. DOYLE, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE THE COMMITTEE ON VETERANS AFFAIRS, HOUSE OF REPRESENTATIVES, THURSDAY, MARCH 13, 1969

Mr. Chairman and Members of the Committee, at the onset may I express our appreciation to you, Mr. Chairman, and to this Committee, for receiving us so graciously. We know that the many problems of our Nation and of the world are most demanding of your limited time. In addition, we are indebted to the Honorable Wilbur D. Mills, Chairman of the Committee on Ways and Means of the House of Representatives, for authorizing the use of this room for this gathering.

It is with a mixture of pride, pleasure and humility that I appear this morning before this distinguished Committee. I take pride in holding the high office of National Commander of The American Legion, the largest veterans organization in the United States. It gives me much pleasure to have the opportunity to appear before such an outstanding group of legislators. And I am humble as I contemplate the fact that in a sense I appear here as spokesman for many thousands of brave men and women who have sacrificed much in the service of their country and who cannot be here to speak in their own behalf. In the remarks that I shall make to the Committee today I shall be ever mindful of the responsibility that is placed on me as I attempt to speak in the interest of those veterans and their dependents who must look to their government in their time of need, just as the government looked to them in its hour of need.

This week The American Legion is conducting, in the Capital City, its ninth annual Washington Conference. This event in-

cludes our 46th annual National Rehabilitation Conference. Several thousand Legionnaires are gathered here to carry on the business of our great organization.

There is, however, an unusual significance to this particular Washington Conference. It is one of the highlights of the commemoration of our Golden Anniversary.

Fifty years ago, on November 11, 1918, the guns fell silent on the Western Front and the men of the AEF climbed out of the muddy trenches of Northern France and began to reflect on what would happen to them when they returned home.

I would remind you gentlemen that there was at that time no House Committee on Veterans Affairs as we know it today. There was no particular group of Congressmen concerning themselves with the welfare of the returning serviceman. There was no Veterans Administration. There were no veterans hospitals. There was no broad program of benefits awaiting the return of those men of the AEF. That all of these things exist today is the result of the concern of the Congress of the United States for the Nation's veterans, and, in measurable degree, it is the result, too, of the interest and the activity of The American Legion.

In mid-March of 1919 a group of officers and men of the AEF gathered in Paris, and decided that the men who had fought and won the war to end all wars should form a veterans association upon their return home. Those same men, with representatives of their comrades who had served in the States and elsewhere in the world, met in St. Louis, Missouri, in May of 1919 and finalized plans for their organization. At that time they chose to call themselves The American Legion.

The new organization held its first National Convention in Minneapolis, Minnesota, in November of 1919. At that convention the new Legionnaires concerned themselves primarily with the welfare of their sick and disabled fellow veterans. It is a matter of history that as the Legionnaire delegates were meeting in Minneapolis, four of their fellow members were shot to death by radicals while marching in an Armistice Day parade in Centralia, Washington. It is safe to say that the Legion's unrelenting opposition to Communism and all forms of radicalism extends through the years until today from that tragic moment in Centralia—known in the annals of The American Legion as the Centralia Massacre.

To characterize The American Legion's continuing intense interest in the rehabilitation of the sick and disabled veteran, I would like to pause just long enough to read to you distinguished gentlemen an excerpt from the report of the Committee on Rehabilitation to the Third Annual National Convention of the Legion in Kansas City, Missouri, in 1921. Speaking of the war disabled, the Committee said this: "While others may tire of the burden imposed by the care of these men, and popular interest grow cold, The American Legion must never permit its interest to diminish or its energies in their behalf to flag until to the last one has been brought all the resources that modern science can provide for the cure and (relief) of the diseases from which they suffer. However The American Legion might succeed in other activities, it will fail if it does not continue to discharge its obligation to these comrades." Gentlemen of the Committee, those same sentiments accurately express today the sense of obligation of The American Legion toward all of the veterans of America's wars.

I believe it is worthwhile to note here that while the Legion this year celebrates the Golden Anniversary of its founding, it will also commemorate in 1969 the 25th Anniversary of the enactment of Public Law 78-346, the G.I. Bill of Rights. It is most appropriate that I should mention this fact before this Committee.

The first draft of the G.I. Bill was prepared by The American Legion and submitted to Congress in January of 1944, at the height of World War II. This draft was studied and amended in Congress, passed unanimously, and sent to President Franklin Delano Roosevelt, who signed it into law on June 22, 1944.

There is no question now that the G.I. Bill was the most significant single piece of veterans legislation ever adopted by any nation. Because of it, literally millions of American veterans are today better educated, better housed, and are enjoying a better economic life than could possibly have been the case without it.

The American Legion is proud to have been associated with the Congress in the development of this landmark legislation.

In addition to our observances here this week, other major commemorative activities this year will take place also in St. Louis in May, at our 51st National Convention in Atlanta, Georgia, in August, and finally in Minneapolis on Veterans Day.

I would like all of you distinguished gentlemen to know that as one of its most important actions of this Golden Year, the Legion has appointed a Task Force for the Future, which will make its final report to the National Convention in Atlanta in August. The responsibility of this Task Force is to draft a set of guidelines for the Legion as we launch our second half-century. It is our intent to so direct our efforts that our organization will make an important contribution to the welfare of our beloved country during the years that lie ahead. The American Legion will remain steadfast to its first charge, the care of our country's veterans, but we are evaluating all of our programs of service to make them more effective in keeping with the times.

On Saturday of this week it will give us great pleasure to entertain the Members of the 91st Congress at dinner at the Sheraton Park Hotel. There you will not only receive our salute, but you will also have what we hope will be a welcome opportunity to visit with those Legionnaires from your own home districts who are here to attend our Washington Conference. We hope that it will be a pleasant evening for all of you.

There is one unusual feature about the activities planned for Saturday evening. At that time we will turn on, by remote control, a lighting system for the Tomb of America's Unknown Soldiers at Arlington National Cemetery. You may be aware of the fact that among the many beautiful monuments that grace the Capital City, the Tomb of the Unknowns is one that has never been lighted. The lighting system for it has been the Gift to the Nation of The American Legion in commemoration of its Golden Anniversary. It is our hope and intention that the lighting of the Tomb will help serve as a reminder to all Americans who see it of the price that has been paid by thousands of young Americans to preserve Freedom, Justice and Democracy for our people and our Nation, and for other free peoples.

Mr. BIAGGI. Mr. Speaker, this year marks the 50th anniversary of the American Legion, an organization of patriotic veterans who believe in freedom through strength and preparedness. Born out of war's tragedy, the Legion seeks to investigate the causes of war and apply the results of its study intelligently toward the preservation of peace.

The men of the American Legion do not stop here, however. Beyond this are their objectives of community improvement, individual betterment, and the promotion of American principles and ideals.

It struggles for their attainment during war and peace, in good times and

bad. And it will fight on. In a day when the minds of men have been subjected to worldwide tragedy and doubt, when suffering is on every side, the American Legion stands solidly for our country and its democratic system of government. It believes the American dream to be coming to fruition.

Legionnaires are proud that every one of the Legion's members served in this country's Armed Forces. Many of its members have shed their blood and performed heroic acts. Men of the American Legion know what sacrifice means.

After 50 years of service, the American Legion's work has only begun. Before it lie tremendous unsolved problems—at home and abroad—and the greatest of these is securing peace.

Who is better fitted to work for this ideal than those who have given most to win it? The answer is obvious—Legionnaires.

I congratulate the American Legion on 50 years of accomplishment. May it see 50 more years of glorious service to America.

Mr. MCKNEALLY. Mr. Speaker, 50 years ago this month, a group of soldiers sat down in Paris to form an organization dedicated to the ideals of God and country. Fifty years have past since the historic meeting in Paris. They are 50 years of extraordinary accomplishment in behalf of the men who bore the heat of the battle, their widows, and their orphans.

As much as we may honor the Legion and what it has accomplished in behalf of the rehabilitation of the disabled, we must honor it equally for its promotion of Americanism and patriotism, and all those ideals which have resulted in America's extraordinary rise to greatness. It is particularly important that we fasten on this part of the Legion's record because we live in a day when those ideals are not only derided, but they are betrayed by a modern caterwauling ruck of malcontents whose intent and purpose it is to destroy all that the Legion has striven for.

All hail to the American Legion. May its services be appreciated by our country and may its philosophy always be pleasing to God.

Mr. HAGAN. Mr. Speaker, I am proud to add my own congratulations on the occasion of the 50th anniversary of the American Legion.

This is indeed an outstanding occasion for never before in the history of man has such an organization of war veterans been banded together for such noble purposes, as those set forth in the preamble to the American Legion constitution.

In fact, Mr. Speaker, only once before in the history of our Nation, at the time of the drafting of the Declaration of Independence, had men of such keen insight into human nature, such a grasp of the future course of history and with such a feeling for their fellowman come together for a common purpose.

Seldom, in the course of history, has one organization exemplified such patriotic fervor.

May the American Legion enjoy many more decades of success in all its work and continue in its growth in strength and in effective service to our country.

Mr. ROTH. Mr. Speaker, I would like at this time to salute and congratulate the American Legion on the 50th anniversary of its founding. As a member of Laurence Roberts Post No. 21, in Wilmington, Del., and as a friend of a distinguished former Delawarean who is a founding father of the American Legion, national executive committeeman Thomas W. Miller, I have long been familiar with the outstanding work of the American Legion on behalf of our Nation and its citizens.

The American Legion is fundamentally a patriotic organization, dedicated and devoted to advancing the ideals of America—justice, freedom, democracy, and loyalty—and to exalting, under the motto "For God and Country," the sacredness of human personality and the inestimable gift of American citizenship. Founded in Paris on March 15, 1919, by 1,000 representatives of the American Expeditionary Force, the American Legion currently has more than 2.6 million members—veterans of four wars: World Wars I and II, Korean and Vietnam conflicts—in some 16,000 posts in the United States and abroad. Bound together in comradeship and service, Legionnaires—"Veterans as Citizens"—actively devote their efforts to four major programs: Americanism, child welfare, rehabilitation, and national security. In addition to working for handicapped veterans, their widows and orphans, an emphasis is placed on citizenship development of youth, with over 5 million participating each year in such programs as Boys State, Legion baseball, and a national oratorical contest.

The work of the American Legion during its first 50 years is a source of inspiration to all Americans and we are all more comforted in the knowledge that we may look forward to many more years of Legion service to community, State, and Nation.

Mr. ZWACH. Mr. Speaker, I would like to join with my colleagues today in paying a salute to the American Legion on its 50th anniversary. While I would prefer not to have had those terrible conditions in our world that served as the birthplace of our greatest veterans organizations, still I am very proud of the value that this organization and membership have been to this Nation over the past 50 years.

Our hats are tipped in sincere reverence to the good influence that this group, representative of 26 million veterans in the United States, has had in developing and maintaining a strong, healthy respect for our Nation and for the cornerstones upon which our democracy was founded.

My best wishes to the officers and members of the American Legion on their 50th anniversary.

Mr. MILLER of Ohio. Mr. Speaker, I am proud to pay tribute to the American Legion on its golden anniversary.

From its modest organizational meetings in Paris in the aftermath of World War I, the Legion membership rolls have expanded to include the names of over 2,700,000 worthy American veterans including the President of the United States, 30 State Governors, 66 U.S. Senators, and 252 U.S. Representatives. Ad-

ditionally almost 1,000,000 women belong to the American Legion Auxiliary.

As the leading guardian of veterans' rights and interests, the Legion deserves full credit for its role in formulating the Serviceman's Readjustment Act for the returning servicemen of World War II and for extending its provisions to cover those who have defended our country in Korea and Vietnam. More than 11 million veterans have availed themselves of educational and training benefits under the GI bill and nearly 6 million have purchased homes under its guarantees. Additional uncounted millions of veterans have received employment counseling, business loan assistance, and medical treatment under this and related statutes.

Advocacy of a fuller recognition of our Nation's obligations to servicemen, past and present, is only a part of the Legion's purpose. Its efforts in the area of youth activities are perhaps even more deserving of commendation by the Congress. Boys State and Nation, Girls State and Nation, national high school oratorical contests, Boy Scout troops, and the American Legion baseball programs are all extremely successful and vital motivators of young men and women. In an age when much of the emerging generation wants to revolt against the American system, the Legion encourages active participation in our great democratic processes. The future of a nation will be determined by the deeds, attitudes and moral standards of its youth. As it enters its second half-century, the American Legion is hard at work building a finer and freer United States of America.

Mr. ROONEY of New York. Mr. Speaker, 50 years ago a thousand or so members of the American Expeditionary Force sharing an ideal met in Paris and formed what is now the American Legion. Today more than 2½ million Americans belong to the Legion and the ideal—Americanism—is as strong as it was on March 15, 1919. It would be more than slightly ridiculous to note that things have changed greatly over those 50 years but they have indeed and thus it is more remarkable, I think, that the Legion has been able to hang onto its prime goals of Americanism, rehabilitation, child welfare, and national security. In those 50 years the Legion has grown to more than 2½ million members and we now have more than 20 million living veterans and three additional wars. In addition, we have weathered all kinds of internal strife including, but certainly not limited to, times of economic depression and threats by foreign "isms." Mr. Speaker, I join with my colleagues in saluting the American Legion, its members and, more importantly, their work. The activity of the Legion is very much a part of the strength of this country.

#### GENERAL LEAVE TO EXTEND

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

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

There was no objection.

#### PARIS PEACE TALKS

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

Mr. FISH. Mr. Speaker, the Vietnam war concerns us all. Many of us, I know, were hopeful that the Paris peace talks would begin by this time to mark out a road toward peace. In Paris we are negotiating in good faith, yet the war goes on and peace seems as distant today as it did prior to the halt of the bombing and the start of the negotiations. The tragedy of this situation is underscored by rising casualty rates as Vietcong and North Vietnamese main force units continue their winter offensive. Yet even as casualties rise a clear-cut definition of this war, or our purposes for being in this war, that has served to divide our country, fill our youth with unrest, exacerbate our social ills and drain our needed resources, seems as far away as ever.

A leading newspaper in my district, the Kingston Daily Freeman, Kingston, N.Y., has taken note of the intransigence of Hanoi and the disquiet that pervades our Nation. In a front page editorial that appeared in the issue of March 12, it addresses itself to these problems. This editorial suggests the possibility of a nationwide referendum on whether this country should prosecute this war to win, or to pull out our forces and neglect our commitments. With this suggestion they seem to be asking a question that is basic to the issue: Can we fight and die for peace when our adversary fights to win? I submit the full text of the editorial:

#### THE KINGSTON DAILY FREEMAN EDITORIAL

President Nixon apparently is finding himself as much impaled upon the horns of the Vietnam War dilemma as was Lyndon Johnson, his predecessor. This nation has stopped the bombing; we are searching for peace in Paris; and we have not unduly escalated ground action in South Vietnam.

Yet, the Viet Cong and North Vietnamese are turning the Paris Peace Table into an obstacle course and, at the same time, conducting the third phase of yet another winter offensive, sending the G.I. death toll soaring once again.

#### MOTIVES

The motives are fairly obvious. Delay, stall, attack are the orders—all designed to keep the allies off balance so that the American public will tire of the commitment and carnage and move for a peace, even at the expense of the South Vietnamese.

In short, the North is still shooting for complete victory—both politically and militarily, and obviously does not intend to alter any of its tactics until these ends are achieved.

This is Nixon's dilemma, and notwithstanding campaign promises the enormous problem is still here. The war goes on, boys are dying, billions of dollars are being spent that could be better used at home, and no end in sight, except capitulation to the Viet Cong and North Vietnamese.

Washington is fractionalized between the doves and the hawks, and Nixon will be unable to satisfy either. Nor will any solution appease all of our diverse elements in this country.

#### COURSE OF ACTION

But a dilemma must be faced and a course of action undertaken—if for no other rea-

son than to escape from an untenable situation.

Therefore, we suggest the President take steps to prepare a national referendum. Let the people decide whether we should go all-out to win this war or pull out of our commitments. Obviously, the hope of a middle ground of a negotiated peace is evaporating and one course of action or another, must be undertaken before the United States is bled to death in Southeast Asia.

#### ON MUTUAL FUND BILL

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

Mr. STUCKEY. Mr. Speaker, I have introduced today a bill to provide a much larger measure of consumer and investor protection for shareholders in investment companies—mutual funds—while at the same time preserving the principles of free enterprise and corporate democracy. During hearings on investment company legislation before the House Subcommittee on Commerce and Finance in the 90th Congress, I became greatly concerned with some policy aspects of the proposals being made by the Securities and Exchange Commission.

The truth-in-mutual-funds law enacted by Congress in 1940—the Investment Company Act—like the other Federal securities laws, embodies the principle of "full disclosure" as the main bulwark of investor and consumer protection in the field of mutual funds. It has worked well. Today there are about 5 million mutual fund shareholders, and these companies have assets of over \$53 billion at present. This has made investment in American industry available to millions of low and middle income citizens who could not otherwise afford professional management of investments on an individual basis. Most of these persons would not have been invited to participate in the ownership of our Nation's productive capacity but for the affirmative efforts of mutual fund salesmen seeking out prospects and selling them on the advantages of investing and saving.

In legislation last year the SEC proposed to change the basic assumption of corporate democracy that each shareholder buys into a company voluntarily and can sell his shares at any time he does not like the company or its management, but that while he is a shareholder, a majority of the shareholders and the directors they elect each year will run the company.

Under the SEC proposals, which have been introduced in the Senate again in the 91st Congress—S. 34 and S. 296—the SEC and the judicial courts would be empowered to substitute their judgment for that of the shareholders and elected directors on such matters as management compensation and sales commissions. This would do violence to the constitutional right of the majority shareholders to run the company they own, and let the minority shareholders or the SEC and courts make the most important decisions a company makes; i.e., management and sales compensation. This idea would also encourage "strike" suits and shareholder litigation by minority stockholders, harassing the man-

agement and diverting them from their day-to-day responsibilities. Since last year, I have learned from the SEC and other sources that the wave of such lawsuits during the 1950's and 1960's was actually instigated by former SEC personnel, and that most of it today is controlled by the same basic group of lawyers. I think this is wrong.

Under present law, mutual fund shareholders are provided complete information about each fund in a prospectus approved by the SEC as to full disclosure, by four quarterly reports and an annual report filed with the SEC and various State agencies by an SEC approved proxy statement before each shareholders meeting, by the requirement that management and sales compensation must be approved annually by a majority of the shareholders or the directors, including a majority of the unaffiliated directors, and if this is not enough the SEC has ample authority now to require more disclosure.

Last year, there were many good features of the SEC's proposals, which I have included in my bill. These will update the Investment Company Act of 1940, and will tighten up some loose areas where disclosure could be more complete and managerial responsibility more distinctly defined.

My bill includes some 35 proposals which the SEC and the industry have agreed will strengthen the mutual fund industry. However, the main differences between the SEC proposals and mine are as follows:

First. Annual approval of management and distribution agreements—including compensation—by all the unaffiliated or independent directors and two-thirds of the shareholders will raise a conclusive presumption that the agreements are fair and equitable.

Second. The SEC will be required to follow the procedures of the Administrative Procedure Act in allowing an opportunity to comply before enjoining officers and directors from alleged violations of the law.

Third. Present and former SEC personnel will be included along with lawyers and accountants as "interested persons" for purposes of conflicts of interest, and former SEC personnel will be barred for 3 years from bringing shareholder lawsuits against mutual funds.

Fourth. Front-end load contractual plans will be continued, but with an absolute or hardship right of refund for investors.

I am convinced that the professional management and diversified holdings of mutual funds are extremely important to the economic welfare of our Nation. I believe in strong SEC oversight in the form of constant review of prospectuses and reports and proxy statements to insure full and understandable disclosure. Wherever dishonesty appears, the SEC has broad authority and a duty to move at once, the same as it does in other securities situations. However, I do not think the SEC is moving in the right direction when it proposes to deprive majority shareholders of the right to decide what their managers and salesmen should be paid. While securities are a "special" kind of consumer goods—one

share of stock looks like another, good or bad—full disclosure insures that the quality of management and the method of operation of each registered company can be known to every investor before he buys a share. If he is not provided with a prospectus and full disclosure, present law gives him a right to sue and have his money returned with interest. There are also serious criminal penalties. And, if the SEC needs more authority to insure fuller disclosure, I will support such legislation. However, I will oppose in every way I can the theory that a Federal agency should substitute its judgment for that of the shareholders, and the board of directors in a competitive industry which is not a public utility. If SEC determination of management and salesmen's compensation is right for mutual funds, then it is right for the steel industry, the automobile industry, the electronics industry, and for every publicly owned company. A shareholder in Xerox or Chrysler Motor Corp. is no different from a mutual fund shareholder. If we need such Federal control for one, why not the others, or is it just a matter of time? I ask other Members of Congress to give thoughtful consideration to this problem. It is a matter about which reasonable men can differ. I think it is too important to our gross national product to slip by unnoticed or misunderstood. I believe in mutual funds and I believe their continued soundness depends on adequate management and sales compensation. I believe in corporate democracy just as I believe in political democracy. I am against government dictatorship in either area. Overregulation by Federal authorities in the mutual fund industry can destroy the industry and defeat investor protection. My bill will strengthen the industry and the shareholders both in terms of protection and their right to run the business they own.

#### GONZALEZ RESOLUTION OPENS INQUIRY INTO LAND GRANTS IN THE SOUTHWEST

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

Mr. GONZALEZ. Mr. Speaker, I am today introducing a House resolution to create a special committee of inquiry into the validity of the succession of ownership to the original Spanish land grants in the Southwest.

The question of the validity of claims pressed under the Spanish land grants is a burning issue in some portions of Texas, New Mexico, and Colorado. It is not hard to see why it is an emotional issue to some Americans of Spanish surname. Consider how title to some of the land grants were transferred:

The ancient Spanish land grants were made by the King of Spain and largely administered through Mexico City. When Anglo American settlers began to outnumber the Spanish descendants in the Southwest, some highly devious means were employed to get title to the land. A territorial sheriff might assign a tax that the grant holder knew nothing

about, sell the land for taxes to a waiting Anglo and then confiscate the land.

It is galling to the descendants of the original grant holders to dwell upon ancient injustices or alleged injustices of this type. This descendant could well be saying to himself, "My grandfather was a relative to the original grant holder, who was robbed of his heritage by greedy gringos. I should be the owner of that land, and the ancestor of the Anglo should be in my lowly position."

The number of Americans who hold the view that the descendants of the land-grant holders should be reinstated as titleholders, or be compensated is high, surprisingly high to some. The Alianza Federal de Mercedes, with Mr. Reis Lopez Tijerina as its president, claims to have 8,000 members. Ancient wrongs over the land grant, fanned by consistent discrimination and degradation by the Anglo establishment, has produced a volatile segment of the movement for civil rights among Americans of Spanish surname, Mexican-Americans, Indo-Hispanos or whatever label is preferred.

I believe that a report of a special House investigating commission into these claims could go a long way toward establishing their validity. It would help eliminate the possibility that unscrupulous persons would exploit the undereducated American of Spanish surname in the Southwest by falsely promising to gain land for him, or prove that he was a descendant of the Spanish grant holder. It would go a long way in directing a segment of the civil rights movement among Americans of Spanish surname toward realistic goals.

The inquiry committee would have broad powers, for the issues are complex. The lands in Texas, for example, were under five different sovereign governments before joining the United States. How far do the jurisdictions of existing courts go in this regard? The 1848 Treaty of Guadalupe-Hidalgo between the United States and Mexico as negotiated possibly reinforced the Spanish land grants. But the Senate possibly struck out the important section. But the formal protocols to the treaty possibly reinstated the reinforcement. The issues, to repeat, are complex.

The special inquiry committee is required to reports its recommendations to the House within 1 year. This report would draw upon hearings, investigations, and studies by authorities in the diplomatic, legal, and political disciplines involved. Its findings might on the one hand, in certain instances, resolve the validity of present ownership. Its findings, on the other hand, may point the way to restitution of ownership in connection with certain grants. But in any event, the report would have great influence in putting the validity of the claims in their proper perspective. The questions of the Spanish land grants in the Southwest is an extremely muddled one, and must not be allowed to be exploited to the detriment of the limited means of the American of Spanish surname, nor to the weakening of his continuing struggle for equality under the law.

#### THE LATE HONORABLE FRANK BOYKIN

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Alabama (Mr. ANDREWS) is recognized for 60 minutes.

Mr. ANDREWS of Alabama. Mr. Speaker, as dean of the Alabama delegation it becomes my sad duty to inform the House that last Tuesday night, in the city of Washington, the time of our former colleague, Frank Boykin, expired.

During my 25 years of service in this House, I have never known a more colorful character than Frank Boykin. I have never known a man who had more friends among his colleagues—genuine friends—than did Frank Boykin. His heart was as big as all outdoors. He loved people. He loved his Nation, and he dearly loved his native State of Alabama. I know of no man who worked harder in the Congress of the United States for his home State than he did, and monuments to his works can be found all over our great State. Frank Boykin was an indefatigable worker, arriving in his office most every morning by 6 o'clock.

Frank Boykin was elected to the 74th Congress at a special election held on July 30, 1935, to fill the vacancy caused by the resignation of the Honorable John McDuffie. He became dean of the Alabama delegation at the convening of the 82d Congress. He was a self-educated man, having completed only the fourth grade of elementary school and stood as a symbol of our early heritage—maybe not born in exactly a log cabin but coming out of the same type circumstances to rise financially and politically in our Nation.

His slogan, "Everything's Made for Love," became so well known that it was synonymous with his name. His hunting lodge entertained the dignitaries of Washington and the world and his friends in Alabama.

Many a luncheon of the Alabama delegation was entertained and surprised by his companions and his wit. There was never a dull moment when Frank Boykin was at the table. He was an unending fountain of good cheer, optimism, and sunny outlook, and he had the rare gift of being able to lift the spirits of anyone who encountered him even briefly. His passage through the halls of the Capitol left smiles in his wake.

I still hold a strong mental picture of March 20, 1944, when I arrived in Washington as the newly elected Representative in the Congress of the United States from the old Third District of Alabama. The first man I met at the Washington Hotel was Frank Boykin. From that time on Frank Boykin has been by friend—I loved him.

To his lovely wife Oclo, who is one of the most charming women I have ever known, and his wonderful daughter, Frances, and sons: Bob, Dick, and Jack, I extend my deepest personal condolences.

And so, Mr. Speaker, though the time of Frank Boykin has expired, the memory of him in the minds and hearts of those who were fortunate enough to serve with him in this body will never expire.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to my colleague from Alabama, who is the able successor to Frank Boykin.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

Mr. Speaker, we all mourn the passing of our former colleague and my predecessor, the Honorable Frank W. Boykin. "Mr. Frank," as he was known throughout the First District of Alabama, was 84 years old.

Frank Boykin served the First District of Alabama for 28 years from July 1935 to January 1963. He was known far and wide for his slogan, "Everything is made for love," and I think this was rather typical of his life. He had a genuine liking for people that was highly contagious. It was said of him that when he walked into a room it was like a thousand butterflies let loose. His warmth of spirit was deep and real. He liked everybody; he enjoyed people; he was in a sense a legend. There are many stories told about Frank Boykin, told and retold and perhaps becoming better with each telling. But the one I remember the best is the one that is told about the time the shots were fired from the gallery down onto the floor of the House, wounding several members. Legend would have it that Frank was seen running up the center aisle and out the door. Someone called out, "Hey, Frank, where you going?" "To get my gun," he replied. "Where is it," he was asked. "In Mobile, Ala."

Frank Boykin had little formal education, but he made up for this with great drive, determination, hard work, and perseverance. He was an extraordinary and gifted man whose influence was felt throughout this Nation.

Mrs. Edwards joins me in extending our deepest sympathy to Mrs. Boykin and the entire family.

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

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from South Carolina, who was a friend of Frank Boykin.

Mr. RIVERS. I thank the gentleman for yielding.

Mr. Speaker, Frank Boykin has passed away. Like you and others of his devoted friends, of whom there are legion, we shall miss him and we shall miss his generous, warm-hearted, and exuberant nature.

The void he leaves in these hallowed halls cannot and will not ever be filled. Those of us who were lucky enough to have known this man, to have associated with him, to have lived with him, to have shared his enthusiasm, his magnificent and generous ideals, are fortunate indeed.

Frank Boykin's life epitomizes the Horatio Alger legend of "rags to riches." His was success through endless, tireless, indefatigable, and payless work and drudgery. Frank's career began in his beloved Southland, his beloved Alabama, a section torn, riven, and ravaged by poverty—the inevitable aftermath of war and of reconstruction.

Frank Boykin was a wealthy man—wealth he created and earned by his in-

domitable spirit and energy. He loved everybody. His trademark was love; the most priceless word, the Bible tells us, known to man. He was loved by everyone. I have known no man who more fully lived and loved life. His legacies and his charities dot the landscape of his native State like the soft, friendly, and sparkling dew. The memory of his good works will be an everlasting monument to industry, kindness, dedication, and love.

His affectionate and beloved family and the devotion of his wife of 50 years, the gracious and lovely Oclo Gunn Boykin, portray the sterling caliber of this kind man.

Fate did not give this man a formal education. It was not his fortune to spend many years in school. He educated himself. Frank Boykin was a genius. A college or university education would have made him a scholar; then surely he would have become a literary prodigy. He would have ranked with the giants in this field like the immortal lines of Oliver Wendell Holmes in his "Chambered Nautilus." He could have written

Build thee more stately mansions, O my soul,  
As the swift seasons roll!  
Leave thy low-vaulted past!  
Let each new temple, nobler than the last,  
Shut thee from heaven with a dome more vast,  
Till thou at length art free,  
Leaving thine outgrown shell by life's unresting sea!

Had he written his own epitaph, I think it would have been that of Thomas Gray who said:

Here rests his head upon the lap of earth,  
A youth to fortune and to fame unknown;  
Fair Science frown'd not on his humble birth,  
And Melancholy mark'd him for her own.  
Large was his bounty, and his soul sincere;  
Heaven did a recompense as largely send;  
He gave to misery all he had, a tear;  
He gained from heaven ('twas all he wished) a friend.

No farther seek his merits to disclose,  
Or draw his frailties from their dread abode,  
(There they alike in trembling hope repose),  
The bosom of his Father and his God.

Frank Boykin sought humility. He never sought fame. He was an humble man. He wanted to die with his boots on. He did not want to linger with a long and lasting sickness. In the words of John G. Neihardt's immortal poem:

Let me live out my years in heat of blood;  
Let me die drunken with the dreamer's wine!  
Let me not see this soul-house built of mud  
Go toppling to the dust—a vacant shrine.  
Let me go quickly, like a candle light  
Snuffed out just at the heyday of its glow.  
Give me high noon—and let it then be night!  
Thus would I go.

And grant that when I face the grisly Thing,  
My song may trumpet down the gray  
Perhaps.

O Let me be a tune-swept fiddle string  
That feels the Master Melody—and snaps!

Frank Boykin's life was full. It was too full for sound and foam. As Tennyson said in "Crossing the Bar":

But such a tide as moving seems asleep,  
Too full for sound and foam,  
When that which drew from out the boundless deep  
Turns again home.

At last he is at home, at last he is at rest, but we will miss him. He gave far more to this world than he ever took in riches from it. I have known no man in my lifetime who has done more for his fellow man.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman from South Carolina.

I yield now to my friend, the gentleman from Florida (Mr. SIKES), a great personal and valued friend of Frank Boykin.

Mr. SIKES. Mr. Speaker, a former colleague with a great heart and a genuine love for his fellow man has been taken from us. There have been but few who in a lifetime have inspired greater warmth of friendship in others than did Frank W. Boykin—or who was a better friend than he. His record in Congress was one of the longest in the history of Alabama, and that kind of confidence on the part of his people demonstrated their love and appreciation for Frank and their confidence in his work. His was a great record of accomplishment. Because of his efforts, industry flourished throughout the area of Mobile—a great airbase was built there, and the Port of Mobile was greatly expanded. He was a self-made man—a leader recognized nationally for his competence. Other industrialists had confidence in his recommendations and in his leadership. All of this helped to create in Frank Boykin a legend during his lifetime and to build a monument of good deeds to live beyond him.

I have been one of those privileged to know Frank and his beloved wife, Oclo, best. Mrs. Sikes and I have enjoyed their company and that of their family on many occasions. We have shared their warm hospitality. We know what wonderful friends the Boykins are and we feel more keenly than most the great loss and the pain of separation which all who loved Frank Boykin must bear.

No man could stand higher in his patriotism and his love for our country than did Frank Boykin. He believed in America and the American ideal. He worked and fought for it during his lifetime. Yet, although he gained fame and fortune, he shared time and again the fruits of his own labor with others less fortunate. His deeds of kindness and charity were legend, and wherever Frank Boykin walked, there are those who can attest to the good qualities he possessed and to his generosity.

We can almost say that, in the death of Frank Boykin, we are witnessing the end of an era. Certainly we can say that he was a lovable, kindly individual who stood high in the thoughts of everyone who knew him. There are no others quite like him. I doubt that Frank Boykin ever knew a person he did not like or that he ever carried a grudge, so filled was he

with the joy of living and the spirit of brotherhood. He was built in the mold of greatness and he filled it throughout his life. Mrs. Sikes and I mourn the passing of a warm friend, a great and good man. Our very deepest sympathies are with Oclo, his beloved helpmate of many years; with Bob and Jack and Dick, his sons; and with Frances, his daughter; and with all their loved ones.

Mr. ANDREWS of Alabama. I thank the gentleman from Florida.

Mr. Speaker, I yield to my friend from Louisiana.

Mr. PASSMAN. Mr. Speaker, I thank the distinguished dean of the Alabama delegation for yielding to me on this occasion.

Mr. Speaker, so many wonderful things have been written and said about our former beloved colleague, Frank Boykin, that it would be presumptuous of me to try to add anything significant to those true and wonderful tributes already paid to my departed friend.

Frank Boykin was a good and kind man; a man with a big heart. He loved his friends and always had a kind word for them and a most gracious greeting for everyone he met. This great American was indeed charitable in every sense—good to his family, to his friends, and to every church and organization that had for its purpose to preserve those things that made America so great, free, and strong.

If I could add anything to what has already been said, it would be simply that history will be kind to Frank Boykin, and the many thousands who read the history of Frank Boykin will indeed know that this world is a better place in which to live for Frank Boykin's having lived in it.

Mr. Speaker, I want to extend my deepest sympathy to the family of Frank Boykin. My prayers are that our Heavenly Father will watch over and protect them.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Speaker, one of the earliest recollections I have of coming to Washington, D.C., and meeting and knowing distinguished Members from all over the United States in this body is in the person of Frank Boykin.

My first recollection is of his enthusiastic representation of a fine young man who also came to Congress that year from Alabama, Mr. Armistead Selden. We all recall, I am sure with great amusement, Frank's introduction of Armistead to this body.

On another occasion I recall, in the early days here, Mrs. Landrum and I had the opportunity to go to some social affair, where a lot of older people, important people in Washington, were gathered. Neither of us knew much about Washington and how to get around and what was taking place. Congressman Frank Boykin and his lovely, charming wife, Mrs. Boykin, just sort of took us over for the evening. I believe I have never had a person whom I have not known before make my evening as com-

fortable, make my family feel as welcome, as he made us feel that night. And when we departed I thought, "Well, this is about all that we will see of these people," and to my amazement he provided a cab and saw that it carried us to our residence.

All of this is recited in order to show that when we talk of Frank Boykin's love for his friends and for people in general we talk of something real. As our friend, Congressman SIKES, has just said, I doubt if Frank ever met anybody he did not like. I never saw a man with more enthusiasm for life or a more real desire to help people than Frank Boykin.

Now, Mr. Speaker, if I may be allowed one additional indulgence of a personal nature with regard to my experiences with this man, I would place it on a little different plane from that of the social level which I have just mentioned. When we were struggling with a very important piece of legislation affecting the whole of this United States in 1959, I had never thought of Mr. Boykin as a person with any particular skill at legislation. I knew of his enthusiasm, of course, about which I have just talked, but suddenly I found that Frank was called in to the meetings and that his counsel and support were sought in order to put over this important piece of legislation. I saw there a man who took up the telephone and called all over these United States contacting people in all stations of life and imploring them to get behind a piece of legislation that was going to be good for America. He showed me then that he not only had a great capacity for friendship to man, that he not only loved to see his fellow man and his friends comfortable and happy, but also that he had a deep interest in, as well as a discernment for, things that are good for this Nation, and that he was willing to exercise his great prestige and his wide knowledge of people in order to see that this view prevailed.

Mr. Speaker, I am a happier man and one of broader experience than I would have been if I had not had the privilege of knowing Frank Boykin. My life has been enriched by this friendship that I have been allowed to enjoy with him.

Mr. Speaker, on behalf of Mrs. Landrum and myself, I wish to extend to Mrs. Boykin and her family our genuine sympathy in this moment of bereavement.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman, and now I yield to my colleague from Alabama (Mr. JONES).

Mr. JONES of Alabama. Mr. Speaker, I, too, wish to pay tribute to the memory of the Honorable Frank W. Boykin, who was a Member of this Chamber for nearly two decades and a half.

There is not a Member of this House who served with Frank Boykin who did not know and appreciate his open and friendly manner.

His slogan, "Everything is made for love," was truly his hallmark.

He was always active and full of spirit even in his later years, when most men would have been content to relax and take life easy.

Frank Boykin was well known for his interest in the economic development

and growth of the State and district he represented.

He was always seeking ways to bring new industry and public improvement to his people. His great efforts were fruitful in many, many instances.

As a member of the House Public Works Committee, he was especially interested in the proper development of our Nation's water resources.

He had visions of full utilization of our great streams and water resources. His vision included thriving industry, busy commerce, and adequate recreational facilities throughout the waterways of our country.

Frank Boykin was a hard worker all his life. Through his own efforts and hard labor he accumulated sizable investments in real estate, farming, timber, and naval stores before being elected to the 75th Congress in 1935.

He was well known for his great love of the outdoors and enjoyed treating his friends to the great hunting and fishing which abounded in the south Alabama area he represented.

For many years he was dean of the Alabama delegation in the House.

His passing is a great loss to his family and many friends throughout the country. I wish to extend to his wife and family my sincere expressions of sympathy on this occasion.

Mr. ANDREWS of Alabama. I thank the distinguished gentleman.

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

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Florida, an oldtime friend of Frank Boykin.

Mr. HALEY. Mr. Speaker, it is always a sad occasion to rise and join our colleagues in paying our last respects to a good friend and a former colleague. This is especially true today as we eulogize one of the most colorful gentlemen ever to sit in the U.S. House of Representatives, the late Frank William Boykin.

During the years he was privileged to serve in this House of Representatives, he represented well the people of his congressional district and his native State of Alabama.

None who knew him could ever forget his warm nature, his good cheer, and great affection for his fellow man. Perhaps if more people practiced the "love" Frank Boykin proclaimed, this world would truly be a better place. He had a kind and generous spirit. He was one of the most well-liked men to serve in the Congress. Certainly he was deeply missed by many of us when he left our ranks. He was a warm friend and I am saddened by his passing.

To Mrs. Boykin, their daughter and their sons, Mrs. Haley and I express our deepest sympathy and kindest regards.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Colorado, an oldtime friend of Frank Boykin.

Mr. ROGERS of Colorado. Mr. Speaker, I join with the rest of our colleagues

in expressing our sympathy to Mrs. Boykin and the Boykin family in the passing of an outstanding legislator.

It had been my privilege to serve with Frank Boykin for a number of years. While we did not always agree on the bills that may have been presented, the fact remained that you could always talk to Frank, and Frank always understood. He voted his convictions, and at the same time did not hold it against others who may have disagreed with him.

It was my pleasure throughout the years I served with him to learn to know and love him.

Frank Boykin served his Nation, State, and district well. He made friends everywhere he went. We will all miss his smiling face.

Mr. Speaker, I express my deepest sympathy to Mrs. Boykin and the Boykin family.

Mr. ANDREWS of Alabama. I thank the distinguished gentleman from Colorado.

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

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I appreciate the distinguished gentleman from Alabama (Mr. ANDREWS) yielding to me at this time because I would like to add my voice to those who have preceded me here in the well in tribute to the late Frank Boykin.

Mr. Speaker, we have all been saddened at news of the death of former Congressman Frank Boykin who, for almost 28 years, represented Alabama's First Congressional District. He was a living legend in politics and business in the State of Alabama, and his passing will leave a void in both.

It is very seldom that anyone like Frank Boykin appears on the American political scene. What Member of the Congress has never heard of his personal motto by which he lived—"everything is made for love"? Few Members of this body represent their constituents with the dedication that Frank Boykin gave to the First District of Alabama, and few men elected to public office have the legion of friends that he had. His presence in the Congress enriched the lives of all who knew him, and added many pages to the folklore of the House.

Frank Boykin, a man of considerable wealth, walked with the mighty, but he never forgot the common man. No problem was too small to receive his undivided attention, and anyone who met him for the first time felt that he had been Frank Boykin's friend all of his life.

Mr. Speaker, Frank Boykin's untimely death is a sad occasion for our State and Nation, for no man had more love for his country and his fellow men. Alabama will mourn his passing and I extend my deepest sympathy to his wife and his family in this hour of bereavement.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman.

I now yield to our distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, I cannot begin to express the sorrow which I felt

when I learned yesterday morning that Frank Boykin had died. He was one of the most lovable human beings that God ever created. When the Lord made him, he broke the mold; there was none other like him.

To Frank Boykin, "Everything was made for love." This was not just a slogan; it was Frank to the core. Frank Boykin loved his friends as much as any man who ever lived. He was the most hospitable person I ever knew. His heart was as big as the world.

Frank loved to be with his friends. He loved to entertain them. He enjoyed having them down to his lodge in Alabama to hunt with him and to partake of his unmatched hospitality. I am thankful that I have had the opportunity to share in that hospitality. I am thankful that he numbered me among his friends.

People are good folks when children love them. My own little 14-year-old son knew and loved "Uncle Frank" as he called him. He hunted with him and enjoyed his gracious hospitality and friendship. I doubt that anyone outside of Frank's family was more deeply touched than my son when he learned that "Uncle Frank" was gone.

Frank Boykin served here with us a long time. He served with great distinction. He served his constituents with great ability. He gave to his work the energy that only he possessed. He was a remarkable man. He was a self-made man, highly successful in business as well as in public service. He lived the full life. I know that God has taken him to his side. Frank has earned a place of rest.

Frank was a devoted husband and father. To Mrs. Boykin and their fine sons and daughter and all their loved ones, I extend my heartfelt sympathy.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. Speaker, I will now yield to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, Frank Boykin will be sorely missed by those of us who were privileged to know him. He was a man who made friends easily, and his friendships were lasting.

It was my pleasure to meet and become acquainted with Frank Boykin and his fine family a number of years ago. He often included visits in neighboring Mississippi during his frequent return trips back home to Alabama, and he had many friends in my State.

I extend my heartfelt sympathy to Frank's wife, his sons, and his daughter.

Mr. ANDREWS of Alabama. I thank the gentleman.

I now yield to my colleague from Alabama (Mr. NICHOLS).

Mr. NICHOLS. Mr. Speaker, it is with deep regret that I rise to join other Members of my Alabama delegation and House colleagues in paying my respects to the memory of Frank Boykin from Mobile, Ala.

Mr. Speaker, indeed a mighty oak has fallen. Contributions which Frank Boykin left to our native State of Alabama are legendary. For more than a quarter of a century he worked long, hard, and tirelessly, giving liberally of his time, efforts, and substance to the people of his congressional district.

Frank Boykin was a friend to the little

man throughout his district and they loved him for it. He knew and loved people from all walks of life—from the high and mighty right down to the pulpwood cutter and the small farmers and the men who built the railroads throughout our State. He will be missed by his thousands of friends in my State and throughout the country.

Only a few days ago, Mr. Speaker, I wrote Mr. Frank a note to tell him how pleased I was to learn that a pacemaker had been devised to assist him in his heart operations and I hoped he would soon be out and back with us at our annual weekly luncheons of the Alabama delegation which he enjoyed so much.

I received only yesterday a courteous note from Mr. Boykin acknowledging my note and saying that he was improving. I must assume, Mr. Speaker, that this was written only a few hours perhaps before his untimely death.

It was my privilege to enjoy on several occasions his famous hospitality at his hunting lodge at McIntosh, Ala. Frank was a gracious host and the greatest storyteller I ever knew. Certainly the words of the poet are in order, who so correctly stated:

The lives of great men all remind us  
We, too, can make our lives sublime  
And at parting leave behind us  
Footprints on the sands of time.

Mr. Speaker, Frank Boykin left many footprints—large footprints—indelibly stamped on the hearts and on the lives of those of us who knew him and who called him friend.

Mr. Speaker, I wish to express my heartfelt sympathy at Mr. Boykin's passing and to Mrs. Boykin and to her sons, Jack Boykin, Bob Boykin, and Dick Boykin and daughter, Mrs. Frances Boykin Smith, all of Mobile, Ala.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. I thank the distinguished dean of the Alabama delegation and join with him and with my other colleagues from Alabama in this tribute to a colorful and beloved Alabama legislator who was a legend in his own time. Frank Boykin will be greatly missed by the people of our State and by many of our colleagues who served with him in this body.

I would like to join in extending my heartfelt sympathy to his family at his passing. All Alabama shares their loss.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. Speaker, it was my good fortune to know Frank Boykin and his warm and colorful personality that left an impression on all who knew him.

He was a dedicated public servant, faithful to his country and to his friends.

Mr. Boykin's personal and legislative achievements are well known and his passing is a keen loss to his community, to his State and to this Nation.

Mr. Speaker, I extend my sympathy to his family.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. BEVILL).

Mr. BEVILL. Mr. Speaker, the recent

death of former Congressman Frank Boykin has brought to an end a notable career of public service.

Congressman Boykin distinguished himself in the Congress as a dedicated, hard-working public servant with a vigor and determination that will be hard to match. Congressman Boykin strongly supported measures in the Congress which would bring more new industries to Alabama and increase and expand the industries already located in our State.

Indeed, agriculturally, industrially and commercially, the First District of Alabama showed a real development and growth during the time that Congressman Boykin represented that district.

Mr. Speaker, the former Congressman from Mobile was well known for his habit of arising early each day and spending long hours in his Capitol Hill office. This habit, coupled with his unbounded energy, enabled Congressman Boykin to accomplish much during his years in the U.S. House of Representatives.

A public servant for many years; a man devoted to his country, Congressman Boykin's voice was a positive influence in every area of governmental affairs he served.

Mr. Speaker, Congressman Boykin exhibited a pride in the accomplishments he made on behalf of his constituents.

It is with a great deal of respect and sadness that I join in paying this final tribute to former Congressman Frank Boykin.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. FLOWERS).

Mr. FLOWERS. Mr. Speaker, I thank my distinguished dean for yielding.

Mr. Speaker, I did not know Frank Boykin well, but the legend that he was in his own lifetime I did know well. From this legend I learned that he was a warm and personable man—a man with a deep concern for all people. Certainly along with all else, he had great pride in his native land.

That legend also tells me that no mortal ever had a greater capacity for love of his fellow man.

One of the counties in my district was part of Congressman Boykin's district during his service here. After redistricting in Alabama, Marengo County and others became a part of the Fifth Congressional District of Alabama, which I now have the privilege of representing.

I want to extend my deep sympathy to the Boykin family, and further I would extend the sympathy of those citizens of Marengo County who loved him so well and whom he represented in such a fine way here in the Congress.

Mr. McCORMACK. Mr. Speaker, I should like on this occasion to say a few words in behalf of the late Honorable Frank W. Boykin, of Alabama, for many years a Member of the House of Representatives, and a man of remarkable attainments in many fields.

As a close personal friend of Frank Boykin, I am especially grieved by his demise, and as an admirer of his political ability and accomplishments I can only say that the State of Alabama and the country itself have good reason for mourning the departure of this extraordinary man.

His battlecry was "Everything is made

for love," by which he meant that everything—personal and political activities alike—should be guided by a sense of personal affection for all mankind. And in all his endeavors Frank Boykin lived up to this slogan, beyond question.

Born and reared in the State of Alabama, he held a strong, impassioned love for the State and the people there, and for this reason, perhaps, was accorded the assistance of friend and neighbor in all his undertaking, big and small. He was perhaps the most well-liked man of my acquaintance.

Educated in the public schools of Alabama, Frank Boykin acquired an interest in the world of business and industry early in life, and determined to become a businessman. Seldom has a youthful decision of this kind been acted upon with such resounding success, almost from the start. By the age of 12 he had risen from the lowly position of water boy for a railroad construction crew to the lofty status of a train dispatcher and conductor. At the age of 15 he was manager of the railroad commissary. At 18 he was the owner of a sawmill set up to cut railroad ties. Then he built a store and got married to the lovely Miss Oclo Gunn, of Thomasville, Ala., and from that point on there was no stopping him.

As a businessman Frank Boykin became identified not only with railroads, but also real estate, farming, livestock, timber, lumber, naval stores, and mineral resources. During World War I he served as an official in shipbuilding companies responsible for the production of a majority of all ships produced on the gulf coast. As an outstanding patriot, he also was president of the Loyalty League of Alabama, Mississippi, and Louisiana.

By 1934 Frank Boykin was one of the wealthiest and most successful businessmen in the gulf coast area, and his views on many subjects were matters of importance to all who knew him.

Accordingly, he was nominated for Congress by the Democratic Party to take the place of a departed Member, and subsequently was elected. Reelected repeatedly, over the next 26 years, he became, at the outset of the 82d Congress, dean of the Alabama delegation, in which capacity he distinguished himself on every possible occasion.

Upon retiring from the House, in 1962, Frank Boykin returned home to Mobile, Ala., which had proclaimed a "Frank Boykin Day," climaxed by a great dinner in his honor, attended by more than 500 persons. On that occasion, a Mobile Citizens' Award was presented, together with a scroll signed by more than 2,000 residents of the city, declaring their appreciation for a job well done.

It was a great pleasure and a considerable honor to have had the friendship of this fine American leader, Frank W. Boykin. His departure will be mourned by thousands who loved and respected him for many worthy reasons.

Mr. MAHON. Mr. Speaker, Frank Boykin began his service in Congress in 1935. He was one of the 100 new Members, including me, who came to the House that year. He served 28 years in this great institution.

Frank Boykin was a man who made friends easily.

He was a man of goodwill.

He was a man who was well liked by his colleagues.

He had a very fine family.

Mr. Speaker, others have spoken at some length about our late colleague.

Mr. Speaker, I wish to extend my sympathy and all good wishes to Mrs. Boykin and others of the family at this time of great sadness.

Mr. PATMAN. Mr. Speaker, the Honorable Frank Boykin, of Alabama, was a man whom even his political opponents respected and liked. In all his 84 years of vibrant living, he never lost a friend—and while he was often on the side of the underdog and, for this reason may have lost a battle here and there, his affable acquiescence and inability to hold grudges earned for him the particular regard and affection of all his colleagues. I served with Frank Boykin here in this House in 14 consecutive Congresses and knew him well. He was a staunch and loyal friend, he was deeply devoted to the people he represented, and he was fiercely proud of the history of his State and his beloved Southland. His wide-ranging experience in commercial merchandising, and farming practices was a constant and valued source of practical knowledge which made his legislative advice much sought after as a guarantee of commonsense and workability.

To those who did not know him, the age of 84 may seem a goodly measure beyond the Biblical expectation of three score and ten, but those who were privileged to savor the Frank Boykin charisma feel the deep loss anew with each lingering hour that is now bereft of his heart-warming and sustaining presence.

Mr. Speaker, I join with my colleagues on both sides of the aisle in expressing to his devoted and beloved wife and family my deep and sincere sympathy at this time of great sorrow.

Mr. FLOOD. Mr. Speaker, it is with deep sadness that we record today the passing of our very good friend and former colleague from Alabama, the Honorable Frank Boykin.

In all his actions he moved with such ease and courtesy that it may be said without exaggeration that wherever he moved he seemed to radiate vitality and friendship. Frank Boykin truly loved people and they in turn loved him. The world could surely use more Frank Boykins.

It was my good fortune to know Frank for a period of many years. In fact, we were cousins as both of us are related to the Flood family of Virginia. During the years we both served in the House it was my privilege to have a close association with Frank both in our official capacities and in our social activities. I had great affection and admiration for him and now that he is gone I shall miss him very much.

His life comprised a period of many years and produced a performance which I might say genuinely has been by his toil and stimulated by his love for his State and Nation—a record that won for him the great commendation and respect of all our people.

Frank Boykin was a great humanist and his humane feelings for his fellow man could not be exceeded. He labored tirelessly during the years of his distin-

guished public service for the betterment of human relations and for the advancement and improvement of human standards, for the elevation of the lot of the average citizen.

Mrs. Flood joins me in extending our deepest regrets to Mrs. Boykin during this period of her great loss and sorrow.

Mr. KIRWAN. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to my dear friend and former colleague, the Honorable Frank Boykin, of Alabama.

We served many years together in the Congress. He was always affable, happy, and full of life. He was a gentleman, a splendid American, and a dedicated public servant.

To his good wife and family I extend the deepest sympathy of Mrs. Kirwan and myself, in these sad and troubled hours.

Mr. DORN. Mr. Speaker, the Southland, when our late colleague Frank Boykin was born, was a land of poverty and limited opportunity. The aftermath of the great War between the States was an era of hard times, little education, and virtually no opportunity to advance. Frank Boykin was born and grew up in that environment. He licked adversity with determination, courage, and foresight. He was one of the forerunners of the dynamic progressive New South. Going to work at the age of 8, he rose to be one of the South's great builders and distinguished public officials.

Frank Boykin was a humanitarian. He had compassion in his heart for all of his people, regardless of their station in life. He served them here in the Congress for 28 years faithfully and devotedly. He was much esteemed by his colleagues for his sense of humor and his loyalty to his friends.

It was my great honor to serve on the Veterans' Affairs Committee with Frank Boykin. For many years he sat next to me on our great committee. The veterans of the United States have had no greater champion. He actively supported every piece of legislation to benefit the veteran, his widow, and orphans. He constantly fought to improve veterans hospitalization, improve GI education benefits, and improve the lot of widows of all of our wars.

Frank Boykin was a man of great character and integrity. He loved the traditions not only of the Southland, but the traditions and ideals which made our country great. He literally grew up on the rough American frontier and reached the heights politically and financially. He spent much of his life doing good and helping others. He was my warm personal friend. Mrs. Dorn and my family join me in our prayers and most heartfelt sympathy to Mrs. Boykin and her wonderful and accomplished family.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to take this means of joining with my colleagues from Alabama and others in paying a brief but sincere tribute to the memory of our late friend and colleague, Frank W. Boykin, of Alabama.

Frank Boykin served his district, State, and Nation for many years with distinction—he worked long and hard to assist the people of his beloved district and State.

Frank Boykin was a delightful and genial gentleman possessed of a warm and outgoing personality. He was good natured, much beloved by his friends and colleagues and was dean of the Alabama delegation.

I want to extend to Mrs. Boykin and other members of the family this expression of my deepest and most sincere sympathy in their loss and bereavement.

Mr. ASPINALL. Mr. Speaker, I am pleased to join with my good friends from Alabama in paying tribute to the life work and memory of our recently departed colleague and friend, Frank W. Boykin.

It was my privilege and pleasure to have known former Congressman Boykin favorably for many years. I always enjoyed visiting with him. His was a rare personality which not only produced a friendly relationship with his colleagues, but also a lasting respect for his unique capabilities and accomplishments.

One of the highest tributes that anyone can pay in the memory of one of his associates is to say that he was an understanding friend. I know that my colleagues will join me in this evaluation of our departed colleague.

Mr. ROONEY of New York. Mr. Speaker, for 27 years the Honorable Frank W. Boykin represented the people of Alabama here in the House of Representatives and for many of those years I was privileged to know him and serve with him. He was a warm, human, and very real person and always a gentleman. To his wife and family I extend my deepest sympathy in their sad hours.

Mr. ANDREWS of Alabama. Mr. Speaker, in conclusion I would like to say that the younger Members of the House who did not know Frank Boykin missed a great experience. He was the most unique character I have ever known. He was the most colorful Member of this House that I have known in a quarter of a century. They lost the pattern when they made Frank Boykin, and to have known him and to have enjoyed his friendship was a great experience in my life.

Tomorrow afternoon he will be laid to rest in the native soil of his beloved Mobile, Ala., after a long voyage of public service in which he was devoted to his Nation, his State, and his people.

#### GENERAL LEAVE TO EXTEND

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. PATTEN). Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### PROPOSED EXTENSION OF THE FEDERAL HAZARDOUS SUBSTANCES ACT TO CHILDREN'S TOYS

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from New York (Mr. FARBSTEN) is recognized for 15 minutes.

Mr. FARBSTEN. Mr. Speaker, I am today joining many of my colleagues in

introducing legislation to extend the Federal Hazardous Substances Act to children's toys which present electrical, mechanical or thermal hazards.

The Federal Hazardous Substance Act which currently covers only chemical, flammable, pressurization, and radiation hazards, gives the Secretary of Health, Education, and Welfare the power to require warning labels and, in extreme cases, to ban interstate commerce of toys and other articles which present serious health and safety hazards to the user. Through this act, many unsafe toys have been labeled as hazardous, thus warning parents, or they have been removed from the market totally.

The recent hearings by the National Commission on Product Safety has demonstrated that a high accident rate exists among young children playing with certain commonly sold toys. Many of these toys have serious health and safety hazards such as sharp edges, open electrical connections or easily dislodged small pieces of metal which can and do cause serious injury and even death to young children.

The fact that children are blinded, maimed or even killed, suggests that something is wrong with current product safety legislation. Tragedies like the strangulation death of a 1-year-old child by the ribs of his crib are unfortunately all too common.

At the very least, the Federal Hazardous Substance Act must be extended to include all types of hazards that can be posed by toys to young children, and this would mean extension of the act to include electrical, mechanical and thermal hazards.

The scope of this problem is well illustrated in a recent article on electric toys in Consumer Reports. The problems discussed by the article are currently not covered by the Hazardous Substance Act. Under unanimous consent I include this article at this point:

#### ELECTRIC TOYS

As the Christmas holidays approach, adults across the land brace themselves against the annual escalation of the toy manufacturers' sales pitches. Subjected to a steady barrage of hard-sell advertising and to the resulting pressure from their children, many parents opt for peace at any price—and buy.

Some parents may not understand the appeal of one group of today's best-selling toys: miniature replicas of things adults consider meant for use rather than for fun. A parent may well wonder if such realistic toys as, for example, a vacuum cleaner inhibit a child's imagination. Dr. Abraham Blau, director of the child psychiatry division of New York City's Mount Sinai Hospital, told CU that one important purpose of play is to help the child acquire skills that he has observed in adults. Toys that stimulate everyday adult implements, then, can encourage such development; they need not inhibit the imagination, which can be exercised in other kinds of play.

Most of the 42 electric toys we tested are realistic ones. All plug into an electric outlet; one sewing machine, however, also runs on batteries. The wall outlet, of course, can represent danger. But since electricity is a fact of life, children should be taught the cautions necessary in using it safely. It's up to parents to decide when their child has learned them well enough to use electrical appliances, including plug-in toys.

Our first concern was to learn whether the toys themselves are electrically safe and rea-

sonably free of fire, burn and other hazards. Beyond that, we examined them for sturdiness of construction and adequacy of manufacturers' instructions. And we tested them to see just what they would and wouldn't do.

Of the 42 toys we tested, 10—sad to say—are Not Acceptable from a safety standpoint. That such toys should be put on the market seems to us inexcusable. (Commendably, though, one manufacturer—Deluxe Topper Corp.—provides with its toys a safety flange on the cord plug, designed to help keep small fingers from coming into contact with the prongs while the toy is being plugged or unplugged. It's a feature CU would like to see used more extensively.)

But even the reasonably safe toys have shortcomings. A child who expected them to perform as their grown-up counterparts do might be disappointed. Some require a supply of special materials—cake mixes for baking, for example, or plastic for molding—that may be difficult or even almost impossible to come by after the original supply is gone. You may have to wait some time for such supplies if they're on special order. Some of the toys will require close adult supervision. Some involve a fairly stiff cleanup session. And some are quite expensive.

If you decide to buy any of these plug-in toys, remember that this issue went to press before many of the 1968 Christmas lines were available. CU suggests that you take a good look at this year's toy market before you buy. In any event, the prices given here, except those for catalog models and a few list-price toys, are merely approximations of prices or price ranges that shoppers are likely to encounter.

You may be better off buying in a store than by mail. With toys that don't have too many parts or packaging that's too complex, you can check for missing or defective parts and for proper operation, even if it makes you unpopular with the sales personnel. That may spare your child a good deal of frustration on Christmas morning and you a tedious exchange trip. Be sure you have any needed light bulb for a toy that requires one; not all manufacturers include them.

CU cannot say that any particular Acceptable toy is "better" than any other Acceptable toy because one child's hit may be another's flop. Therefore, we've listed the toys according to type, and alphabetically within types. All the Acceptable toys come with cords that should be long enough for play purposes. Except as noted, dimensions given for some of the larger toys are in order of height, width and depth.

The listings, and brief descriptions of each type of toy follows:

#### TOWARD SAFER PRODUCTS

Almost one-quarter of the plug-in toys tested for the accompanying report were judged Not Acceptable because CU considered them unsafe. Toys, of course, are not the only unsafe products let loose on the public, and Congress has created a National Commission on Product Safety to study the broad problem of product safety and to recommend protective measures. CU is compiling for the commission a list of products that we have rated Not Acceptable for reasons of safety. To make the list more comprehensive, we urge you to write to the National Commission on Product Safety, 1016 16th St., N.W., Washington, D.C., 20036, about any recent experiences you may have had with unsafe products, and to send a copy of your letter to the Technical Director, Consumers Union, Mount Vernon, N.Y., 10550. If possible, identify the product by brand and model number.

#### OVENS, GRILLS, AND CORN POPPERS

It would hardly be possible to make a cooking toy that didn't present some possibility of burn hazards. So any of the Acceptable toys in this group should be given to a child only if he can be counted on to

exercise proper caution in its use. Moreover, you should be prepared to furnish some supervision over cooking and cleanup.

Beyond the hazards and inconveniences inherent in all cooking toys, we found enough avoidable safety flaws to consider eight of the 14 we tested as Not Acceptable. Among the ovens, the *Easy Bake* has sharp metal edges at the opening where the child takes out the cake pans and puts in the optional corn-popping accessory; that model would have been Not Acceptable anyhow because the baking pans jammed in the oven frustratingly. The *Empire* was so designed that it became very hot at the sides, where a child might not expect it to be hot, and extremely hot on the shelf—much hotter, even, than the shelves of your regular oven are likely to get.

The cord-strain relief in the *Suzy Homemaker* grill failed a standard test in three successive samples because the toy's metal base was not strong enough. The strain relief device itself was of a most effective design. But when we pulled the cord, the base gave way, so that the device came right out.

Most of the ovens baked a decent cake. Some come with a large number of accessories, and all cook small quantities of such packaged mixes as cake and cookies. Since the quantities have to be quite small, it's hard to know how much regular package mix to use or how to divide it, so the ovens come with small packages of their own.

When we put food on the toy grills after preheating them, the temperature dropped rapidly. If your child is to cook on one of these grills at all, CU recommends using very small, thin pieces of food—hamburger patties no more than one-quarter of an inch thick, for example—and putting the food in the center of the grill, where it's likely to be hottest.

Five corn poppers—the *Chilton*, the three *Empires* and the *Mirro*—were judged Not Acceptable because of shock hazard. Like any food-making toy, they must be cleaned. Even if you didn't immerse them (and you certainly should not), you might want to wash the bowl and wipe off the outside with a wet cloth or sponge. With each of those five models, water could then easily enter the popper and make the whole unit live. The shock hazard would remain until the unit dried out, which could take hours, or even a day or more. Once plugged in, the popper would dry rapidly, but it could be a dangerous shock hazard until it did. Even without the shock hazard, the *Mirro* popper would be Not Acceptable. Parts of the outside became so hot that crumpled paper and cotton fabric in contact with the *Mirro's* bottom glowed and charred.

The one Acceptable corn popper, the *Junior Chef*, pops a tablespoonful of corn at a time. The popped corn comes out smaller than regular popcorn, but it's not bad. To keep from scorching the corn or damaging the plastic parts of the popper, the child should put the corn in the storage section as soon as it's finished popping.

#### Ovens acceptable

*Junior Chef Deluxe Magic-Cool Oven 6927* (Argo Industries Corp., Jackson Heights, N.Y.), \$16 to \$20. 10x12x6 in. Food is pushed into oven on a shelf and removed by tilting shelf so that food slides down into storage section below. That arrangement helps protect against a burn but makes oven difficult to clean; many screws and oven back must be removed, and even then access is inconvenient and sharp edges are exposed.

*Suzy Homemaker 2001* (Deluxe Topper Corp., Elizabeth, N.J.), approx. \$14. 19x12½x11 in. Heated by 2 100-watt bulbs (not supplied). Made relatively large cakes; pan is 4¼ in. in dia., 1 in. deep. Oven door locked automatically as oven became hot and unlocked only when oven had cooled down; this unit is thus judged safer than most, but the wait of about 25 min. after the oven is disconnected could prove very frustrating to

an impatient child. Controls on backsplash can divert some oven heat to top burners, but warming effect was judged too slight to be of practical use. Plug has safety flange (see story). Heating bulbs also serve as signal light.

*Suzy Homemaker 2018* (Deluxe Topper Corp.), approx. \$10. 14x9¾x7¾ in. Essentially, a smaller version of *Suzy Homemaker 2001*, preceding; heated by 1 100-watt bulb (not supplied); pan is 3½ in. in dia., ¾ in. deep.

#### Not acceptable

*Easy-Bake Oven 1600* (Kenner Prod. Co., Cincinnati), approx. \$16. Judged Not Acceptable because of very sharp metal edges at opening and because baking pans tended to jam in oven.

*Empire Little Lady Oven 226* (The Metal Ware Corp., Two Rivers, Wis.), \$10.95. Judged Not Acceptable because of excessively high temperatures on sides (200° F), on top (300° and higher) and on shelf (660°).

#### Grills acceptable

*Big Burger Grill 1400* (Kenner Prod. Co.), approx. \$14. 8x13¼x8 in. Heated by 1 50-watt bulb (not supplied). Has 4¼x4¼-in. grilling pan, removable for cleaning or for bulb replacement. Plastic cover helped prevent spattering and shields user from heated surface; most be held open; can be removed (requires removal of 4 screws) if it becomes necessary to clean inside of grill. Grease cup, effective only if grilling pan was properly positioned. Heating bulb also serves as signal light.

*Empire Electric Dogger Junior 382* (The Metal Ware Corp.), \$6.49. 7¼ in. in dia., 8½ in. high. Grilling area relatively large, but areas near edges were cooler than center of grill and thus slower in cooking. Has hood over rear half, but tended to spatter grease at front and lacked provision for grease disposal.

#### Not acceptable

*Suzy Homemaker Super Grill 2017* (Deluxe Topper Corp.), approx. \$7. Judged Not Acceptable because, on each of three samples, strain relief failed standard test. Type of strain-relief device used is usually very effective, but adjacent metal deformed sufficiently for device to be pulled out of unit.

#### Corn poppers acceptable

*Junior Chef "See It Pop Popper" 6970* (Argo Industries Corp.), \$6 to \$7. 12½x6½x7½ in. Heated by 1 100-watt bulb (not supplied) in a cramped space; replacement may be inconvenient.

#### Not acceptable

*The following models were judged Not Acceptable because, during cleaning with a wet cloth or sponge, water entered heater housing and created a shock hazard.*

*Chilton Corn Popper 280* (Aluminum Specialty Co., Manitowoc, Wis.), \$7 to \$10. Carton was marked 3770; a second sample of the same unit was marked 281 and came in a carton marked 3760.

*Empire "See-Em-Pop" 370* (The Metal Ware Corp.), \$11.95.

*Empire "See-Em-Pop" 372* (The Metal Ware Corp.), \$9.95.

*Empire "See-Em-Pop" 374* (The Metal Ware Corp.), \$6.49.

*Mirro Miniature Electric Corn Popper T-3350* (Mirro Aluminum Prod. Co., Manitowoc, Wis.), approx. \$4. In addition to shock hazard, this model developed temperatures that made crumpled paper or cotton fabric in contact with the bottom glow and char. Also available as *Model T-3360*, \$4.50, including 4 small metal bowls.

#### IRONS

All the electric irons got slightly warm but not warm enough to burn anything, including skin. The other side of that coin is, of course, that they don't iron. All have "controls" and other features as noted, but none of those work—except the *Suzy Homemaker's*

spray, which dampens the article that the iron then cannot iron dry.

#### Acceptable

*Little Mary Proctor Toy Hand Iron 1225* (Western Stamping Corp., Jackson, Mich.), approx. \$2. Fabric dial with movable pointer, steam selector and steam vents in soleplate.

*Little Mary Proctor Toy Hand Iron 1240* (Western Stamping Corp.), approx. \$3. Essentially similar to *Little Mary Proctor 1225*, preceding, except cord has antikink device.

*Little Mary Proctor Toy Ironing Set 1120* (Western Stamping Corp.), approx. \$7. Essentially similar to *Little Mary Proctor 1225*, above, except includes adjustable ironing board, pad and cover, apron, clothesline and clothespins.

Sears Cat. No. 1079 (Sears, Roebuck), \$3.22 plus shipping. Fabric dial with no action and 3 unmarked pushbuttons.

*Suzy Homemaker 2002* (Deluxe Topper Corp.), approx. \$3. Fabric dial with movable pointer. Sprays water. Small lamp heats iron and serves as signal light; iron must be disassembled to replace bulb (Phillips screwdriver required). Unstable on heel rest. Plug has safety flange (see story).

*Wolverine Toy Hand Iron 318* (Wolverine Toy Co., N.Y.C.), \$3. Dial with steam-and-spray selector, movable pointer and push-button; and steam vents in soleplate.

#### FOOD MIXER

Our tests showed this food mixer to be innocuous enough; its two soft plastic beaters would seem to pose no hazard to small fingers. But the toy doesn't have much muscle, either. It could froth up milk with malt or other powders or with syrups. It made a half-hearted stab at cake mixes, but the batter was usually lumpy and the beaters tended to stall, even with a small amount. The beaters have metal shafts that are likely to rust, especially since a child might not be too careful to dry them thoroughly.

#### Acceptable

*Junior Chef Real Electric Mixer 6910* (Argo Industries Corp.), \$10 to \$13.

#### VACUUM CLEANERS

When CU rates grown-up vacuum cleaners, we often do a little mild finger-shaking when one model or another seems to us excessively noisy. Ironically enough, we have to say that these toy machines are too quiet; we think their noise level just wouldn't satisfy a child who wants a good measure of realism (although the adult satisfaction index may be quite high). As with noise, so with performance; the models we tested aren't going to offer any competition to your regular vacuum cleaner. They did manage to develop enough suction to pick up some dust and loose litter from hard-surfaced floors, but on rugs—forget it.

Both are designed as uprights, and both have an on-off switch and a light. (The lights, however, don't illuminate the floor as such lights on regular machines do.) None has a hook for the cord when the machine isn't being used.

#### Acceptable

*Real Electric 7111* (Argo Industries Corp.), \$16 to \$20. No revolving brush. Small, washable dust bag, 12-ft. cord. Light replacement, somewhat inconvenient; involves removing 8 screws with wrench.

*Wards Signature Cat. No. 32627* (Montgomery Ward), \$14.95 plus shipping. Essentially similar to *Real Electric 7111*, preceding.

#### PROJECTORS

Three of the four projectors we tested show special slides for children; the fourth, the *Brumberger*, is an opaque projector that can throw images of drawings and photographs and even of small objects such as coins. The slide projectors work well and should make a satisfactory toy for many children; their special slides are very easy to use, and they are mounted on strips or circular cards, often in a natural story-telling sequence.

All the slide projectors seemed safe enough for children to use, although some surface of the *View-Master 100* got quite hot. In fact its top grille reached more than 250°F. But the projector can be operated easily without touching the grille. To replace a burned-out bulb you have to disassemble any of the slide projectors to some extent. That makes them less convenient but safer than the opaque projector. The opaque projector's bulb is accessible without disassembly, but the electrical contacts in the bulb sockets are all too accessible. We therefore strongly recommend that you not give the *Brumberger* projector to a young child.

Picture quality with the toy slide projectors was satisfactory. If not as uniformly sharp as you'd expect with a standard projector. The projectors were certainly bright enough for a small screen; the *View-Master 100* gave the brightest picture by far.

The manufacturer recommends a projection distance of about four feet for the *Tru-Vue*, whose white-surfaced storage carton doubles as a screen measuring about 11 by 14 inches. Without such a carton, any of the others will require some sort of a screen (a light-colored wall might do). Recommended projection distance for the *View-Master 100* is a good 12 feet (giving a 30-inch picture); a shorter projection distance, of course, results in a smaller picture. The *View-Master 30* wasn't bright enough at the 10½-foot projection distance suggested by the manufacturer unless the room was well darkened; it did better at a shorter distance. All the slide projectors focus with a draw tube, and it will come away in your hand if you draw it too far (it's easy to replace). The *Tru-Vue* has no provision for adjusting picture height.

Slides for the *View-Masters* are mounted on a disk that fits into a slot in the projector; you press a lever to change frames. The *Tru-Vue* shows slides in strips; you crank them with a small hand wheel. The *Tru-Vue* strips may slip occasionally, but it's easy to move them on by hand. All three slide projectors will show only their own special slides.

Seven-scene disks for the *View-Masters* cost \$1.25 for three, and a seven-scene strip for the *Tru-Vue* sells at 20¢. With a *View-Master* your child has a choice of more than 800 slide cards, mostly scenic but including some children's subjects. The *Tru-Vue* has only 150-odd; about half are scenic and the other half show cartoon favorites. The *View-Master* disks actually carry 14 transparencies, but half duplicate the scenes in the other half. They're mounted in pairs to create a stereoscopic effect in the manufacturer's stereoscopic viewers, which we didn't test.

CU urges parents who buy a projector to pick up a couple of extra bulbs when they buy. All the toy slide projectors take standard projector bulbs. But your local store may not stock the one you want, so you may have trouble getting it on short notice.

The *Brumberger*, the opaque projector, was a thorough disappointment, even as a toy. Its picture was dimmer than those of any of the slide projectors. We could brighten the picture by shortening the projection distance, but we couldn't focus at less than about 40 inches, which gave an image about 12 inches square. At that size, the picture was just about bright enough when the room was well darkened. But it wasn't sharp; details were lost or blurred. Though it's poor as a projector, CU believes children might use it for making enlarged tracings.

The *Brumberger* was also less convenient to operate than the slide projectors. You have to lift the unit by its handle, then slide the item to be projected underneath it. And there's no provision for adjusting the height of the projected image.

#### Slide projectors acceptable

*True-Vue "Project-a-Pix" Theatre* (GAF Corp., NYC), \$11.95. Includes projector TV-1, 10 slide cards and box that can be used as a screen. 5½x3¾x6¾ in. No provision for adjust picture height.

*View-Master 100 Watt Deluxe* (GAF Corp.), \$17.50. 5¼x6¾x7½ in.

*View-Master 30 Watt Standard* (GAF Corp.), \$8.95. 5¼x6¾x7½ in. Also available, under model name *View-Master Walt Disney Cartoon Theater*, as *Wards Cat. No. 3837*, \$9.49 plus shipping, including 10 slide cards and box that can be used as a screen.

#### Opaque projector acceptable

*Brumberger Project-O-Scope* (Brumberger, NYC), \$6 to \$8. 8x4¼x12 in. Uses regular 60-watt bulb. No provision for adjusting picture height. Not recommended for young children because bulb socket is easily accessible.

#### SEWING MACHINES

All the machines operate at a single speed, and most use a single thread and make a chain stitch only. The *Singer* makes a lock stitch. For that reason, and because of its bobbin winder and use of two threads, we'd suggest you consider the *Singer* if you want to provide a more realistic introduction to sewing. But the *Singer*, when operated on house current (for which you need to buy an adapter), might be a little too fast for some children to control—at least at first. However, it's designed to be used with four D-size batteries as well, and runs at a somewhat slower speed that way. CU feels that beginners should start out using batteries, then perhaps graduate to plug-in. The batteries should last for about 12 to 20 hours, assuming the toy were used daily for two hours at a stretch.

All the models are designed like portables, and all except the *Sewmaster* have a carrying handle and a cover that latches to the base. They all stitched satisfactorily for a toy and have adjustable thread tension. Some have built-in lamps, and most have a foot switch that we preferred to the hand switch of the *Sewmaster* and the *Singer*.

Considering that all these machines have a moving needle, we judged them reasonably free from serious hazard when used according to instructions. But in one sample of the *Sewmaster* it was possible to set the needle too far into the holder. That left enough room for a child's finger to get between the presser foot and the needle when the needle holder was at its highest position. The machine won't sew properly with the needle so set, but your child could puncture her finger before she found that out. If you're considering the *Sewmaster*, we suggest you check to make sure your particular machine can't be set that way.

#### Acceptable

*Penneys Electric Sewing Machine* Cat. No. 9833 (J. C. Penney), \$16.44 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot, but presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking edge of finger child should be cautioned against operating machine without presser foot properly in place). Light illuminates sewing area but is on only while machine is running.

*Sears Sister Cat. No. 1201* (Sears, Roebuck), \$19.88 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot; since presser foot cannot be removed, either, this model was judged safest of all those tested. Light illuminates sewing area. Has storage drawer, accessible only when end of machine is lifted.

*Sewmaster 947E* (Kay and Ee Corp. of America, NYC), \$21. No cover. Adjustable thread tension. Switch on machine judged less convenient than foot switch on most other models. Presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking finger, child should be cautioned against operating machine without presser foot properly in place). Only model tested that did not stitch properly with needle in highest position, so several installation tries may be necessary before machine will work satisfac-

torily. In one of CU's samples, needle could be inserted to far into holder, leaving room to put a finger between needle in its highest position and presser foot; buyer should check individual sample against that deficiency.

*Singer Little Touch and Sew 67A3* (The Singer Co., NYC), \$16.95. Operates on 4 D-size batteries or, with optional a-c adapter (\$3), on house current. Only model tested that makes lock stitch rather than chain stitch. Adjustable upper-thread tension. Built-in bobbin winder. Switch on machine judged less convenient than foot switch on most other models. Clearance between point of needle at its highest position and presser foot greater than with most others (about ¼ in.); although presser foot cannot be removed, it is possible for edge of child's finger to be nicked by needle while sewing.

*Wards Signature Junior Electric Sewing Machine* Cat. No. 32295 (Montgomery Ward), \$16.99 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot, but presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking finger, child should be cautioned against operating machine without presser foot properly in place). Light illuminates sewing area but is on only while machine is running.

#### TOYS FOR MELTING AND MOLDING

All the toys in this group heat a material, and most provide molds for shaping it into various forms. Like the cooking toys, all present some degree of burn hazard and will require some adult supervision during use and cleanup. In most cases the toys became hot only in areas the child would expect to be hot and would naturally avoid. But the two *Rapco Metal Casting Sets* generated extremely high temperatures on surfaces a child might be likely to touch; we judged them Not Acceptable. The *Rapco 6710* also presented a potentially lethal shock hazard; CU has already published a *Once Over* (Consumer Reports, October 1968) warning about it.

One toy makes crayons; another melts crayons to make paints. With some of the toys you can make plastic figures—of insects or flowers, for example. The *Incredible Edibles* is a kind of cooking toy. It makes candy figures of fish and snakes; the candy was pretty blah in our opinion.

With all these toys there is a chance of spilling the melted material and causing some damage. Melted crayon wax, for example, can stain some floors and fabrics, and if it doesn't stain, it's a mess to clean. With any of these melting toys, always use a precautionary carpeting of newspapers to cover floor or table.

The *Crayon Factory*, a fairly expensive toy, came with a coloring book, "Presidents of the United States," which turned out to include a set of advertisements for Mr. Peanut and for Planters products. We have not been able to fathom the connection between Mr. Peanut and the American Presidency, but there is obviously a connection between Mr. Peanut and Emenee Industries, Inc., the manufacturer of the toy.

The cost of some of the materials can run pretty high. A *Super Thingmaker* figure may range from 7¢ to 35¢. And the *Incredible Edibles* candy costs us from 10¢ to 16¢ for two or three pieces.

#### Acceptable

*Crayon Factory 4080* (Emenee Industries, Inc., NYC), \$6 to \$7. Makes crayons by melting crayon wax over a 40-watt bulb and shaping melted wax in molds. Wax melted at around 150° F but could reach about 200° if left on stove. Melted wax can stain some floors and fabrics and, in any event, is usually difficult to remove. Proper mixing of basic colored waxes will produce a wide range of colors, but crayons will cost considerably more (at least 4¢ each) than those commonly available in stores.

Incredible Edibles 4550 (Mattel, Inc., Hawthorne, Calif.), approx. \$12. Makes edible candy figures by heating a liquid mix (which becomes somewhat rubbery) in molds on stove. Stove reached about 320°F; molds reached 200° and higher and must be handled with handle provided. Edible figures (fish, snakes, turtles, etc.) judged rather tasteless. Tubes containing mix must be cut with large opening so that squeezing them does not burst tube seam and cause mix to stain clothing. Material cost CU \$1.25 per 2 fl. oz., or 10 to 16¢ for 2 or 3 figures (but material cost will vary from store to store).

Melt-Art A080 (Creative Playthings, Inc., Princeton, N.J.), \$5.50. Makes paints by melting crayons in palette of containers, each for a different color; paints are applied with cotton swabs. Palette reached about 225°F at edges and 385° at center; melted wax reached about 250°. Melted wax can stain some floors and fabrics and, in any event, is usually difficult to remove.

Rings 'N Things 2100 (Deluxe Topper Corp.), \$10 to \$11. Makes plastic figures by heating liquid plastic in a mold. Heater 550°F in recess where hold is placed and up to 200° on other surfaces; mold reaches 385° and must be handled with handles provided. Mold supplied made 1 large and 11 smaller butterflies, at total material cost of about 25¢. (Mold kits for making other figures, approx. \$4.) Figures can be decorated with sponges that adhered poorly with cement supplied, tending to slide about and fall off. Plug has safety flange (see story). Plastic spilled on rugs or fabrics should be cleaned off immediately to help prevent staining.

Super Thingmaker 4512 (Mattel, Inc.), approx. \$15. Makes plastic figures by heating liquid plastic in a mold. Heater reached 440°F in recess where mold is placed and up to 160° on other surfaces; molds reached 360° and must be handled with tongs provided. Molds supplied made insects, flowers, and such items as "Creepie People" and "giant teeth." Material cost 7¢ to 35¢ per figure. Plastic spilled on rugs or fabrics should be cleaned off immediately to help prevent staining.

Strange Change Toy 4581 (Mattel, Inc.), approx. \$12. Makes plastic figures by heating plastic tablets in a chamber and causing them to expand; figures can be reheated and compressed back into tablet form. Some interior surfaces of chamber reached about 325°F; figures reached about 200° and must be handled with tongs provided. Figures may char if left in chamber too long.

Vac-U-Form 422 (Mattel, Inc.), available as Sears Cat. No. 2261, \$11.88 plus shipping. Makes plastic objects, some of which are components and can be assembled to make small model cars, boats, etc., by heating plastic cards in a frame and shaping them to a mold by vacuum, created by a hand-operated pump. Heater reached 460°F in recess where card is placed and up to 170° on other surfaces. Pumping force up to 20 to 25 lb. required, so parental assistance may be necessary. Some judgment necessary to determine when plastic is ready for molding; underheated plastic will not mold properly, and overheated plastic may start to melt.

#### Not acceptable

Rapco Metal Casting Set 6710 (Rappaport Bros., Inc., Chicago), \$10. Judged Not Acceptable because of potentially lethal shock hazard found in both samples tested and because of very high temperatures reached on some surfaces (see Once Over warning in October issue).

Rapco Metal Casting Set 5710 (Rappaport Bros., Inc.), \$10. Judged Not Acceptable because of very high temperatures reached on some surfaces (see Once Over warning in October issue).

#### SHOP TOOL

The *Real Power Shop* consists of components that can be assembled to make a drill press, a jigsaw, a disk sander or a lathe and

can be used with small pieces of such soft woods as balsam and pine. It's not bad, considering that it's a toy, but don't expect much in the way of versatility, speed or accuracy. Further, you should count on being around for help; on CU's sample one of the parts required adult strength to tighten (and, even after tightening, was still loose at one side, decreasing accuracy). Although the *Real Power Shop* is certainly a lot safer than adult shop tools, some parts are sharp and pointed and some turn rapidly.

#### Acceptable

Real Power Shop 4401 (Mattel, Inc.), approx. \$20.

### RENEGOTIATION BOARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, last year I joined my distinguished colleague, the gentleman from Texas (Mr. GONZALEZ), in introducing legislation to strengthen the Renegotiation Board. Although the Congress approved an extension of the Board until June 30, 1971, it failed to act on the other provisions in the legislation designed to expand the Board's power in recovering excessive profits realized by Government contractors.

Created by Congress in 1951, the Renegotiation Board is responsible for reviewing certain Government contracts to determine whether or not there are any excessive profits. If such a determination is made, the Board is empowered to seek restitution on behalf of the Government. Although the Defense Department and the National Aeronautic and Space Administration constitute the largest areas of Government procurement, the Board also has jurisdiction over contracts negotiated with the Maritime Administration, the Federal Aviation Administration, the Atomic Energy Commission, and the General Services Administration. The latter manages all Government property, constructs Federal buildings and is responsible for procurement of all Government supplies.

Since its inauguration in 1951, the Board has recovered close to \$1 billion for the Government. Considering that the Board's annual operating costs have averaged about \$2.5 million a year during this time, I would say that its record is quite impressive. The fact remains, however, that because of its staff of only 196 and its current operating level of only \$3 million, the Board is limited in just how much it can accomplish. It is estimated that this year will see a backlog of over 1,200 cases awaiting final determination.

In view of the rising defense and space expenditures, it is appalling that the Board is virtually prevented from investigating certain contracts because of administrative barriers.

At the time of the Korean war in 1953, the Board had over 700 employees and operated on a budget over \$5 million. Yet, 2 years ago defense contract awards directly related to the Vietnam conflict, at \$44.6 billion, surpassed the highest level of awards for South Korea. It is imperative that the Board be enabled to conduct effectively investigations into all phases of Government procurement un-

der its jurisdiction. Because of the tremendous annual defense budget, however, this area is certainly important and in need of prompt resolution.

My colleagues and my constituents have heard countless stories of incredible profiteering in these times of crisis by Government contractors at our expenses. In the last fiscal year alone, the Board saved the Government and the taxpayers over \$23 million.

It is obvious that meaningful action is necessary, and for this reason, I am joining my distinguished colleagues, the gentleman from Texas (Mr. GONZALEZ) and the gentleman from California (Mr. BROWN), in sponsoring legislation to strengthen the Renegotiation Board. This bill will establish the Board's permanency and thus not make it susceptible to continued renewal every few years. This feature is essential for many investigatory agencies dealing with large companies, great amounts of money, and the commensurate political pressure.

The bill will empower the Board to review Government contracts over \$250,000, the figure originally named when the Board was created. Currently, the Board may review only those contracts in excess of \$1,000,000. This provision will expand considerably the number of contracts under the Board's jurisdiction.

Further, the bill will repeal certain exemptions that allow many contractors to evade the scrutiny of the Board.

It is my hope that with such a great degree of national support demonstrated for the Board in the past, my colleagues will join with me in working for prompt action on this proposal.

### CONGRESSMAN HALPERN INTRODUCES BILL TO PROVIDE \$5,000 TAX EXEMPTION ON RETIREMENT PAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, it is extremely difficult for our older people, whose only income is their retirement pay, to try to make ends meet in these days of rising prices. Many of them are no longer able to work to earn extra money, and unexpected expenses hit them particularly hard.

Very often they find that, after working all those years, the income they thought they would have to keep them comfortable and allow them a few pleasures has been reduced by inflation to a bare subsistence.

There is, presently, a provision in the Internal Revenue Code exempting from taxation whatever percentage of retirement pay the employee may have contributed to his pension plan while he worked. One of the purposes of this exemption is to prevent double taxation, since the employee, while he worked, paid tax on the full sum of his paycheck, before deductions were made for pension contributions.

Nonetheless, this provision is clearly inadequate to offset the inflation pinch on retired people living on fixed incomes.

This is because, in many cases, the bulk—if not all—of retirement fund reserves come from the employer, and these

funds are completely taxable when received by the retiree. Government employees, whose pension plans generally require employee contribution, tend to be the exception rather than the rule. The net effect is that many retirees from private industry cannot take advantage of the existing exemption.

Therefore, I am introducing today a bill that would exempt from the Federal income tax the first \$5,000 of retirement pay, whether the employee had contributed or not. My bill would retain the employee contribution exemption, so that if a retiree's pension exceeded \$5,000, he could still exempt from the excess whatever percentage he had contributed, and thus avoid double taxation on that portion.

For example, a retiree receiving \$5,200 contributed entirely by his employer, would pay tax on \$200. A person receiving \$5,200 based on 50-50 contribution between himself and his employer would get the first \$5,000 tax exempt, and pay tax only on that 50 percent of the remainder contributed by his employer. In other words, only \$100 would be taxable.

I should point out that \$5,000 is not an unreasonable figure for tax exemption, whatever the type of pension plan. Most pensions pay considerably less. But even assuming a pension of \$5,000, I think everyone here would agree that when a person has worked all his life, and has acquired a home and family, and has developed a pattern of living commensurate with his earnings as a productive member of society, and has assumed the normal—and often very substantial—obligations concomitant with his progress through life, that \$5,000 does not go very far these days.

The people who would benefit from this legislation are not looking for a handout. They have worked steadily and faithfully for many years, or they would not be receiving pensions and annuities. They have helped to build society, and they have taken the trouble to make provision for themselves in later years. They certainly deserve to have some protection against the inflation that is cruelly diluting their only sustenance.

I urge every Member of the House to give this measure his full support.

#### THE CHALLENGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, this is an age in which the bright light of publicity is focused on every manifestation of human perversity. The news media reach out with sensitive fingers to find and gather in instances of misconduct and parade them before the fascinated gaze of the world. Television in particular apparently aspires to be "the long historian of the country's woes."

It is impossible, perhaps, to compare the quantity and the quality of the greed and the vice and the violence of our day with that of previous periods. Sin is no recent discovery. The ancient inhabitants of Sodom and Gomorrah may well have been qualified to give us moderns some elementary instruction on the sub-

ject. None the less, the evil which we see and hear and speak threatens to destroy us, as it did those wicked cities.

In a more austere period than ours is, swift retribution put some check on deviations from the path of moral and social and economic rectitude. Starvation and ruthless war and stern governments acted as strong deterrents to open violation of acceptable standards of behavior. But today we bask in a genial atmosphere of abundance and ease and toleration. It is not entirely a novel situation. The history of past ages is filled with instances. And Goldsmith wrote: "Ill fares the land, to hastening ills a prey, Where wealth accumulates, and men decay;"

While Cardinal Newman echoed:

"Who lets his feelings run  
In soft luxurious flow,  
Shrinks when hard service must be done,  
And faints at every woe."

The onward advance of civilization seemed assured by our control over nature made possible through scientific progress, as well as by the spread of social understanding. Never through all time have the wants of man come so near to the possibility of widespread satisfaction as in our age. And yet we are in real danger of throwing away our bright prospects for the future, and even of losing our hard-won gains. The situation contradicts itself. It is a kind of incredible suicide.

Fortunately there is a growing awareness of the end to which our follies are leading us. Public opinion is focusing attention on the more dangerous evils.

One of them is an inflationary spiral that may be already out of control. Both Congress and the administration have called for restraint on price and wage increases. In the face of that, the new year has opened with an untimely pay increase for the upper levels of Federal officials and employees. A number of Members of Congress, including myself, vigorously opposed the increase. The matter was not permitted to come to a vote in the House. The raise was the work of a special commission, and was not approved by Congress.

Wages in industry are commonly tied today to the cost of living. When the cost of living goes up, labor contracts generally call for an automatic increase in pay. When industrial pay goes up, workers in nonindustrial occupations demand similar treatment. This means all the workers in personal services, in business offices, and among government employees. And this in fact was the basis for increase for Members of Congress and other Federal officials, however ill timed.

Increased wages means increased costs of production, and hence increased prices. In recent years, the increased productivity of labor has more than balanced price increases. The modern workman gets far more goods and services for his wages than his predecessor did. People in general are "better off" than they ever were. It is true that some classes of people suffer. Inflation erodes the value of money and eats away at savings.

Last fall's election gave us a Government pledged to stop inflation, or at least to slow it down, before it got out of control. Specific plans to accomplish that desirable purpose are cautious and hesi-

tant. A period of inflation always means an expanding economy and full employment. It is admitted by responsible people in both the political and economic worlds that any strong brake on inflation is going to mean more people out of work. The problem is to put on enough brakes to slow down rising prices without producing an economic skid into a depression. More people fear a depression than those who worry about inflation, for obvious reasons.

An evil associated with the price rise is the concomitant hike in taxes. It can hardly be expected that increased costs in the industrial world will not be matched by increased costs in the services rendered by government. People demand more and better schools, more and better roads, better health care, better everything, as each new year begins. And governments search frantically for tax sources to pay for what the people demand. Whatever tax form or tax increase they come up with produces a howl of anguish.

There is a feeling that people would not complain seriously about taxation if they were convinced that taxation is fair and equitable. A generally accepted principle of just taxation is that it should be graduated to the ability to pay. The principle is violated by almost every form of modern taxation. Retail sales taxes, for instance, fall with equal burden on poor and rich alike, in proportion to their purchases. Strangely enough, however, the sales tax does not seem to arouse opposition on that score, and it is becoming an important source of revenue.

Income taxes, on the other hand, meet heavy criticism. They provide the largest part of Federal revenue, and an increasing part of State revenue. They are assessed and collected in a manner that is obvious to every taxpayer. While they appear to have been graduated to various levels of income, it is widely believed that they are heaviest on those least able to pay.

Considering the rate at which income taxes must be set, a family on a bare subsistence level of income cannot afford to pay any income tax. A number of us in Congress have urged an increase in personal exemptions from \$600 to at least \$1,200. Sentiment for such an increase seems to be growing. At the same time, Congress is giving serious consideration this year to tax reform, and the exemption rate should be one of the items.

Another complaint about income taxes, and a proper one, is that so much income escapes taxation altogether. Loopholes, both legal and extralegal, are numerous and readily available to those with perhaps the greatest ability to pay. The closing of those loopholes should have high priority in this session of Congress. It is widely believed that if all incomes were taxed evenly and fairly at prevailing rates, the Federal Government would have adequate revenue for its needs.

Some comment on a third evil, perhaps the one that contributes most to popular fear and frustration, is necessary. Violence against the person, against property, against society itself, has become the red mark of the age. In its various manifestations, as crime, as mass protests, as seizure of institutions and property in general, it can no longer be

ignored. The permissiveness of an affluent society is inclined to attribute most of it to the exuberance of youth or to the reasonable and excusable behavior of underprivileged elements in our society. Some of us have, from the beginning, found in it the undercover operations of agents, whether domestic or foreign, determined to wreck this Nation and turn it over to unacceptable ideologies. Even our schools have become affected with the violence movement, and demonstrated that it is not a constructive idea, but an idea dedicated to anarchy.

The various resources of our society available to combat disorder are at last moving into action. We cannot afford to allow such disruption to continue. The Congress, I feel, is prepared to produce any needed legislation that is appropriate. The police power of this Nation, however, has been a function of the State and local governments. We have always feared a national police as an instrument of tyranny and oppression. The States and localities should move firmly and speedily to enforce local law. At the same time, the Federal Government should make plain its assurance of support and assistance wherever and whenever needed.

This Nation today is charged with responsibility for an unprecedented number of troubles, both at home and abroad. Many of these problems have settled down on us because people all over the world have expected too much from our demonstrated ability to deal with the world of production and exploitation. The responsible head of a great financial institution, in a recent speech, reminded us that:

Strong and powerful as we are, we cannot do everything at once without courting disaster. Specifically, we cannot fight what has become a major war, serve as the world's banker, rebuild our cities, cure environmental problems, render massive aid to foreign nations, dramatically upgrade the quality of our education, increase welfare programs, and solve the racial problem all at once. Strong as our economy is, it simply is not that strong. And if we are not to face an additional crisis of shattered expectations, we need a public facing up to this from our Government, and a clear statement of national priorities.

Yes, not only a public facing up to the realization that time is needed to accomplish any great task, but also a private individual facing up to that fact. As individuals, we have lately become too prone to evade responsibility, to decline to get involved, to turn our jobs as citizens, as parents, as keepers of our own households, over to society as a whole. Let the Government, the schools, the church do it. In this situation, we must return to the principle that the society cannot rise above the level of the individual member of it. Among us today there are wrongs to be righted, there are injustices to be brought into balance, there are loads to be lifted, there are tasks to be undertaken, there are characters to be ennobled. The challenge comes to the individual. What the individual does will determine the direction of the future. He who responds to the need may do so in full assurance that "every struggle lessens human woe."

The call for personal commitment to a stable and orderly society is urgent.

The time is now. The challenge comes right down to the individual man and woman. No one of us can longer afford to stand by in apathetic indifference.

#### CONGRESSIONAL REORGANIZATION AND REFORM

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

Mr. STEIGER of Wisconsin. Mr. Speaker, the momentum of the effort to pass congressional reform legislation is building rapidly, a fact demonstrated by the introduction today of the fourth copy of the proposed Legislative Reorganization Act of 1969.

The new bill, which is exactly the same as H.R. 6278, H.R. 7371, and H.R. 7372, carries the names of 23 additional cosponsors and brings the total number of cosponsors to 75. In addition, I am confident that more of our colleagues will cosponsor this bill in the near future.

Legislative reorganization began as a bipartisan effort with the Joint Committee on the Organization of Congress in 1965 and it will have to remain a bipartisan effort if we are going to pass a constructive piece of legislation in the 91st Congress. That is why I was pleased to receive today a letter from six of my colleagues on the other side of the aisle announcing their intention to introduce a very similar bill on congressional reform.

In their letter Representatives THOMAS REES, WILLIAM HATHAWAY, ANDREW JACOBS, WILLIAM HUNGATE, BROCK ADAMS, and LEE HAMILTON state that it is their belief "that the function of the legislative branch has been eroded these past years and that we must create for ourselves better and more modern methods to adequately deal with the executive branch."

They also believe that legislative reorganization will "strengthen the hand of the individual Member of Congress and of Congress as a whole."

I agree wholeheartedly with their conclusions and wish them well in their effort to attract additional cosponsors.

The more Members of Congress who are willing to identify themselves with the need to modernize Congress as an institution, the stronger the outlook becomes for passing legislation during this session.

#### TRIBUTE TO HAWAII ON 10TH ANNIVERSARY

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

Mr. HANLEY. Mr. Speaker, 10 years ago yesterday, the U.S. House of Representatives formally approved an act providing for the admission of the territory of Hawaii into the Union as a sovereign State. I want to take a few minutes today to offer my heartiest congratulations to our fellow citizens from Hawaii as they pass this momentous milestone.

With the formal admission of Hawaii into the Union, we successfully merged

many of the great and profound cultures of the East with those of the West. But in a real sense, Mr. Speaker, we merely extended the broad range of the melting pot we call the United States.

The citizens of Hawaii have responded to their admission by consistently sending the highest quality of Representatives to Washington. Specifically, I feel they have been blessed with the dedicated and competent service of our two colleagues, SPARK MATSUNAGA and PATSY MINK.

Mr. Speaker, we are proud to honor the great State of Hawaii on her 10th anniversary and we are happy to have the pleasure of saying congratulations to her citizens.

#### TRIBUTE TO MICHAEL JASINSKI

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

Mr. HANLEY. Mr. Speaker, last week I had the pleasure of attending the annual Veterans of Foreign Wars congressional dinner here in Washington. Aside from the normally enjoyable time this event brings with it, I had the additional honor and pleasure of becoming acquainted with an outstanding young man from my district, Michael Jasinski.

Mike composed and delivered the winning speech from New York in the VFW's nationwide Voice of Democracy contest and came to Washington with the other State winners to compete in the national finals.

My purpose today, Mr. Speaker, is rather simple. With all the disturbance and confusion being raised throughout the country these days by a handful of dissident youths, it is refreshing to meet and come to know a bright, talented and dedicated young man such as Mike Jasinski. Mike personifies the overwhelming majority of our American youth who want to build for the future, who have faith in the institutions and ideals of their Nation, and who have the will to confront problems with an air of determination.

Mr. Speaker, I want to pay tribute to Mike Jasinski today, and to tell him and the millions of other responsible youths throughout this country that we are proud of them, that we are confident they will take their places as responsible citizens and that despite the naysayers and the pessimists, the future does hold great promise for those who are willing to work.

#### CHAIRMAN WRIGHT PATMAN GUEST ON TELEVISION SHOW "SPEAKING FREELY"

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

Mr. HANLEY. Mr. Speaker, recently Edwin Newman, the celebrated NBC newsman, interviewed for his television show "Speaking Freely" our esteemed and honorable chairman of the House Committee on Banking and Currency, WRIGHT PATMAN of Texas. This hour-long television show appeared in New

York City on March 2, 1969, and subsequently will appear throughout the country on various television stations and networks.

The subject matter covered by Chairman PATMAN included the role played by foundations in our economy, tax loopholes, monetary policy, and our Federal Reserve System.

No one in the history of the Congress of the United States has had, or has more knowledge of these subjects and the ability to articulate them than our esteemed chairman. I understand that the mail response on this interview is truly fantastic. I ask unanimous consent that a transcript of this monumental television occurrence appear at this point in the RECORD, so that all Members of the Congress and the American people at large may have the opportunity to read and understand these subjects as expressed by a great American and protector of the public interest.

"SPEAKING FREELY"

(By the WNBC-TV Community Affairs Department)

Guest: Representative WRIGHT PATMAN, a Democratic Congressman from Texas.

Host: Edwin Newman, NBC News.

Mr. NEWMAN. Hello, I'm Edwin Newman. "Speaking Freely" today is Representative Wright Patman, Democrat of Texas, who's the chairman of the House Committee on Banking and Currency, chairman of the Joint House-Senate Committee on Defense Production, vice chairman of the Joint House-Senate Economic Committee, ranking member of the House Committee on Small Business. After that list it's hardly necessary to say that Mr. Patman is one of the most important men in Congress, especially on economic and financial matters. On which matters he is, by the way, something of a rebel. He is serving his 21st term in the House, and in that body he is the third man in seniority.

Mr. Patman, you've been in the news most recently—you have been most in the news most recently for some of the things you've been saying about tax-exempt foundations. Now, you don't go so far as to say these foundations are an evil, but you certainly have made it plain that you think they're out of control so far as the national interest is concerned.

Mr. PATMAN. Well, Mr. Newman, keep this in mind, I'm talking about privately controlled foundations. I'm not talking about the foundations that really use their money for charitable purposes, as they should. I'm talking really about the abuses, and the privately controlled foundations you'll find most of the abuses. You know, I started to do something about them 30 years ago. And I got on other things and got off, and only got back about 7 years ago.

You know, it's been said that there's nothing so powerful as an idea whose time has come. Well, 30 years ago it was important, then 7 years ago it was important. And since then we've been building up sentiment. But now, I believe the time has come. People don't want to tolerate these privileges and opportunities that are abused like the tax-exempt, privately controlled foundations are abusing.

Mr. NEWMAN. Would you give some examples of some of these foundations?

Mr. PATMAN. Yes. There are a lot of them. You see, there are places in this country where families have foundations. I know one large city that a large part of that city—an important official in the attorney general's office told me that—she happened to be a lady, a deputy, attorney general, in a very important state—she said in her area she didn't know of a single family that didn't have a foundation; that way they'd educate

their children, they'd get a lot of things done without taxes.

Now that's going on all over the country. Not just the big people always, some of the little people have gotten into it too. And I'm in favor if you're going to have the big people doing it, let the little people do it too.

Mr. NEWMAN. But your view is that neither should be allowed to do it.

Mr. PATMAN. That's right. Not to abuse it.

Mr. NEWMAN. Are you going to tell us which city this is, Mr. Patman?

Mr. PATMAN. No, sir; I wouldn't like to do that.

Mr. NEWMAN. Well, you say that families, ordinary families, more or less ordinary families but obviously with some money—

Mr. PATMAN. That's right. Like, you know, doctors and lawyers and professional people that have large incomes usually.

Mr. NEWMAN. And they set up family foundations.

Mr. PATMAN. Foundations. In one case in the Middle West they would have meetings to educate people how they could avoid taxes, but make it very plain it's legal to avoid taxes and it's right. You're not supposed to pay more taxes than you should under law. But to evade taxes is quite different. So they'd put out the word that at a certain time they were going to have a meeting.

Mr. NEWMAN. This was a foundation that did this?

Mr. PATMAN. The foundation. And they had a foundation there, and they would invite people if they wanted—people who were qualified and had the money—to join in an effort like that. And they'd have a large group, and they'd educate them as to how they could do these things. "So now for \$10,500 we will organize a foundation for each one of you. You belong to our foundation, and we have all the lawyers and the technicians and the experts, and we will organize one for you. And if you take our guidance and legal judgment and do what we say, you'll not have to pay any taxes while you're living, and your family will not have to pay an inheritance tax when you die." And of course it was kind of easy for people who had the money, affluent people, to pull out \$10,500 and give it to them. They raised millions of dollars that way. That's a case where the family was organizing.

Mr. NEWMAN. Is that foundation still in existence?

Mr. PATMAN. It is, so far as I know. Now we, of course, have been pursuing them. We were after them with sharp sticks a long time.

Mr. NEWMAN. You going to give us the name of that organization?

Mr. PATMAN. Oh yes, The Americans Building Constitutionally, in Chicago, Illinois, operating principally on the West Coast, and of course in the Middle West.

Mr. NEWMAN. But of course the public is mainly familiar with the really big foundations, the names they hear Ford, Rockefeller, Carnegie and so on.

Mr. PATMAN. And so on.

Mr. NEWMAN. Do you find that they abuse the privileges Congress has granted them also?

Mr. PATMAN. Some of them do. Now Carnegie, I guess between the three that you mentioned, would be the cleanest of the three. The Ford Foundation I think is the most vulnerable one. It has 3½ billion dollars in assets, and no liabilities—pretty good shape. And of course the Rockefeller Foundation is not just one, it's 13. I heard it said around Houston—they've become pretty rich down there on oil and defense plants and things like that, and one part of Houston where the people are so affluent that even their animals, their dogs and fleas and insects and everything else are affluent—and it's said that in that part of town that every flea has his own dog. And so it looks like that every important Rockefeller has his own foundation, and they're doing pretty well with them.

Mr. NEWMAN. Congressman, do you object to the size of foundations?

Mr. PATMAN. No, I don't object to the size of them, but why should anybody be exempt from paying their fair share of the taxes? And most of these privately controlled foundations, I think, are organized for that purpose. They have the right of succession. If a trustee or director dies, they can fill his place with somebody that they want. It's in perpetuity. It was never intended—it is repulsive to our form of government.

Now it used to be, in Europe, but even in Europe they've gotten away with it. And over here we would never have had anything like that. It came about rather accidentally.

Mr. NEWMAN. But your objection to—you object to families retaining their direction over a foundation after its original establishment?

Mr. PATMAN. Well, I wouldn't have any privately controlled foundations. I would encourage genuine foundations for charity, and religion, and good purposes like that. But I wouldn't have any like the privately controlled foundations operate. I'd have a limitation on them, say 20 or 25 years then they're liquidated, they're through.

Mr. NEWMAN. Why do you recommend that, sir?

Mr. PATMAN. Well, that's been done before, you know. And why should anybody have tax exemption in perpetuity? Number one, why should they have it at all? But if they can give a good reason for having it, there should be a limitation on it. They shouldn't have it in perpetuity.

Mr. NEWMAN. May I ask you, Mr. Patman, to give, if you would, some examples of the kind of activities that foundations engage in that you think they should not engage in.

Mr. PATMAN. Well, number one, they take their money and invest it in the stock market. They buy up businesses with it. They go in competition with people who are paying taxes and helping to support their government. It's unfair to the honest, sincere, patriotic person. He's having to pay all the taxes for his government, defend his country in time of war, and help build it in time of peace. Here's a foundation over here with a lot of money, in competition with him, paying no taxes at all. It's just not right, it's wrong.

Mr. NEWMAN. But let us assume that foundations exist and let us assume that they even paid some taxes—you propose that they pay 20%, a tax 20%.

Mr. PATMAN. That's on gross, too, you know.

Mr. NEWMAN. I thought it was on their investment income that you proposed.

Mr. PATMAN. Well yes, but that also includes capital gains like it is now. They don't even pay, they don't even account for capital gains. That's theirs. They just put it in their pockets. They don't even account for it. And this would maybe be 20% on capital gains. And that would run into some money. And furthermore, we'd make them pay out at the end of every year, what they had left, for charity. Like it is now, they're not doing it.

Mr. NEWMAN. What are the activities that they engage in, apart from these financial activities—what activities do they subsidize, what activities do they support that you think they should not be allowed to do? Or to put it the other way, what should they be allowed to do?

Mr. PATMAN. Well, number one, why should they be allowed to do these things at all? You see, they have a right under the law that's now written to operate as a tax-exempt organization if they use the money for certain definite, distinct purposes. But they don't stop there. One lawyer wrote his client and said, "You ought to consider a foundation, it's a good way to take care of your poor kinfolks, you put them on the foundation payroll." You see, there's no limit to what they can do with this money. It's not adequately supervised at all. Not properly

supervised. They're just almost footloose and fancy-free. They're getting by with murder, so to speak.

Mr. NEWMAN. Well, I suppose what I'm doing here perhaps is distorting the picture a bit because as you say there are thousands of foundations—20,000, 30,000, something of that sort.

Mr. PATMAN. Well, for 7 years I've been trying to get the number. I asked Mr. Dillon, Secretary of the Treasury, in 1964; he is a witness for my committee; I said, "Mr. Dillon, as Secretary of the Treasury you're over the Internal Revenue Service. How many privately controlled foundations are there in this country?" He talked to everybody around him and said, "I just don't know. We just don't know." And that was the truth. They don't keep any account of these things. It's the loosest kind of bookkeeping and accounting in the world. And I asked him to get it up for me, he said he would. He was in office 3 or 4 years after that but he didn't get it up, he never did get it up.

Mr. Fowler came before my committee last year, and I said, "Mr. Fowler, how many private controlled tax-exempt foundations are there in this country?" "25,000." Just like that, so he's evidently known about this colloquy. And I said, "That's wonderful, do you have them with you?" "Oh no—we don't have them." "Can you get them for me? Can you send them up tomorrow?" "Oh no, we'll have to get them out of the papers and the records and everything." I said, "Will you do it soon?" Oh yes, I definitely will get it soon. It was nearly two years before we got them, and when we got them. And when we got them it was 30,262. So that one we were studying had just been 596, and we know there are tens of billions of dollars in them.

Mr. NEWMAN. But take the biggest of them, take the Ford, which is set at 3½ billion dollars. Does it do anything with its money, leaving aside its financial operations or its investment operations—does it do anything with—

Mr. PATMAN. They invest their money just like a private investor invests, and pay no taxes on what they earn.

Mr. NEWMAN. But the actual awards they make, and the grants they make, and the loans they make—are there any of those that you object to?

Mr. PATMAN. Why, certainly, they are spending all kinds of money for office expenses—that's particularly true as to the Rockefeller Foundation. And they spend a large part of their money, most of it, abroad—they don't spend it in this country. And looks to me like it's really repulsive, to think about giving people the opportunity of keeping their money rather than paying taxes on it, and then that kept money by reason of the gratitude of our own government, you might say—they go abroad and spend their money. And they do that without reference to the balance of payments on our country, without any consideration of our country. And they don't have to make any reports, and no audits.

Mr. NEWMAN. But do they not say—are they not engaging in the good purposes that you mentioned a moment ago?

Mr. PATMAN. Sure, they say that. But the amount spent for the good purposes is pretty small.

Mr. NEWMAN. Well, what about some of the actual activities that say the Ford Foundation engages in, which have to do, for example, with raising the status of Negro Americans?

Mr. PATMAN. Well, you don't have to guess what they're doing, you see it in the newspapers every day. And some of the things they do I'm sure will be good. But some of the things—they just don't fit into charity. They just don't do that. They do some pretty terrible things, and we don't know everything they do. When we dig into them, we find out some of the things. But it's awfully hard to find out.

Mr. NEWMAN. What I'm really asking you, I

suppose, is are there any particular grants or awards or activities by any of the big foundations that you feel are particularly outrageous?

Mr. PATMAN. Well, there are a lot of them, but I'm not going to discuss them, because it's a matter of opinion, you know, and that's not what I'm after—any particular one, anyway. I have no personal feelings about these things at all. It's the public interest that I feel like that I'm representing. I just don't believe in—people taking advantage of their government and their citizens and paying no taxes, and getting the benefit of everything that their government does.

Mr. NEWMAN. So you would, in any case, supervise the foundations much more closely.

Mr. PATMAN. Directly, supervise them more closely.

Mr. NEWMAN. How would you do it, sir? What sort of—

Mr. PATMAN. Well, just to have the IRS—the IRS is a fine organization to supervise—

Mr. NEWMAN. The Internal Revenue Service.

Mr. PATMAN. Internal Revenue Service. They don't do it. And when you just insist on telling me—when I insist on why they don't do it, they say, "Well, you just don't get much money out of them. And we go and pursue these people where there's more money and we use our money for enforcement better that way." But they overlook the fact that there is a lot of money in it, if they'd pursue them. Why, we've already shown where \$29 million was not paid, and they've collected some of it, that's \$29 million. And they're going to collect the rest. And there are tens of millions of dollars other than will come through by reason of this disclosure that we have made—just our little group. It's easy to find if they'll go to work on it.

Mr. NEWMAN. Mr. Patman, are you very troubled by loopholes in the tax laws, apart from what you consider to be the obvious overlooking of the tax-exempt foundations? Do you think that the loopholes are as bad as they're often said to be?

Mr. PATMAN. And probably worse. There are a lot of loopholes in the tax laws. And they should be stopped. We should plug them. And I hope that the Committee—and I'm really thrilled over Mr. Mills' start on this investigation. But I hope when he finds something that's obviously bad, I hope he presents a bill right away, and gets it through. I'm apprehensive if they let them just pile up and try to get up an omnibus bill right on the last, that it wouldn't have a reasonable chance of passing. Because an omnibus bill—every member of Congress would have some reason to vote against it, and it might result in its defeat. But if you put every one of these on its merits before the House, in one bill, as they come up, I think we'd have a wonderful opportunity of passing them.

Mr. NEWMAN. Mr. Patman, the last Secretary of the Treasury under President Johnson, Joseph Barr, said he had a feeling that there was a taxpayers' revolt in the air, partly because a lot of people with large incomes, even hundreds of thousands of dollars, in some cases millions, were not paying taxes at all. Do you think that—

Mr. PATMAN. He made that statement before me as chairman of the Joint Economic Committee, his last appearance up there. And I think his statement required courage on his part, and I think he gave us information that should make us aware of what's going on. People are getting disgusted. And one of the things, is tax exemptions—they don't like that. There's a groundswell of opposition all over this nation today—and we can pass a bill if we keep on pushing it.

Mr. NEWMAN. What about the tax-exempt bonds, municipal bonds, that kind of thing?

Mr. PATMAN. Well I have a—I don't want to be in a position of being against local communities on their schoolhouses and roads, I'm all for it. But the tax exemption doesn't

belong there. That costs the federal government a lot of money, because there's no taxes. Now I propose that there's a little difference in there in what they have to pay on a tax-exempt bond and what would not be a tax-exempt bond. It's not very large. I'd be in favor of the federal government subsidizing that little part and then making them taxable. Then the government would collect ten to one to what it was out, and it would be fair to everybody.

Mr. NEWMAN. Would people buy municipal bonds if they were not tax-exempt?

Mr. PATMAN. Yes they would. They'd be in competition for the bonds, you know. They'd be in competition to other bonds and they'd buy them just the same as they do now.

Mr. NEWMAN. Of course the most celebrated loophole, the one that is usually described that way, with the greatest vehemence, is the depletion allowance given, for example, to oil wells and that kind of thing.

Mr. PATMAN. That's right. It could very well be looked into, too. Now there's some depletion allowance that's due; I don't know whether 27½% on oil is too much or not. If it is, it ought to be reduced. If it's not enough, it ought to be raised. But the most unfair thing on depletion allowance is on oil—is allowing people from the United States, and big companies in particular, to get depletion allowance on oil in foreign countries. Why should we give credit for depletion in a foreign country? That's going on and amounts to billions of dollars every year. There's your real loophole?

Mr. NEWMAN. What is the theory behind exempting oil deposits overseas?

Mr. PATMAN. Well there's no theory that I know of—no logical theory. It just happens to come in in the contact with the government, dealing with the government on taxes and so forth. But they have been getting credit for depletion allowance in foreign countries. Now, that doesn't make any kind of sense: common, book, or horse. None.

Mr. NEWMAN. Well, why isn't the argument that the expenses of exploration, for example, are just as great overseas—

Mr. PATMAN. Well, you could probably make a case for that. But I'm talking about depletion allowance. That's depleting the capital in a country. And why should we be concerned about depleting the capital in Iran or Iraq, or Mexico, or any other country?

Mr. NEWMAN. Well I suppose the argument is that the oil companies, the American oil companies that get the benefit of this depletion allowance are in themselves national assets and that by getting the oil for lower taxes, we save oil in this country.

Mr. PATMAN. I bet there are times when Ed Newman pays more taxes than some of the biggest oil companies.

Mr. NEWMAN. I wish I could say—I'm impressed.

Mr. PATMAN. Because they have plenty of gimmicks and loopholes.

Mr. NEWMAN. Yes. Is that the biggest of them, do you think, the depletion allowance?

Mr. PATMAN. That's one of them, I don't know how much it would—you see, there are lots of them, over a hundred commodities that have depletion allowance; oil just happens to be one.

Mr. NEWMAN. Mr. Patman, you feel that the tax system is weighted really against the little man, and you think that the whole American economy—a good part of it is rather weighted against the little man. How did all this come about?

Mr. PATMAN. Well, it came about by just seeing injustices of people not getting a square deal, and a few people getting great privileges and lucrative privileges, and abusing the rest of them with it.

Mr. NEWMAN. If it is as lopsided as you say it is, how did it get to be that lopsided?

Mr. PATMAN. Well, just because—like here in Congress, it's an easy matter to let things

go, like all these loopholes, and for a member not to say anything about it. He's in politics, he's got to be elected. Now, he's an honest member. I've served with 3000 members of Congress; you couldn't serve with finer and more honorable, more honest people, than those people I've served with, they were wonderful. But at the same time, no one member wants to step on the toes of a big man, because that big man can really cause him trouble—cause him opposition, maybe defeat. He can't come back at him—maybe you don't have the information and knowledge to come back at him. But you know, that lets them go ahead and get bigger and bigger. And the little man, of course he's not given too much attention always, and that's the reason I've been on the side of the little man and the handicapped person and the underdog. Because the big man doesn't need me. He's got his own lawyers, he's got his own experts, he's got his own lobbyists. I'd be in his way. So somebody should be sort of an offset to that great advantage, and I feel that I'm that offset. I'm not representing just any particular group, I'm representing the public interest.

Now I know some of them call me a Populist—which I feel very complimented about, I feel like it's a great compliment. You know the Populists—they believed in equal rights to all, special privileges to none, they didn't believe in any of these special benefits. And you've heard of Republicans going to the penitentiary and Democrats going to the penitentiary, but you haven't heard of a Populist going to the penitentiary.

Mr. NEWMAN. Do you ever feel, Mr. Patman, that this fight you're waging is a losing fight? You're a celebrated opponent of bigness per se; you're, as you say, a Populist, you're an anti-monopolist. You were opposed to chain stores. You're fighting the Federal Reserve Board. You're against what you consider to be excessive concentration in industry—a subject I hope we'll get to shortly. But on all these things, don't you feel that you're losing ground rather than gaining?

Mr. PATMAN. I felt that way until recently. Now I've been fighting this a long time. But recently there's a groundswell of feeling in this country against these lucrative franchises and these special privileges that are not justified, that are being abused. Now the bankers generally are good people; they're just as good as any other class or group. But in among the bankers you find some that's greedy and, you know, kind of anxious to get ahead themselves without reference to the public interest. And some of those bankers are big bankers, and they get into positions of importance. And they can throw their weight around. And they have done that until they have gotten charge of the most important part of this government—the monetary part. They fix interest rates, and supply money. The bankers run that.

Now they talk about the Federal Reserve. The Federal Reserve under Woodrow Wilson was 12 banks, to help out each one of the 12 regions when they needed it with government credit. But very soon—after Mellon was made Secretary of the Treasury under Harding, he commenced by guidance and direction and by consent making them a central bank, and putting it right back into the New York bank. And that's where it's been ever since. He did that through administration, on the theory that you can make a good law out of a bad law by proper administration, and you can make a bad law out of a good law by administration—which Mellon did. He changed that thing entirely. But the bankers got charge then; they've been in charge ever since. And they're the ones that's caused all this high interest. And our nation cannot survive, my dear friend, and have to pay the high rates of interest that are in sight for us and are existing right now with the huge private debts and public debts.

For interest, we are paying about \$16 bil-

lion a year just interest on our national debt. If we had the interest rate that we had for 14 years, before the Republicans came in 1953, we'd be paying \$8 billion. So that's doubling the payment of interest on just one item, the national debt—\$8 billion, that's a tremendous amount of money!

Mr. NEWMAN. Can we talk about the Federal Reserve Board, the Federal Reserve System? Certainly—I guess the thing you're really best known for is what I—perhaps you will allow me to call, your war with the Federal Reserve Board, in particular with its chairman, William McChesney Martin. I think perhaps this has to be broken into parts. One part is, what should interest rates be. And the other part is, should the Federal Reserve Board be independent to the extent that it is of the executive and the legislative branches of the government? Could we take that second one first?

Mr. PATMAN. Independent?

Mr. NEWMAN. Yes.

Mr. PATMAN. Why certainly, that's one I'd love to take. Now remember this, my dear sir. When the Federal Reserve Act was passed under Woodrow Wilson, he had very definite convictions. He wanted to help all the people, he didn't want it used for speculation and to let a few people get the advantage of all the rest and soon own all the property of the country. He didn't want it that way at all. And he was against a central bank. So when it passed, why it was a good law, fine law. But that was in 1913, just a couple days before Christmas, it actually passed Congress. And the President signed it. But then, it was not put into effect until 1914 and 1915. But then, when Harding was elected—1920, and 1921—he came into power on February 4th at that time, you know the Federal Reserve hadn't gotten started, hadn't gotten off the ground so to speak. And Mellon got ahold of it—

Mr. NEWMAN. This is Andrew Mellon.

Mr. PATMAN. Andrew W. Mellon—he was appointed Secretary of the Treasury, which is the biggest Cabinet position, it's equal to all the rest of them in importance. And he was a big banker, one of the biggest in the nation. He was big in all corporate enterprises of every kind. And so, the law is that a Secretary of the Treasury can't own interest in banking—because obviously that would give him a great advantage over the people. They could fix the interest rates, you know, at the connivance of the Secretary of the Treasury and make the people pay through the nose at all times. So Mr. Mellon was hard on the people. He kept the veterans of World War I from getting adjusted pay that they were entitled to. And he kept the poor people down, no aid for any relief of any kind. No aid for the poor, nothing. He was against all those things. And I had a feeling that we ought to do something about that. I wanted to get the veterans paid, those 3½ million veterans, get that \$1015 each that Congress has confessed was due them for adjusted pay. They only got \$21 a month. And they had to pay \$6½ for insurance, had to pay their own laundry bills. If they made an allotment to a wife or a child, they had nothing left.

Mr. NEWMAN. \$21 a month was a private's pay. It was in World War I?

Mr. PATMAN. That's right. And I've seen them—you always had to go by, you know, with your hat in your hand, to rake off what you had left. I've seen companies go by and half of them wouldn't rake off anything, wouldn't have anything left. So Congress wanted to adjust the pay of these soldiers, of these veterans. And it did. And I wanted to get that through, and we had support all over the nation for it. But Mr. Mellon stopped it. And finally it got to the point where we had to get rid of Mr. Mellon. And on January 6th, 1932, I got on the floor of the House and I said on my own responsibility, "As a member of this Congress, I impeach Andrew W. Mellon for crimes and misdemeanors, as fol-

lows." Well, it shocked the Republicans, they didn't realize what was going on. And they didn't make a motion to send it to the Committee right then, they cut me off, I couldn't debate it. But I got started and then when they made a point of order, the speaker had to overrule them because I'd gotten started and I had an hour's time. Went into it. They referred it to the Committee on Judiciary, they had a two-week hearing, I was on one side of the table, Mr. Mellon and his 13 lawyers on the other side before the Judiciary Committee. I spent two weeks making a case, then it was time for Mr. Mellon to testify. The chairman says, 11:30 in the morning, "We'll adjourn until 1:30 this afternoon." During that time, the newspapers came out like they used to with big boxcar headlines: "Mellon Resigns, Appointed to the Court of St. James." Well of course the committee met and says, "Well, it looks like it's a moot question. Why should we go ahead with this? LaGuardia of New York insisted that we should—he was on the committee. Brining of Tennessee that was later governor said, "Go ahead, ought to be impeached, Patman's made a case." But they decided, "Well he's not only out of office, he's out of the country." But the truth is—"And it's a moot question." But the truth is, Mr. Hoover did a very courageous thing from his standpoint, he accepted a resignation that was never tendered. Mr. Mellon didn't want to resign. He resisted it, he wanted to stay there. I'd proven he was in the banking business, antagonistic and everything else; there's no doubt they'd have impeached him, no question on earth about it. And they knew that, and they wanted to get rid of him, because the campaign was coming on.

Mr. NEWMAN. So they made him ambassador of London.

Mr. PATMAN. 1932, they made him ambassador of the court of St. James. And so, when he was taking the oath down at the Treasury Department, as ambassador to go to St. James, an AP man was right next to him, he was just talking a little bit, Mr. Mellon told him, who later told me; he said, "Now remember, young fellow, this is not a marriage ceremony we're going to, this is a divorce." And that's the truth, they were getting rid of him, and had to because the campaign was coming on. See, that was the early part of 1932, and they couldn't afford to have Mellon exposed there and impeached, which he would have been.

Mr. NEWMAN. Well now, you say it was Secretary Mellon who changed the Federal Reserve System.

Mr. PATMAN. That's right; it was.

Mr. NEWMAN. But if he was out in 1932, how did it remain changed? Why was it never brought back?

Mr. PATMAN. No, they just—well, bankers were in charge of it. Now you take the Bank of New York—

Mr. NEWMAN. Federal Reserve Bank of New York?

Mr. PATMAN. Federal Reserve Bank of New York. There are 9 directors there, every one—6 of them, two-thirds of them, selected by the banks themselves, and a third of them by the big banks. And the other three are public members appointed by the Board of Governors of the Federal Reserve System. But they must appoint people with tested banking experience—which means they must be bankers too. So you've got 108 directors, 12 districts, 9 to each district, and so they're all bankers. And the president now, like Mr. Hayes in New York—he gets about \$75,000 a year or more I guess, now, and he represents the biggest banks up there. And the big banks naturally expect him to carry out their will. And I believe he does. It's that way—all these presidents of banks are representing the biggest bank there, because they are the ones who have the most influence.

Mr. NEWMAN. Who should run the Federal Reserve System, Mr. Patman?

Mr. PATMAN. Somebody that's charged with

a public duty. Now, the President has overall supervision of the Federal Reserve if he'd exercise it. You know—don't you think it would be ridiculous to say that fellows should be elected by an industry? When they brought that up with Woodrow Wilson, and they wanted to talk to him about putting bankers on all these boards, because the bankers knew so much, Carter Glass got them an appointment down there at the White House. They marched in with Carter Glass and started off saying, "Now Mr. President, what we want to talk to you about, we believe under this Federal Reserve Act, although we can't get it like we want it, that the bankers who know more about money"—of course that's not true, they don't know anything about the science of money; they know how to make loans and collect it back at big interest, but they know nothing about the science of money—"that we feel like we know more about the science of money and we ought to be on these boards to administer the law." And Mr. Wilson said, "Which one of you gentlemen would recommend that I appoint presidents of railroads as members of the Interstate Commerce Commission, having charge of fixing railroad fares and freight rates on the railroads?"—looked at all of them, they looked at one another. And Carter Glass told this himself, he says they began to talk about the weather, and finally they got out, and they never did answer Mr. Wilson.

Mr. NEWMAN. Carter Glass was then Senator from Virginia.

Mr. PATMAN. Sure he was, yes. You know, the selfish interest people—people who have a selfish interest, they should be the last ones to be appointed to administer a law.

Mr. NEWMAN. Well, should the Federal Reserve System be independent—be independent at all?

Mr. PATMAN. It is independent, now.

Mr. NEWMAN. Should it be?

Mr. PATMAN. Independent now. But, you see, they were never recognized independent, until last few years. You know, there's nothing in the Federal Reserve Act that says that they're not independent, but everything that they are independent. And there's no reason for them to be any other way. Do you mean to say that people in New York, that are elected by the bankers, should be told what I have to say about protecting the people I represent? And other members of the House and Senate—that we have no power over fixing interest rates, they have seized that power? That's the reason we're paying 9 and 10 percent in some cases now. A rate against conscience. It's extortion, it's highway robbery. Because the people who are elected to do a job in Washington have no power over it, they let the bankers take it over.

Mr. NEWMAN. But you say it is within the power of the President of the United States to exercise control of the Federal Reserve System.

Mr. PATMAN. Over the veto power. You know, the Constitution's very plain, that the law should be passed by Congress, the House and the Senate; approved by the President; if he vetoes it,  $\frac{2}{3}$  vote would of course do it. And the President of the United States shall execute the laws that are passed. It couldn't be plainer than that. It couldn't be plainer. And so that's the law of the land, that's the Constitution. But this special interest has seized that power. Now here's the way they did it. In 1951, they claim there's an accord, you know, to have interest rates higher. We'd had interest rates  $2\frac{1}{2}$ % on long-term government bonds, for 14, for 15 years, and it was the rate during a time when there was bad times in this country, millions of people unemployed, millions of people in breadlines, sometimes. Then we had high inflationary conditions in the war, preparing for war, shooting on the battlefield \$250 million worth of ammunition a day. Everything that would cause wild, ruinous

inflation. But we didn't have it during those 14 years, why? We had a Federal Reserve Board that worked with the President in the public interest, kept interest rates down, we had no problem. Now a high national debt can be an advantage on interest rates. If your national debt is high, the government in fixing the interest rate on a national debt fixes all other interest rates too. If they want to fix it low, like they did for 14 years, then it'll be low. So it's a great advantage in many ways. One time Mike Monroney, on our committee, back years ago, Senator from Oklahoma, he said, "Mr. Eckles,"—he was chairman then—"do you mean to say that you could if you wanted to fix an interest rate on long-term government securities of 2.06, and keep it there?" He says, "Keep it there indefinitely." There's no doubt about it, the Federal Reserve can fix it like it wants to fix it. Because when they fix it on long-term government bonds, it's so dominant that it will fix it clear across the board.

Mr. NEWMAN. Mr. Patman, the argument is made now that there must be high interest rates, otherwise inflation will—

Mr. PATMAN. I know, that's a ridiculous argument. It's a ridiculous—it's just like saying that you ought to put out a fire with gasoline. Whenever you raise interest rates, you increase the price of everything. Increased prices—that's the cause of inflation. So you're causing inflation. Now, Mr. Martin—I have no personal feelings against Mr. Martin or anybody in the Federal Reserve System. I'm not just fighting somebody, I'm fighting for what I believe is the interest of the public in this country. But now, Mr. Martin's always saying this: "You got to raise interest rates." He's been doing that for 15 years, and the interest rate's been going higher all the time. All the time. They come out like you got to have high interest rates to keep down inflation, he's been fighting inflation every year since he's been there. And the truth is, he's caused the people of this country to pay \$14 billion a year, every year he's been there, more than they should have paid in interest. Now whenever you take that out of the livings of all the people, the millions of families in this country, make them pay it on extra interest, that's hurting the country. So William McChesney Martin has hurt this country more than any living man in the history of the United States government. And he's still hurting this country—on that fallacious theory that you've got to have high interest in order to keep down inflation. There are known methods of keeping down inflation, Mr. Newman. We know what we can do to stop inflation. There's no doubt about it, it's been proven. But there's no known way to stop depressions when they start. We're on the verge of a depression. We ought to get away from that. We don't want to get near a depression. We'll go back to sheriff sales and we'll go back to bankruptcies, go back to starvation and hunger and breadlines and everything that goes with it. We don't want that.

Now inflation, all in the world you got to do if you want to stop it, if you sincerely want to stop it, number one step would hurt the big bankers a little bit, it would hurt their profits. Well, they have a lot of profits, why shouldn't they be hurt a little bit to save the country? If you raise the reserve requirements of banks, that'll retard inflation right quick. Instead of permitting the banks to manufacture money on their books, as they are now, ten dollars to every one on demand deposit, or up to \$33 to every one on time deposit, just say that hereafter you can only exercise that privilege to the amount of 50%—why, you'd stop your deflation right quick.

Mr. NEWMAN. Stop the inflation.

Mr. PATMAN. Stop the inflation right quick.

Mr. NEWMAN. You'd do it by controlling the supply of money, and credit.

Mr. PATMAN. By the supply of money, and credit, that's exactly right. That's a good way to do it. And furthermore, if you get into

ruinous inflation, something really bad and it's desperate, there's a way to stop that, too. You can levy taxes, and siphon off the excess purchasing power, and pay it on the national debt. You see, that'll serve two good purposes. You'll get that too much money chasing too few goods, you'll take a lot of that money out, and remove the pressure there. You pay it on the debt and save the big interest on the debt that we're paying today. That'll absolutely stop inflation. And they know it. But it takes a little profit out of the banks, they don't want to do that. They're protecting the banks.

Have you ever heard of a problem, a major problem, where the public interest involved on one side and the big banks on the other side? That they've ever taken the side of the people on it? I never have, I sure would like to know one.

Mr. NEWMAN. Mr. Patman, you have written about an organization in the United States government called the Federal Open Market Committee.

Mr. PATMAN. That's right.

Mr. NEWMAN. And you have said, in large part the Federal Open Market Committee determines whether our country will have high levels of economic activity and full employment or whether we will be plunged into a recession or a prolonged economic depression. Now the Federal Open Market Committee is not a government agency that is very much in the headlines, to say the least. I don't suppose that one percent of the people in this country know what it is—and I'm not sure many reporters know what it is, but I better not speak autobiographically. What is the Federal Open Market Committee and why do you think it's so important?

Mr. PATMAN. It's the most important committee in the world. They operate secretly down here at the Federal Reserve Board. They have a meeting about every two or three weeks.

Mr. NEWMAN. Who are members of it?

Mr. PATMAN. The Federal Reserve Board is composed of 7 members who are supposed to represent the public. And then who else walks in? First the 7 members of Federal Reserve Board, next the 5 presidents from the Federal Reserve banks—5 out of 12 are selected to serve. The New York man serves all the time, he doesn't have to alternate with anybody else. And you have a vote there of 7 members of the board, and those 5 private—you know, they're privately interested, they represent the bankers. What chance have the people got in a case like that? Just one or two change, you know. They'd always lose. And consequently we have always lost.

Now this Federal Open Market Committee—you know at first they'd have to go before Congress for it to get appropriations to run the Federal Reserve System. If they did, they'd have to answer questions, like all other agencies have to answer to get money. But they wanted to get away from that. So they devised a rather clever scheme. They said, "Well, we have the power of taking Federal Reserve notes"—that's our actual currency, money that's printed over here at Bureau of Engraving and Printing, that dollar bill, \$10 bill, \$20 bill, \$50 bill and \$100 and so forth, "we'll just take that and buy some government bonds and we'll keep the bonds, and when it gets interest on the bonds it will pay expenses with it." It was very clear, very understandable. So they bought a million dollars worth of bonds using this currency; in other words, trading one form of government obligation, that's money, for a form of obligation that bears interest and will be due in the future. So they did that, and they had several million dollars of them finally, and then they had enough money to pay their expenses so they didn't have to go to Congress. And then they kept on accumulating that, for that same purpose. And now do you know how much money they've got in that fund? \$53 billion! Now that's been—every one of those bonds have been paid for once. Who's my authority

for that? William McChesney Martin. I'd ask him a number of times on these things. And he's admitted that they've been paid for once, with Federal Reserve notes. One form of government obligation for another. You can't—there's no doubt about it. And there's \$53 billion of padded national debt, that's inflationary, that's caused a lot of inflation. Now if they'd been as honest as the deacons in a church when they had paid a bond issue—in the church they always have a bond-burning, they're proud of that. If the Federal Reserve were compelled to have a bond-burning, we'd have a national debt \$253 billion less. And we'd save \$3 billion a year interest. Now it's just that simple. And nobody can dispute it. But you can hardly get people to believe that. They would say—I'm sure they would say—"Why, I don't believe that Congress would let anything like that happen." Well, it is happening, right here in broad daylight. So nobody can dispute it.

Mr. NEWMAN. Should the Federal Reserve System have to come to Congress for money?

Mr. PATMAN. Why, certainly they should. How can you run a country if you're going to let the money people take it over. And the people who are elected by the people to represent them have no power.

Mr. NEWMAN. When the Federal Open Market Committee meets then—it's part of the Federal Reserve operation which is run on this money that you've explained—what does the Open Market Committee do that so affects economic activity and employment?

Mr. PATMAN. Well, interest rates, regulation too, and everything that goes with fixing those interest rates. They can do that, they can fix interest rates any way they want to. They have got what you might call special dealers within the Federal Reserve Bank in New York, that are representing the Federal Reserve to fix the market on bonds, which of course fixes interest rates.

Mr. NEWMAN. They buy and sell.

Mr. PATMAN. That's right, buy and sell. They have a toll gate—you go in to sell your bonds, they get a commission from it. And when the bond goes out, they get a commission on that. They've got a sure way of making all kinds of money right quick. But the main thing is, it's such a burden on the people to have to pay these extortionist, unreasonable, robbery rates. It's terrible. It ought not to be allowed.

Mr. NEWMAN. And nobody, in your view, who should, controls the Federal Open Market Committee.

Mr. PATMAN. Nobody controls it. In fact, they claim they're only answerable to God. Nobody—they even say that, I can show you publication, where they say that nobody has any power over them. Now that's a bad weakness in our government. I mean of course it's not in the government, it's the administration of the governmental affairs. They don't have any right to do all these things, but they seized this power just like Castro seized Cuba. They just took it over without firing a shot.

Mr. NEWMAN. Mr. Patman, you claim also in connection with membership in the Federal Reserve Board, Federal Reserve System, and in the Treasury Department, that there exists a conflict of interests which is, in your view, not sufficiently appreciated or understood.

Mr. PATMAN. That's right. You want me to briefly discuss that?

Mr. NEWMAN. I wish you would, sir.

Mr. PATMAN. Now, Mr. Mellon—he was the conflict of interest the worst of any in the world, except we've almost got a replay of the same thing. This outfit that's going in there now in the Treasury, just about as bad as Mellon. And you take, for instance, they had one of the biggest bankers in the United States, he's a good man I'm sure, and I'm sure he's a good banker—and he has been appointed Secretary of the Treasury, and you know the law says, just like it did in

Mellon's time, that you can't be a Secretary of the Treasury if you're interested in business, you know, to the extent that it might interfere with your independent judgment. Well of course, being in the banking business, especially big banking, why, it would naturally interfere with your independent judgment. You know, Mr. Roosevelt got rid of that by appointing people to the Federal Reserve, and the Interstate Commerce Commission, Federal Communications Commission, and others that could have a rusty ax to grind—he appointed people who were knowledgeable not in the biggest business in the country, not in the businesses big enough to kind of control the banks, but would have knowledge to do the work. A lot of them were college professors. They were excellent. A lot of people in this country can do just as good a job or better than any big bank, so you don't have to go to the big bankers, to have these people.

Mr. NEWMAN. Do you object to David Kennedy as Secretary?

Mr. PATMAN. Well, David Kennedy, he has 38,000 shares in one of the biggest banks—the 8th biggest bank in the nation. And he's bound to be pretty well interested in banking, he's spent his life in it. And he ought to—if he wanted to be Secretary of the Treasury, ought to have got rid of his stock. That's what they're supposed to do, but they don't do that. They put it in the private—he puts it in a private trust. We don't know what the private trust provides. You know darn well he can revoke it any time he wants to. It's nothing, absolutely—he still owns that interest in the banking business. Therefore he's not qualified. And I predict that Mr. Nixon will not forever keep him in that—he can't afford to do it, he's too vulnerable. You know, too many things can happen that will fall right back on the President. He's the number one man. Then Charlie Walker, he's been the lobbyist for the biggest lobby in the United States, and the most selfish, greedy and devastating lobby, the big banker's lobby—he's been in charge of it. When he came here—there's a certain number of lobbyists in charge of it—now during his time it increased 600%, they're spending millions of dollars.

Mr. NEWMAN. Mr. Walker is now Undersecretary—

Mr. PATMAN. He's the next one, he's Undersecretary. And then the next one is Paul Boker, he's the former vice president, came out of the Chase National Bank, you know that's David Rockefeller's bank. He came out of that to come down here and be Assistant Secretary of the Treasury. And then James Smith, he's a Special Assistant, and he's the one that worked with Walker for a number of years. And Robert Mayo, he's the Director of the Bureau of the Budget—he was vice president of the Continental Illinois Bank, where Mr. Kennedy came from. So you couldn't have a combination that is more dedicated to the banking business, including high interest—because every one of these people were high interest people, every one of them. And whenever you give bankers an opportunity to keep raising the rates, why shouldn't they do it? Because they are the ones that get the money—you are the one that pays it.

Mr. NEWMAN. Do you not, in the final analysis, Mr. Patman, have to rely on the honesty of the people who are appointed to government positions, whatever their background?

Mr. PATMAN. Why, of course, that enters into it in a big way, and should. But whenever they have a background of high interest, high interest all the time—and you know that—why should you put them in a position to serve their own interest, and hurt the public.

Mr. NEWMAN. You're saying that, as a practical matter, almost any banker you can think of is going to be a high interest man?

Mr. PATMAN. Most of them are, but there's some of them that would have independent

judgments. But the ones in charge of the banking organizations would be very much on the spot if they attempted to go just a little bit on the low interest side. You never hear of bankers talking about low interest. They'll say, "I'm for low interest!" but they never do anything to bring it about. And we are paying interest against conscience right now, it's a terrible thing.

Mr. NEWMAN. You don't think it's necessary to have a banker in charge of the Treasury?

Mr. PATMAN. Why, of course not. We ought to have anybody else but a banker.

Mr. NEWMAN. Well, how long is it since—was Fred Vinson the last non-banker?

Mr. PATMAN. He was the last non-banker, and a good Secretary of the Treasury. There are lots of good—

Mr. NEWMAN. That was under Mr. Truman.

Mr. PATMAN. That was under Mr. Truman, that's correct. You know, right now we have over \$100 billion, I forget the exact amount, in fact I haven't looked at it lately, on consumer goods—I mean installment sales. Well now, the difference between say \$6 billion on real good interest rates and \$12 billion now or twice as much, would hurt a lot of poor folks. And it would mean a lot of them couldn't pay their installment debts. A lot of them would have to go into bankruptcy. They'd have to deprive their children of schooling, and proper diets, and proper food and proper shelter, housing. All because of high interest. High interest is doing more damage to this country than any other one thing. And a few—not all bankers, but a few greedy bankers at the top—are causing the damage.

Mr. NEWMAN. Mr. Patman, Franklin Roosevelt when he was President used to speak about economic royalists, turning the moneychangers out of the temple—and that is rather the way you look at—

Mr. PATMAN. Why sure, and they ought to be turned out right now. Instead of turning them out, they're bringing more into the temple. And they're worse ones.

Mr. NEWMAN. Well, we only have about two minutes left, and I don't suppose I should really in that time be raising the question of banks going into non-banking operations. But I know that that's a lot of discussion.

Mr. PATMAN. Well, that's a one-bank holding company. That's where they're taking advantage of the people again.

Mr. NEWMAN. What is a one-bank holding company?

Mr. PATMAN. One-bank holding company—of course they were exempt from holding company requirements and supervision. They had to be two banks or more. Now, we exempted them in 1956, in fact, just one bank didn't make any difference. But we were wrong.

Mr. NEWMAN. Could one bank have a number of branches?

Mr. PATMAN. Oh, one of them had 199 branches, but that doesn't make any difference. But the one-bank holding company was a mistake we made. Now we got to correct that.

Mr. NEWMAN. A lot of banks have gone into non-banking activities, through this holding company operation.

Mr. PATMAN. Why sure, in competition with their own customers. You take people in the travel business. They do business with banks. And they have their deposits there. Now then, a bank, they have a travel agency with competition with their customers. Who do you think that they would befriend in the event a credit problem should arise? Would they prefer their own travel agency, or would they prefer the one run by an individual? You know what they'd do. And they're going into every line of business you know, they're closing the doors of opportunity. They're not doing the right thing, they're doing the wrong thing. We got to get them back and make them do the right thing.

Mr. NEWMAN. Have you ever received an

award, a declaration of any kind from a bankers' group, Mr. Patman?

Mr. PATMAN. Yes I have, from the small bankers. I have—the small bankers generally, and the middle-sized banks, are for what I'm doing. But the big bankers, they hate it. I don't blame them.

Mr. NEWMAN. Thank you very much, sir. Wright Patman, Congressman from Texas, chairman of the House Banking and Currency Committee, has been "Speaking Freely." This is Edwin Newman, NBC News.

**THE LUMBER PRICE CRISIS**

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

Mr. HANLEY. Mr. Speaker, in recognition of the extremely serious condition resulting from the exorbitant increase in the cost of lumber, I am pleased to note the activity of Chairman WRIGHT PATMAN, of the Banking and Currency Committee, which hopefully will lead to the solution of the lumber cost problem. In support of his efforts and the necessity for this action, I submit the attached correspondence:

HOUSE OF REPRESENTATIVES,  
Washington, D.C. March 12, 1969.

HON. WRIGHT PATMAN,  
Chairman, Banking and Currency Committee,  
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: A number of my constituents, most notably, the members of the Homebuilders Association of Central New York, have expressed their grave concern over the greatly increased costs of softwood lumber.

The situation is very serious in the Central New York area as evidenced by the enclosed letter and memo which I received from the Homebuilders Association President, Kenneth Smith. I would appreciate your personal attention and that of our Committee to this problem, inasmuch as it directly relates to the achievement of our national housing goals.

With best wishes, I am  
Sincerely yours,

JAMES M. HANLEY,  
Member of Congress.

HOME BUILDERS ASSOCIATION OF  
CENTRAL NEW YORK, INC.,  
Syracuse, N.Y., February 17, 1969.

HON. JAMES M. HANLEY,  
House of Representatives,  
Washington, D.C.

DEAR JIM: The enclosed "memo" from Wickes Lumber Company, one of our large local suppliers, is the most recent manifestation of the lumber price crisis in this area.

As you can see, the seriousness of this problem increases daily and it is now virtually impossible to predict project costs on a day to day basis, let alone into the future.

Your continued support and that of your colleagues in the House and Senate is urgently needed to prevent a crippling blow to the Homebuilding industry and is vital to even a token implementation of the Housing Act of 1968.

West best personal regards, I am  
Sincerely,

KENNETH W. SMITH,  
President.

**MEMORANDUM OF FEBRUARY 7, 1969**

To: Manager, all sales centers except home supply.

From: John O'Connor.

Subject: West coast lumber products.

Due to heavy snow and sub-zero temperatures, we have had increases on West Coast Lumber of \$15 to \$20 per thousand in the past 10 days.

It would be easy to discount this week's surge as panic buying, but all indications point toward a record scarcity of stock through spring with prices substantially higher than at present.

If you are contemplating any large jobs on a protected price basis, I hasten to warn you we have no idea where prices will be or whether or not we will be able to purchase our normal needs over the next 60 to 90 days.

Price will be of lesser importance than availability until the present situation corrects itself!

Species and grade substitution will be most prevalent under current conditions; please be aware of this situation when quoting prices.

You can expect to be receiving substantial price increases on all West Coast Lumber within the next week or two.

Our ability to replace lumber is limited, please be careful!

We will keep you informed of any significant market changes.

JOHN O'CONNOR,  
Merchandising Manager,  
Lumber Products.

**SELECTIVE SERVICE REFORMS**

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

Mr. GILBERT. Mr. Speaker, I have cosponsored H.R. 7784, a bill to enact substantial reforms in the Selective Service System.

It is rather widely agreed that reform in this system is long overdue. The system is not fair and it is not serving the national interest. I was disappointed that Congress did not enact a reform measure last year, but this is better than last year's bill, I think, and I would urge its serious consideration.

There is no question, Mr. Speaker, that the current system discriminates against the poor and against others in our society. This reform is designed to eliminate that discrimination. It proposes to take 19-year-olds first and to choose them by a random selection process.

The random selection plan would create a prime selection group from which inductees would be selected. The group would be created in order of priority: first, 19-year-olds not deferred or exempt; second, former deferees between the ages of 19 and 35; third, registrants 20 to 26 not deferred or exempt. This selection plan would give a registrant the choice of going into the prime selection group upon graduation from high school or the option of waiting until his graduation from college or postgraduate school. Those attending junior college or vocational courses would be given identical treatment. It permits students to postpone their exposure to the draft during the course of bona fide study, but it does not permit this postponement to become a permanent exemption.

Mr. Speaker, the bill I have cosponsored corrects a number of injustices and errors in the administration of our draft laws. It guarantees to all registrants the right of counsel in appearing before draft boards. Additionally, those who claim indigency are assured of free counsel. As added protection, the bill specifically bars any local board from utilizing the draft as a means of punishing draft opponents or any other persons by limiting draft delinquency to

acts relating to the registrant's own individual status.

The bill prohibits discrimination of any kind in the make-up of any selective service panels which determine an individual's draft status. It establishes eight regional offices of the Selective Service System to supervise administration of the laws. In this way, I think, the worst of the inequities will be banished. It calls for a public study of all aspects of a volunteer army, and for a study of the ramifications of granting amnesty to those young men who fled the country rather than face the draft.

Mr. Speaker, I am enthusiastic about the bill I have cosponsored, both because it gets down to the fundamentals of the problem and because it is comprehensive enough to close loopholes and correct minor inequities in the present law. We have delayed a decision in this matter for too long, and must avoid it no longer.

**GILBERT BILL TO ESTABLISH DEPARTMENT OF PEACE**

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

Mr. GILBERT. Mr. Speaker, I have introduced, as a cosponsor, a bill to establish a Department of Peace as a Cabinet-level agency of the Federal Government.

This bill, Mr. Speaker, has been much misunderstood. I must confess that I had to give it much thought myself before I was convinced of its wisdom. But these are fresh times, with new problems, and I believe it is incumbent on all of us to reconsider all of the ideas which have become part of our conventional thinking. I reflected a great deal on the proposal that a Department of Peace be established, Mr. Speaker, and I am now unequivocal in my support of it.

Let me make the analogy with the proposal to establish a Department of Consumer Affairs, of which I am also a cosponsor. In the past, we in Government more or less accepted as truth the notion that the public interest is the sum total of all private interests. Thus we have looked out for the consumer by assigning the interests of farmers to the Agriculture Department, of business to the Commerce Department, of labor to the Labor Department. But, recently, we have come to learn that the interests of the consumer—even if he happens also to be a farmer or a businessman or a union member—is not protected by the agencies in existence. Perhaps consumer problems fall in the spaces between them, but whatever the explanation, it has become clear to me that we need an agency whose sole responsibility is to look out for the consumer's well-being.

Similarly, I suspect that peace has also fallen into the spaces between agencies. The Defense Department is preoccupied with the military security of the Nation. The State Department concerns itself with our diplomatic crises. None of the various other agencies involved in international problems can compete with these super-departments, both of which see their role as that of adversary toward an essentially hostile world.

We need a Department of Peace to

bring fresh thinking to a long-range need. This Department would not normally be concerned with periodic eruptions, diplomatic or military. Its constituency would be peace, as a condition of the national self-interest. It would not be in conflict with any other agency, except insofar as all agencies compete to bring good ideas and perceptions to the attention of the President. In this sense, it would be a member of the adversary system within the government, fighting for the cause of peace. There is now no such spokesman for peace, and we need one desperately.

Mr. Speaker, I will not go into the detail that has been presented in this legislation for organizing the Department of Peace. My cosponsors have supplied that detail. But I will say that I know of no better means for improving the prospects for peace, as a long-term global condition, than to establish a Secretary of Peace and a department under him to stand up for the cause. If my colleagues will, as I did, give this new idea the kind of objective consideration I believe it requires, I think they will come to agree that such a Department would be a genuine asset to our Government and, more important, a source of real hope for peace in the world.

#### ESTABLISHING A JOINT COMMITTEE ON SOCIAL WELFARE

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

Mr. OTTINGER. Mr. Speaker, among the major issues with which Congress and the administration must come to grips this year is the costly and demeaning welfare system.

To give this issue the consideration it demands, there should be established a joint committee of the Congress, charged with responsibility for assessing all public welfare programs and recommending legislative and administrative action. I am introducing today a concurrent resolution establishing such a committee.

Under this resolution, the Joint Committee on Social Welfare would be composed of seven Members of the Senate appointed by the President of the Senate, and seven Members of the House, appointed by the Speaker.

The committee would be responsible for undertaking a study and investigation of all public welfare in order to determine—

The extent of coverage of, the effectiveness of, and the problems arising in connection with such programs;

The recommended level of assistance appropriate for each class of welfare recipient;

The amount of Federal participation in each such program;

The desirability and the nature of the incorporation of work incentives as a condition of assistance under such programs;

The need for and the nature of earnings limitations as a condition for the termination of such assistance;

The degree to which the program of aid to families with dependent children

is meeting the needs for which it was designed;

The efficacy of residence and other requirements for eligibility for assistance under any public welfare program;

The fairness and effectiveness of the methods of determining eligibility for such assistance;

The feasibility and desirability of uniform standards for public assistance programs;

The feasibility of a Federal system of income supplementation;

The costs of and the administrative problems related to any recommendations concerning such programs, particularly with respect to any proposed income supplementation program; and

Other ways in which such programs may be strengthened and improved.

The committee would make interim reports as well as a final report not later than December 31, 1970.

As I stated in the House last August, there really is nothing good to be said about the welfare system in the United States today. Its costs—in the neighborhood of \$9 billion today—are far out of proportion to its accomplishments. It has served to perpetuate dependency and frustration among low-income Americans and has been guilty of unbelievable administrative inefficiency.

I am convinced that the present system of public welfare must be replaced. Those who can work should be required to do so. The private sector should be involved as much as possible in job recruitment, training, and placement efforts. For those private enterprise cannot absorb, the Government should become an employer of last resort.

The enormous administrative costs of payments to those truly unemployable should be eliminated by a computerized system of direct lump sum payments, with incentives for those who can find work. National standards should be adopted to stop the migration of the rural poor to our overburdened cities, and I have introduced legislation to accomplish this.

Day care must be provided to enable mothers to work and to help break the cycle of poverty among their children. Training and placement must be expanded to help get the aged and the handicapped off relief rolls.

These are the basic elements I believe are essential to a program to replace welfare. Other proposals should be considered as well, and I urge my colleagues to support this resolution establishing a Joint Committee on Social Welfare so that we can get on with the task ahead of us.

#### SOME REFLECTIONS ON THE PROBLEMS OF OUR TIME—PART II—THE GREAT ABM DEBATE

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

Mr. BROWN of California. Mr. Speaker, during the past few weeks there has arisen a crescendo of debate over the question of deploying an ABM system within the United States. As with the case of the Vietnam war, the debate did not achieve momentum when the ABM

system was first initiated or authorized, for these events occurred at a considerable time in the past. It achieved momentum only when effects of past decisions began to have impact on individual citizens on a large scale; specifically, when the process of selecting sites near several of our largest cities brought to millions of people the image of nuclear-tipped missiles in their backyards.

Having participated in this debate at considerable length on the floor of the House, and at gatherings throughout the country, I have become keenly aware that beneath the surface of the sea of debate lies an iceberg of issues far more significant than those points which project above the surface. Because it is anticipated that President Nixon will announce a position on this matter shortly—possibly tomorrow—I think it appropriate to comment on some of the underlying issues, continuing the effort I initiated several weeks ago aimed at stimulating thought about basic problems facing our country.

The primary motivations underlying pressures by the military and its corporate and political allies for an ABM deployment include the following:

First, deployment of the ABM is useful in maintaining credibility of overwhelming American power to China, which has a small nuclear force in process of development, and other nations which may achieve such a force within the next generation. This credibility is not a matter of defense, but instead relates to our continuing ability to use conventional power to achieve goals in other parts of the world, escalating the use of that power as felt necessary, without undue fear of nuclear retaliation from nations with primitive nuclear forces. I will develop this point further.

Second, deployment of ABM provides a continuing urgent demand for a larger share of U.S. resources by the military-industrial-political complex. Essentially, this reflects an intrinsic characteristic of any large power system to seek to expand its power. Such expansion creates more jobs and more income, whether for union members, corporation executives, or generals, and it is invariably regarded as an important value. Since these demands also subtract resources from domestic programs—many of which are frequently looked upon with disfavor as being "socialistic" in their effect, at least by some ABM supporters—ABM spending has a double value.

Third, ABM deployment might actually provide protection to some U.S. targets against primitive and limited nuclear attack. This is the most dubious and least important aspect of deployment, although it receives the largest amount of debate. To the military the question of whether the system will actually perform its mission is not of primary importance. ABM serves its purpose if it is thought by our enemies that it possibly may work. Upgrading the system to correct deficiencies will surely provide an almost inexhaustible demand for additional resources.

Fourth, deployment of an ABM system encourages continuing anxiety by citizens about possible nuclear attack, a factor helpful in maintaining the kind of cold war attitudes so profitable to the

military-industrial-political complex. Such anxiety inhibits any possible major shift in policies leading to more peaceful coexistence.

With these motivations held in mind, let us now look more closely at the total ABM deployment question.

The thin ABM system was initially touted by Secretary McNamara, when he reluctantly approved it in 1967, as a defense against a possible Communist Chinese nuclear missile attack threat in the 1970's. This convenient rationalization fits in with current conventional wisdom which regards the Chinese as an aggressive and irrational power with a paranoid hatred of the United States, of a country aching to destroy us.

This has been the U.S. line now for 20 years, ever since Mao Tse-tung defeated Chiang Kai-shek. Prior to that, the Chinese, including Mao Tse-tung, had been respected allies in the fight against Japanese aggression, noted for good judgment and reasonableness.

It is important that we analyze this China threat rationalization for the thin ABM, not only to observe its weaknesses but also to observe its underlying political, strategic and ideological basis for projecting the so-called defensive system by supporters in the Pentagon, the defense contractors and the Congress over many years. If we can understand the underlying basis of their support, it will help us to understand that the ABM system fight is only a skirmish in a much larger war.

It should be obvious that if the Pentagon argues that the Chinese attack threat is real, that massive deterrent power will be of no avail, and that the thin ABM system is the proper response, then there can be no argument simultaneously that the threat of the United States deploying its thin ABM system is useful or necessary to produce negotiations with the Russians for reduction in nuclear missiles. If the Sentinel system is a real answer to a real threat from the Chinese in the 1970's, then it would be a betrayal of American security to use it as a bargaining counter with the Russians—by offering not to deploy it if the Russians will make similar concessions. Yet, this argument is advanced by ABM supporters.

It is likewise obvious that to argue for a thin ABM system requires the Pentagon to deny the effectiveness of our nuclear deterrent against the Chinese in the 1970's. If the deterrent—the knowledge that their country would be completely destroyed if they attacked us—would not deter China in the 1970's, the question naturally arises as to how the Pentagon could argue that the same deterrent threat was necessary and successful in stopping Russian aggression against us in the 1950's and 1960's. It likewise raises the question as to why deterrent threat would be successful again against the Chinese in the 1980's and 1990's, when we recognize that the ABM, thin or thick, would not avail us against any attack capacity they may be expected to have by them.

Every knowledgeable analyst, from the former Secretaries of Defense on down, has agreed that even a "thick" ABM system—at \$40 to \$100 billion—could not

protect the United States against an attack which the U.S.S.R. could mount with its current missile force of around 1,500 missiles. Undoubtedly the Chinese can achieve this level of missile strength within 10 or 15 years. But we are told today by the Pentagon that the Chinese might attack us when they have only a few dozen missiles in the mid-1970's, which a "thin" ABM system could possibly intercept, but that they would not attack when they have 1,000 or 2,000 missiles, because our deterrent strength would again be persuasive.

We occasionally hear yet another argument for the "thin" ABM system. If one is not receptive to arguments that ABM provides a temporary defense against the "irrational" Chinese—or be a useful counter in negotiations with the Russians for nuclear arms reduction—one is asked to buy ABM as insurance against an "accidental" or "stray" ICBM originating in any other country. We are asked if it is not better to spend a few billion to prevent a nuclear accident than to have a major city destroyed, possibly triggering an unwanted nuclear exchange. This becomes a very appealing approach which often moves humanitarian instincts of even misguided liberals.

I do not have access to the infinite array of esoteric data which would allow me to calculate precisely the probability of a nuclear accident in today's world. I can only assume that commonsense still applies to this problem. If so, the probability of a nuclear accident will increase proportionately with the number of nuclear missiles deployed, or at an even greater rate, as the human and technological system of control becomes larger and more complex.

Since the "thin" ABM system requires deployment of more than a thousand nuclear missiles in the United States, under control of an unimaginably complex radar and computer system, "insurance" against an accident will greatly increase the chances of an accident within our own system.

Coupled with this is the universally agreed upon fact that the certain antidote to any ABM system, thin or thick, is deployment of a corresponding number of offensive missiles by the enemy. These can be emplaced much more cheaply than any ABM system, since offensive missiles do not require complex radars which account for two-thirds of the ABM costs. The inevitable result of the deployment of any ABM system by us is, therefore, the deployment by the enemy—any and all of them—of the additional number of offensive missiles which can be calculated will overcome an opposing ABM system. And since the enemy, military calculate just like our military, they throw in an extra margin for contingencies, since costs are so small compared to our defensive costs.

Thus, the net effect of our deployment of a "thin" ABM system, with another 1,000 nuclear missiles, is at least a three- to fourfold increase in the total global number of missiles emplaced during this particular spiral of the nuclear arms race. Our "accident insurance" then becomes, in effect, an "accident guaran-

tee." While we have absolutely no way of knowing for sure that the ABM system would limit the damage resulting from an accident, we can be quite confident that it will increase the probability of an accident by at least one order of magnitude. Again it is difficult to see how a reasonable person, even in the Pentagon, can advance this "insurance" argument as anything more than a screen for their real purposes.

While almost any reasonable person will reject the public rationale given for the "thin" ABM system, it is obvious that there must be motivations of considerable substance behind the massive efforts put forth in its behalf, as I indicated initially. I should like to set out in more detail what are, in my opinion, some of these less frequently discussed reasons.

The military has been actively engaged in an ABM program for nearly 15 years. Estimates of the amount already spent range from \$4 to \$15 billion over that period—depending upon how much of variously named R. & D. efforts are included. Proposals to actually deploy an ABM system have been uniformly rejected by Presidents, from Eisenhower's rejection of the Nike-Zeus deployment in 1959, down to Johnson in late 1967.

Reasoning was generally the same; the system was not proven workable; it would be made obsolete by advancing technology before it was operational; it would escalate the nuclear arms race.

The military, and their allies in the Congress, fought with grim determination for construction authority and funds. Congress actually appropriated moneys for ABM system construction for several years, but Secretary McNamara refused to spend it. In 1967 the Republican National Committee prepared a policy paper on the ABM, which appeared to lay the groundwork for a 1968 election attack on President Johnson for allowing an ABM gap with the Russians to develop. President Johnson, then still a potential candidate for reelection in 1968, did not wish to give the Republicans an issue to attack him with—as Kennedy attacked Nixon with the missile gap issue in 1960—and apparently ordered McNamara to proceed with the thin ABM system as a compromise, but one which would nullify the ABM gap issue if used by the Republican candidate. So, the immediate cause of the present ABM situation is political expediency generated by threats and fears of the 1968 campaign.

Recognition of this element of political blackmail still does not answer questions as to why the Pentagon—the Joint Chiefs of Staff—and a majority of the Congress have fought so diligently for deployment of the ABM system—over the objections of the President and Secretary of Defense, until 1967, and a minority in Congress. If we can come to understand this, we can begin to see the true dimensions of this problem. It is my own belief that the reasons behind the tenacious fight for the ABM are deeply ingrained in the Weltanschauung of the dominant forces in the current American military, political, and economic power structure.

Much as I regret to say so, I believe that the majority of the American peo-

ple, at their present level of understanding of the realities of the world, probably would follow the leadership of these dominant forces. Hence, the problem is one of convincing the American electorate of the falsity of the doctrine which now dominates our course.

I take it as fact that the chief proponents of the "thin" ABM system deployment are in actuality working for deployment of a "thick" system. This was their original objective, which they were willing to compromise, as long as the compromise "thin" system is a building block in the larger system. This is a simple matter of recognizing current fiscal and political realities. A \$6 billion system is easier to sell than a \$60 billion system. It is only a minor disadvantage to become involved in certain logical inconsistencies in justifying the "thin" system and denying interest in the "thick" system. By the time the "thin" system is deployed—around 1975—it will be possible to advance more carefully honed arguments for the "thick" system, and within a political and financial setting which, it is hoped, will provide greater chances for success.

This is by no means dishonesty. This is political realism, a trait with which all Congressmen, and most generals, are quite liberally gifted. All of the protagonists of the ABM system are honest, dedicated, patriotic men, whether they be in the Pentagon, the Congress, or the great corporations which will build the system.

The leaders of this great political-military-industrial complex firmly believe that the American way of life is the best, the greatest, ever developed by the human race. They equate greatness and goodness with power. They believe, as an article of divine faith, that anything which increases American military power is good. While they will generally admit, intellectually, to the relevance of other values than military and economic power, they act on the solid pragmatic basis that might makes right. Those of a different view are regarded as unrealistic, soft-headed or subversive.

As the holders of power in this "greatest of all human societies," they look upon other systems as envious competitors or as mortal enemies. Russia and China fall in the latter category. Hope springs eternal in the power-brokers' breasts that America can ultimately achieve a decisive superiority of power over both of these countries so that adversaries will be unable to present any credible obstacle to the spread of the American system throughout the world. The more generous-minded may concede the right of the Russians and Chinese to organize the life of their own countries as they see fit, but they see the rest of the world as an American vineyard, waiting to be plucked of its fruits.

The ABM is seen to these leaders not as a necessary defense against the destruction of our country, but as a demonstration of our power to remain invulnerable to any offense regardless of what we do to provoke that offense in any other part of the world. Because, up to now, we have felt invulnerable to any Chinese threat against the continental United States, we have felt safe in deploying our military forces in massive

array all around her borders, a situation we would not tolerate if reversed. Thus we have made clients out of most Asian states.

There is no real element of protecting America against aggression in this vast outpouring of support for the ABM. It is, however, a very real drive to maintain America safe from any threat as it pursues the course that devotion to power compels the Nation to take in the world.

Let me cite some very possible examples in scenario form of how this works. We are, or have been, faced with the constant possibility of confrontation with Chinese armies. In the event of a U.S. invasion of North Vietnam—a very real possibility not too long ago—a renewal of hostilities in Korea—we were close to it over the *Pueblo* seizure—or a Red Chinese effort to regain Formosa, we would undoubtedly be involved with the Chinese. Assume that such a development occurs 4 or 5 years from now. Faced with overwhelming numerical superiority, our military would propose using tactical nuclear weapons. The Chinese, now having a nuclear arsenal, would make clear their willingness to retaliate with their short-range missiles. We would, of course, then have to be prepared to destroy major Chinese population centers with nuclear weapons. The Chinese would have 20 to 30 workable ICBM's and would threaten to destroy New York, Chicago, and Los Angeles if any of their cities are hit. This stops the United States cold, because the total value of everything in China is less than the value of New York, Chicago, and Los Angeles.

However, if we have deployed an ABM system to protect cities, this would be the trump card. Even if it would not work, the Chinese could not be sure and hence—according to Pentagon wargamesmen—would not take a long chance on trading Peking for New York—and not getting New York. The real concern of the general's and their allies is not that the Chinese would make an unprovoked, irrational attack, but that they would very rationally calculate that we would never trade New York for Peking, and hence that we would never force a confrontation with the Chinese which could escalate to that level of a trade. Our power to enforce American will around China's borders is vastly reduced if our willingness to escalate to nuclear weapons is no longer credible. An ABM deployment, at least to the generals, continues for a few years longer our ability to maintain the "frontiers of freedom" on the Asian mainland.

Such Pentagon logic can, of course, be generalized to all other countries and all parts of the world. Many emerging countries may soon have a handful of ICBM's. Some, or most of them, may be unfriendly. Egypt, Indonesia, Pakistan, South Africa, Argentina are possible potential examples. Governments change rapidly in the developing world, and tensions between poor and rich nations are on the rise. In this situation a poor nation with the power to deliver one nuclear warhead on New York has tremendous bargaining power in any dispute with rich nations. The advantage of being poor is that your entire country is not worth New York. And we know it. And they know that we know it.

Small, unfriendly countries are not going to try to blackmail the United States into surrendering. At least, I do not think so. Most of them should appreciate the difficulties involved in managing large colonies, since they already have been part of a colonial system. Therefore, they will be reluctant to take on the responsibility of managing the United States. But they will tend to become much more resistant to United States domination of their policies, their resources, their capital, and their culture. Since the United States has acted, in its relations with the rest of the world, as if superior force were the only value, few of these countries will be reluctant to make use of the advantage that a nuclear weapon, combined with poverty, gives them in their dealings with the United States.

The real purpose of the ABM, thin or thick, is to extend for a few more years the illusion of the generals and their friends that the power of the Pentagon can enforce the U.S. policies around the world. That power is aimed today at China and tomorrow at any and all other nations with an embryonic nuclear force. But such power is not credible against the U.S.S.R. and, hence, American posture toward the Soviet is now one of negotiation and noninterference within accepted spheres of influence.

It is not even necessary that the ABM system work for its supporters to favor it. The fact that it is very expensive—in addition to adding to the power of the Pentagon over the allocation of U.S. resources—also makes those against whom it is supposed to function think that it probably will work. Most poor countries have great respect for expensive U.S. technology. The probability that the system might work is really all that enters into the strategic calculations of military minds on both sides. The situation parallels the strategic deterrence theory of our offensive missiles. If we should ever have to use a missile, the system would have failed.

From the U.S. military standpoint, the imperfection of the Sentinel system has certain real advantages. Having spent the money for deployment, there is a natural commitment seen to continual upgrading. There is always a new generation of missiles to replace old ones, more sophisticated radars to be deployed, new cities or other targets to be protected. A world in which war is obsolete, with an ABM system which will never be used and, yet, must always be improved, is the answer to a general's prayer.

The emotions and the illogic generated by the ABM system debate arises ultimately because behind arguments on each side there are diametrically opposed and frequently subconscious concepts of America's role in the world. To ABM proponents, "defending America" is synonymous with extending America's military power. America's free-enterprise capitalist economy and America's technological culture around the world, and minimizing U.S. internal changes in the organization of political and economic power. To ABM opponents, "defending America" means preventing invasion by a foreign power, reducing military presence around the world, tolerating widely

divergent political, economic and cultural systems, and making substantial and even radical changes within our own political, economic, and cultural systems. These two contrasting views clash on a wide variety of issues, involving both foreign and domestic policy. Essentially, this collision of opinions is the major struggle occurring in the politics of the United States today. Hence, the importance of the ABM issue as a test of the direction our country will follow.

It appears that President Nixon, being a prudent man, may attempt to compromise the difficult issues at stake in this conflict over the deployment of an ABM system. One such compromise would be to make a decision to deploy the system only around our Minuteman missile sites, leaving the cities alone for the present. This would reduce the urban objections, which are emotionally based and hard to deal with, and could slightly reduce the immediate cost.

Such a compromise is utterly without merit and should be rejected by the public and the Congress out-of-hand. Minuteman installations were designed to survive a U.S.S.R. first strike and still deliver "unacceptable" damage to their population. The sites require no additional protection to do this. No conceivable Chinese attack could possibly affect retaliatory capacity.

Thus, such a compromise denies the original rationalization of a system to protect against China, motivates the Russians to an even greater expansion of offensive missiles to maintain retaliatory balance, and provides not even a pretense of protecting the civilian population. Yet out of such insanity are great political compromises made.

The issue cannot be compromised. It must be won. It will be won if the American people will inform themselves and act.

#### SOUTH CAROLINA TEACHER OF THE YEAR

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

Mr. DORN. Mr. Speaker, Mrs. Agnes Hildebrand Wilson, of the Lincoln High School in Sumter, is South Carolina's Teacher of the Year. Mrs. Wilson is a resident of the district of our beloved, able, and distinguished colleague, TOM GETTYS.

Mrs. Wilson is a great lady who is dedicated and devoted to the cause of education. She is an outstanding and accomplished educator of whom we are extremely proud.

Mrs. Wilson, when presented the award at the annual banquet of the South Carolina Association of School Boards, delivered a superb address which I commend to my colleagues in the Congress and to the American people, as follows:

##### ADDRESS BY MRS. AGNES WILSON

Mr. Toastmaster, Congressman and Mrs. Dorn, Lieutenant Governor and Mrs. West, other distinguished legislators, Members of the South Carolina Association of School Boards, Visiting Friends:

How does one find an adequate medium of expression with which to give voice to a feel-

ing of gratitude which is so profound as to be almost overwhelming! Gratitude for the distinct privilege and signal honor of representing my fellow educators as Teacher of the Year for South Carolina. And it is a distinct privilege; it is a signal honor, the magnitude of which does not escape me even for a single moment . . . Gratitude for the heart-warming response and moral support which have come from my colleagues in education and from fellow citizens in all walks of life from all over this state and nation. The many telegrams, telephone calls, hearty hand clasps and other expressions which are my daily fare are indicative of the basic goodness of the people of this my native state and for their concern for the education of its people.

The news media have been most kind. Reporters from the two Carolinas have found their way to my school and home. You may be interested to know that the United States Office of Information Services sent a photographer to follow the South Carolina Teacher of the Year through a typical school day. The documentary thus assembled is to be distributed for overseas consumption. I cannot fully express the gratification which was mine to have a part in the telling of a story that is Good News about education in South Carolina. So often news that is negative makes the headlines. It is time that we turned the other side of the coin and accentuated that which is positive.

This, I find, is a busy existence with the filling of engagements and the making of appearances all over. So many invitations are extended! And we try to fill as many of them as is humanly possible, knowing full well that every time we do, we are promoting the cause of education. In extending these invitations the people of the state are saying that they want their teachers to become involved in the affairs of the community. They are further giving recognition of the fact that underlying all that makes for growth and development in our commonwealth is education.

Someone asked me recently how it felt to be Teacher of the Year for South Carolina. I replied that the situation completely defies description. That perhaps for the rest of my life I shall be searching for an apt description . . . trying to explain how exhilarating joy and subject humility can at once completely fill the human breast.

It is wonderful to be one of the five national finalists in the Teacher of the Year program, but I felt completely fulfilled in my role of South Carolina's Teacher. I am loyal to my native state. My family, for generations has contributed to advancement and to the development of its citizenry.

Therefore, I have a definite stake in its past, in its present, and by God's grace, in its future.

It is so good to be here sharing the enlightening experiences the annual convention of the South Carolina Association of School Boards. Please accept my sincere thanks for the invitation to attend and for every gracious word and act here accorded me. You are to be commended for the growth which is evidenced by the various reports. For the forward look indicated by your reaching out to include in your membership those who are responsible for higher education. We yearn for the time when educational planning, from kindergarten to university will present a unified, correlated whole. And in this, you are imminently leading the way. On behalf of the teachers of our state, let me say a hearty "Thank you" for the legislative program which you have adopted and for the able support which you are giving to our day by day efforts—both as a state body and as local school boards in our several communities.

Especially do I want to thank those who prepared the program for arranging that my school district superintendent, Dr. L. Currie McArthur should present me for these remarks. Whatever might have been mine by way of success as a teacher in the Sumter

City Schools is due, in large measure to him. He is the kind of administrator who supports, undergirds, and encourages teachers to grow. He invites innovation and creativity in the classroom when he is convinced that the procedure is sound. He is blessed with unique preceptive insight into the needs of persons and groups. For these reasons his name is synonymous with progress throughout South Carolina and in the nation.

Some years ago, before the Audio-Lingual approach to language teaching was an accepted technique, I decided to experiment a bit by way of enlivening my classroom work. While in the midst of a rather voluble session, seated in the middle of the room beside a tape recorder with the students gathered around me having the time of their lives, I was astonished to observe that Dr. McArthur was quietly observing from the door. Although dubious as to the kind of impression this was making upon him, I decided that we might as well continue since we had been discovered. Some little time later, I was called into the office of my principal. I waited to hear the worse. To my surprise, he informed me that the superintendent, having observed our efforts earlier in the day, had called to inquire as to whether I could get along with a half language laboratory until sufficient money could be found for the installation of a complete facility. Our local school board, unquestionably the best in the state, makes it possible for him to so undergird and support us in our work with the young people of our community.

Very recently, I came upon an explanation of the teacher's role which so gripped my attention that it has dominated my thinking ever since. Said the writer, "A teacher's role is to open the way for the imprisoned splendor which reposed in each individual, to escape and find expression."

This says, then, that it is for us, in our dealings with our students, never to lose sight of the fact that hidden splendor is THERE. Very often the child himself may be unaware of it and in his every action, seem to deny its existence. But like the patient prospector, the teacher, firmly but gently works away at the dross until the glimmer of pure gold eventually rewards his efforts.

Did you see the television version of the Helen Keller-Ann Sullivan story recently? Recall the climactic moment when the dark shutters of Helen's mind were released and the light of knowledge flooded her intellect, radiating through her entire being. Remember how she became another person entirely and how, even though mute, through eloquent motion and gesture she proclaimed to all around her, "Now I know . . . I know . . ."

This had been a favorite story of mine ever since my early childhood. Even before I could read, my mother told us the story of Helen Keller and her marvelous young teacher whose patient persistence was to make her immortal. In spite of my familiarity with the events, I sat misty-eyed before the television set the other night as I mused:

"Is this not, after all, the nature of the day to day efforts of every teacher who is sincere about his task? Our problems are not so dramatic nor our results so spectacular. But slowly, sometimes very slowly, almost imperceptibly, the hidden splendor of our precious charges emerges as we guide, encourage, cajole and sometimes almost drive them to their best achievement.

Being a teacher of French in a school in which we have a four year sequence, it is sometimes my good fortune to follow a youngster from the ninth grade through the twelfth. What a reward to see the slow, fidgety or recalcitrant child grow into poised and secure young adulthood!

And having revealed his hidden splendor, we must show him how to reach for the stars. This is where the element of inspiration which is so much a part of teaching, must come into the picture. We cannot follow our boys and girls into adulthood, nor would we if we could. Therefore, we must,

while we have the chance, help them to see that education is a lifelong process which is merely begun in school. That to live is to learn and to learn is to live. That he who allows his mind to become closed and his ideas to calcify is almost worse than dead. Our job is to teach them to reach and to somehow, make them want to keep on reaching. This is the job of education in the 60's, the 70's and all the time thereafter.

**"TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT: A REVIEW AND A FORWARD LOOK, 1969"—FOURTH ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN**

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

Mr. BRADEMAS. Mr. Speaker, the House Committee on Education and Labor is presently considering legislation to extend the life of the historic Elementary and Secondary Education Act.

In the 1967 Amendments to the ESEA, Congress asked for a report from the National Advisory Council on the Education of Disadvantaged Children on the operation of title I of the act, the title which is aimed at improving educational opportunities of educationally deprived children, and on other compensatory education programs.

A few weeks ago, the Council issued its fourth annual report, which is a review of title I of the Elementary and Secondary Education Act, together with a series of recommendations for improving this program and generally improving the education of disadvantaged children in the United States.

Mr. Speaker, I insert at this point in the RECORD a fact sheet summarizing the principal findings of the Council, followed by the letter of transmittal and the first four chapters of the report.

I here note that subsequent chapters and appendices discuss several successful programs in educating disadvantaged children, provide some comparisons of successful and unsuccessful programs, and describe some committee case studies on the impact of title I on non-public-school children.

The material follows:

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN, 4TH ANNUAL REPORT, JANUARY 27, 1969—FACT SHEET

To the new President and a new Congress, the Council expressed the following concerns about Title I of ESEA:

**Level of Funding.** Cutbacks in funding combined with the increasing cost of education have resulted in an estimated \$400 million less for disadvantaged pupils in local schools this year than was available in the first year of the program. The Council urges that the gap be closed between the current one billion dollar appropriation and the \$2.7 billion authorization.

**Continuation of Title I.** Urges that Title I be continued substantially as now written and funds for disadvantaged not be turned over to states for distribution at their discretion.

The Council also urges long-term legislative authority in Title I; the adoption of high quality programs while maintaining local control of the schools; concentration of funds on a limited number of pupils; com-

munity and parental involvement in Title I; and imaginative and firm leadership in school desegregation.

RECENT STUDIES

**Foundation for Success in Compensatory Education Programs.** The Council summarizes 21 compensatory education programs of proven success and isolates components distinguishing successful programs from unsuccessful ones.

**Participation of Nonpublic School Children in Title I Programs.** The Council reports that State laws, poor cooperation on the part of public school officials, and reticence or apathy among nonpublic officials, are depriving some nonpublic school children of Title I benefits.

**Health Programs.** Finds that 80% of Title I programs now include a health component, in some cases providing children with medical and dental care for the first time in their lives.

OVERALL EVALUATION OF TITLE I

The Council states that "limited evaluations of Title I programs . . . have prevented any overall statistical evaluation of the first years of Title I on a nationwide basis." Urges dissemination and replication of those programs proven successful.

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

Washington, D.C., January 27, 1969.

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

HON. SPIRO T. AGNEW,  
President of the Senate,  
Washington, D.C.

HON. JOHN W. MCCORMACK,  
Speaker of the House of Representatives,  
Washington, D.C.

SRS: I am pleased to transmit to you the Annual Report of the National Advisory Council on the Education of Disadvantaged Children. This is the 4th Annual Report, and the 6th Report in all, submitted by the Council since its creation in 1965.

In the present Report, the Council responds to the Congressional request, contained in the 1967 Amendments to the Elementary and Secondary Education Act, that successful Title I and other compensatory education programs be identified. In addition, the Council reports here the results of its study of the involvement of nonpublic school children in Title I, and of its study of the impact of Title I on the health needs of disadvantaged children. Finally, inasmuch as this Report is submitted to a new President and a new Congress, the Council has summarized its major continuing concerns about Title I and the education of disadvantaged children in our land.

Respectfully yours,

O. MEREDITH WILSON.

TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT: A REVIEW AND A FORWARD LOOK, 1969—FOURTH ANNUAL REPORT, THE NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

I: TITLE I AND THE NATIONAL ADVISORY COUNCIL—A REVIEW AND FORWARD LOOK

In both the financial and political senses, Title I of the Elementary and Secondary Act of 1965 (ESEA) represents a tiny part of the awesome responsibilities facing the new President and a new Congress. It accounts for only \$1 billion of a \$185 billion budget, and constitutes only one component of the hundreds of laws which the Administration must supervise.

Comparatively modest as the financing and scope of Title I are, however, we believe that this single piece of legislation overshadows all other federal aid-to-education laws in importance, for it strikes one of the earliest and potentially most effective blows at the self-perpetuating cycle of poverty in the United

States: poor family-poor education-poor job-poor family. Last year, it touched the lives of 9 million American children. Thus Title I continues to represent an enormous amount of hope for those of our youngsters who are held back in their learning efforts by poverty and its attendant deprivations—social, cultural, and physical. As we observed in our first report to the President on March 31, 1966, ". . . unless the children of our land can be freed from the chains of disadvantage which bind them to a life of hopelessness and misery, battles may be won in the War on Poverty, but final defeat will be inevitable."

ESEA was passed on April 11, 1965. Funds were first made available to local school systems on September 23, 1965, after the 1965-66 school year had already begun. Hence this report follows only the second full year of operation of Title I, even though the program is in its fourth fiscal year as the federal government reckons the legislative calendar.

The same law that created Title I created the National Advisory Council on the Education of Disadvantaged Children, directing it to review the administration and operation of Title I "including its effectiveness in improving the educational attainment of educationally deprived children." In our five earlier reports to the President and the Congress, we have attempted to assess—as private citizens with no personal stake in the law other than social and moral concern—the impact and deficiencies of Title I as well as those of compensatory education generally. And as a new Administration and a new Congress begin, we believe it important not only to present our latest findings, but also to review some of our continuing concerns about Title I and the factors that prevent it from realizing all the promise its framers envisioned.

Some of our earlier observations about deficiencies in the law or its administration have led to remedial action by the Congress or Executive branch; others still require attention. We summarize those concerns under ten headings—three having to do with studies recently completed under the auspices of the National Advisory Council, and seven with matters which were raised in the past but continue to concern us now.

Recent studies

Evaluation

It has long been clear that the mere addition of people, equipment, and special services does not by itself constitute compensatory education; success in making up for the educational deprivation which stems from poverty requires a strategy for blending these resources in an integrated program that strikes at both roots and consequences of disadvantage.

The details of this strategy, however, have by no means been clear. For one thing, we still have not had sufficient experience with Title I, or compensatory education programs generally, to be able to fully and fairly evaluate their potential. For another, the limited evaluations of Title I programs, together with the wide variation in content and quality of data submitted to the Office of Education, have prevented any overall statistical evaluation of the first years of Title I on a nationwide basis. In turn, lack of data that is at once widely comprehensive and genuinely comparable has made identification of the components of successful compensatory programs most difficult.

What is clear is that among the thousands of different programs and approaches labeled as compensatory education, some efforts are paying off and others are not. Some of these programs can be evaluated in terms of positive, easily identifiable changes such as improvement in reading scores; in this report the Council identifies a number of such programs which have been proven successful by such measurements.

Yet reading scores are not the only criteria for measuring the effectiveness of a Title I program. They do not, for example, offer any

index to the value of providing a far-sighted child with glasses, or of feeding a hungry child, or of changing a youngster's attitudes toward school from suspicion and hostility to pleasure and interest. It may be, indeed, that favorable attitudes toward schooling constitute much of the "head start" which a youngster from an advantaged home takes to the classroom with him, and which the disadvantaged boy or girl typically lacks.

The Council believes, in sum, that educators must refine their methods of measuring "success" and must at the same time identify, disseminate and replicate programs that have been demonstrated successful by present evaluation techniques. Only in this way can we hope to improve the overall quality of the Title I effort.

This report presents the results of two studies conducted by the American Institutes of Research into a) successful Title I programs, and b) the components that distinguish successful programs from unsuccessful ones.

As a result of these studies the Council recommends that:

1. The U.S. Office of Education should augment its ongoing Title I information process by engaging in a special effort to disseminate examples of demonstrably successful compensatory education programs—such as those in Part V of this report—to be used as touchstones for other programs.

2. The Office of Education should explore both administrative and legislative means of rewarding well-designed, successful programs and providing incentives for their expansion and implementation by other schools.

3. The Office of Education and state departments of education should cooperate in establishing Title I spending priorities which reflect examples of proven success or suggested failure.

4. The Office of Education and state departments of education should cooperate in developing criteria for more uniform, comparable evaluation data than are now submitted by local Title I programs so that more informed judgments can be made about which programs are working and which are not.

5. Professional educators and social scientists should intensify review of current achievement tests to further reduce "culturebound" components that are biased against the disadvantaged child and conceal indications of his true, latent ability.

6. These professional should also move beyond purely cognitive achievements tests and into other realms—self-concept, creativity, motivation, behavior—where compensatory education may have equally important long-range results.

#### Participation of Nonpublic Schoolchildren

ESEA requires that compensatory education programs be established for disadvantaged children in nonpublic schools to the extent consistent with the number of such children. There is cause to question whether, in fact, the number of parochial and other nonpublic schoolchildren participating in Title I projects is consistent with their number. If not, the next essential question is: why?

The Council has sponsored a detailed study of the participation of nonpublic schoolchildren in Title I and reports its findings in Part III of this report. Those findings lead us to these recommendations:

1. The Office of Education should designate a single, visibly placed official to monitor all aspects of Title I participation by nonpublic schoolchildren.

2. The state departments of education and affected public and nonpublic school systems should also designate a person with the time and resources to oversee the participation of nonpublic schoolchildren in local Title I programs and to provide liaison between public and nonpublic school officials.

3. The Office of Education should continue

to urge the involvement of nonpublic school officials in the planning and evaluation of local Title I programs.

4. The U.S. Office of Education should publish in *one document* all the regulations concerning the participation of nonpublic schoolchildren in Title I programs and should disseminate this document to local Title I coordinators in addition to state education officials.

5. Model program examples of successful participation of nonpublic school pupils should be widely disseminated.

6. The Office of Education should review the methods for identifying eligible children and for establishing project areas to prevent the disproportionate exclusion of disadvantaged, nonpublic school children whose attendance-zones do not coincide with those used by public schools.

7. Where services to children justify it, there should be an increase in shared time programs.

#### Health Services

The provisions of Title I were purposely broad, allowing local education officials to use Federal funds for virtually any service that would reduce disadvantage. Where health needs are not otherwise being fully met, and where educators realize the crucial connection between good health and ability to learn, Title I funds have played an increasingly important role. Today they provide disadvantaged children valuable health services such as physical checkups, nutritional programs, the provision of eyeglasses, and even major medical and dental care; a Council study of 60 Title I programs suggests that, in contrast with a much smaller percentage in the first year of the program, 80 percent of local projects now include a health component. Generally, health services account for 5 to 20 percent of local Title I expenditures. Title I has especially helped to meet the need for early detection of health defects, and to a lesser extent has helped to provide correction of such defects. In some instances, Title I has given children from poor families medical or dental treatment for the first time in their lives.

The Council can but endorse this use of Title I funds. Still, because Title I funds are so limited the Council feels it important for local officials to develop a keen sense of priorities in allocating funds designated primarily for educational purposes.

Our detailed views on health expenditures are expressed in Part IV of this report; at this point, we summarize our recommendations:

1. The Office of Education should call the attention of state and local Title I personnel to the full range of possibilities for using Title I funds to diagnose and treat health disorders.

2. Meanwhile, Title I planners at the state and local levels should be encouraged to investigate the availability of health services from sources other than Title I, so that the provision of necessary health services for disadvantaged children will not unnecessarily diminish the already slender resources available for compensatory education.

3. Title I planners should focus their funds on those whose needs are greatest.

4. Professionals in health and education including Title I planners, at national, state, and local levels should investigate the use of para-professionals for tasks which, while related to health care, do not require professional qualifications.

#### Continuing concerns

##### Continuation of Title I

One of the issues regularly arising from ESEA has been that of preserving the separate titles in this legislation. Earnest and conscientious arguments have been advanced to support a policy of "bloc" grants to the states, leaving to them all decisions regarding the allocation of these supplementary federal funds.

The Council has considered these arguments carefully over the three years of its existence and has stated its position on this subject in earlier reports. After carefully re-examining the present situation, the Council still believes that the continuing high urgency of devoting "more than equal" attention to the education of disadvantaged children calls for *unrelenting and specific* investment of federal funds.

In effect, Title I now operates as a kind of "bloc-grant" to the states, with the funds being spent in any way the state approves as long as they are spent on the disadvantaged. But the Council believes that any change that would further shift the responsibility to the states for distributing education funds would—in many states and possibly in all—diminish the impact of this necessary investment in the education of disadvantaged children.

The Council's position is not based on preconceived theories but on hard data which show that state distribution of funds rarely, if ever, favors those sections of the state with the greatest concentration and number of educationally deprived children—the central cities. Despite a declining tax base and a high rate of effort, in 1962 central cities received \$40 less in state aid per pupil than their suburbs, even though the suburbs were spending \$145 more per pupil than the central cities.<sup>1</sup> More recent data suggest that this trend is continuing. For example, central cities in New York's six metropolitan areas received an average of \$100 less per pupil in state aid during 1966-67 than did the county or counties in each area.

It is possible that at some time in the future, federal funds for elementary and secondary education will be sufficient to support a wider range of efforts, aimed at more varied needs. For the present, however, the Council believes that Title I funds are now aimed at the single, highest priority educational target—concentrations of disadvantaged children—and that it would be unwise to permit any diminution of effort through the relaxation of Congressional direction.

The Council recommends, therefore, that Title I of ESEA be continued substantially as now written.

#### Level of Funding

The Council is distressed at what appears to be a weakening federal commitment to the education of disadvantaged children. This is best evidenced by the \$68 million cutback in funding of Title I from \$1.191 billion last school year to \$1.123 billion this school year.

This cutback, combined with the continuing increase in the cost of education, results in an estimated \$400 million less for disadvantaged pupils in local schools this year than was available in the first year of the program.

We are deluding ourselves if we think we can make an impact on education of the disadvantaged without providing the necessary resources. To meet rising school costs by decreasing Title I appropriations speaks poorly for a nation which has generally prided itself on the quality of its schools and has specifically promised to rescue the unfortunate few whom traditional education and present educational resources have failed to propel into America's mainstream.

A noted educator's recent statement of the issue coincides with, and cogently summarizes the Council's view:

"It may be argued that simply more resources will not solve the educational problems. . . . There is much uncertainty about how educational disadvantage can be overcome. One thing, however, is clear. It cannot be done cheaply. . . . To substitute educational experimentation and innovation for in-

<sup>1</sup> Carnegie Quarterly, Vol. XIV, No. 4, Fall, 1966.

creased resources is to sentence those experiments and innovations to failure."<sup>2</sup>

The Council, therefore, recommends that the Executive and Legislative branches move as quickly as possible to close the gap between the Title I appropriation and the authorization of \$2.7 billion.

#### Continuity of Effort

Like the other parts of the Elementary and Secondary Education Act, Title I has been almost continually before the Congress for refinement and renewal. Uncertainty about the program and its funding has hurt the effectiveness of Title I, especially since the first two appropriations came after the school year had already begun, and school administrators had already assigned their personnel to other duties. Doubt about the continuing availability of funds inevitably results in a lower-grade staff for Title I projects (some administrators have declared that they would not assign their best teachers to "a program that may go bust any time"), a preponderance of single-purpose programs not integrated with the regular school curriculum, and a minimum of basic changes or improvements in the total curriculum for disadvantaged children.

We observe that the Morrill Land-Grant Act has been in operation for 106 years, and that state universities have received annual appropriations under it ever since. That Act was the result of a great national need; the needs reflected in Title I are certainly as pressing and possibly more basic than those of our higher educational institutions. We must have the courage to recognize that a successful attack on poverty through improving the education of poor children will be measured in decades, not Congressional sessions.

Because of the damage done Title I by annual uncertainty among school officials, we recommend consideration of long-term legislative authority so that educators can plan for the unremitting effort that Title I must receive if it is to fully succeed.

#### Quality Control and Local Control

Though funded by the federal government, Title I projects are designed by local school systems and approved by state departments of education. It is not the prerogative of the U.S. Office of Education to pass on each project.

Title I is, as the Council has often noted, a highly decentralized program; thus it is not surprising that the educational value of Title I projects differs widely. Some are imaginative, well thought-out, and demonstrably successful; other projects exemplify a tendency simply to do more of the same, to enlarge equipment inventories or reduce class size by insignificant numbers. In the face of such varying results, the U.S. Office of Education—recognizing the importance of respecting local autonomy and leaving final approval to the states—has found no way except through the issuance of basic criteria and through exhortation to try to ensure sound projects or to secure revision of projects of low quality. Unhappily, even the basic federal criteria are sometimes misperceived or ignored at the state and local level.

The members of the Council do not in the least question the principle of local control; they believe, moreover, that the freedom for initiative given local school districts by Title I is a powerful force for improving education through programs tailored to the individual needs of individual communities. The American taxpayers, however, have a right to demand that the revenues they provide are spent wisely, and American children have a right in social justice to the maximum benefit available to them from limited funds.

Hence the Council recommends 1) that

the U.S. Office of Education fully utilize its existing authority to establish basic criteria for ensuring high quality programs; 2) that USOE work with the state departments of education to improve the monitoring of programs and ensure, by withholding funds if necessary, that the basic criteria are being followed at the local level; and 3) that the legislation be examined to see whether amendments are required to strengthen the basic criteria authority.

#### Diffusion Versus Concentration

Disadvantaged children invariably suffer from a number of forms of deprivation, not just one; they do not need new textbooks or medical care or adequate nutrition or a reduction in class size, but all these and other educational remedies together. Success with these children, in sum, requires a concentration of services on a limited number of children.

Owing partly to political pressure and partly to a normal human desire to do something for as many children as possible, many school administrators have spread their limited funds over very large groups; the average Title I expenditure per child during 1965-66 and 1966-67 was \$96 and \$99 respectively—hardly enough to make a significant difference. In consequence, while the young beneficiaries might have a hot lunch for the first time, all their other handicaps go untouched, and Title I funds—while spent for entirely worthy purposes—have simply failed to achieve the overall purpose of the legislation.

The Council again calls for adherence to the principle of concentrating funds where the need is greatest so that a limited number of dollars can have genuine impact rather than being dissipated in laudable but inconclusive efforts.

We further recommend that the Office of Education assist the states in gaining compliance from local school districts with the regulations and guidelines on concentration of resources.

#### Parental and Community Involvement

No school or program can by itself hope to overcome the manifold effects of disadvantage. A youngster spends at most six hours a day in school; the rest of his waking hours are learning hours, too, and compensatory education cannot outweigh the influences of the home and the neighborhood on a child.

This means that if Title I is to be successful, it must be part of an alliance between parents, community residents, and educators. Parents must understand what the school is trying to achieve, so that they can extend the effects of compensatory education by encouraging learning at home. Other local adults can frequently supplement project funds with their own resources of interest, inventiveness, and special ability. Parental and community involvement represent a way of harnessing the voluntary spirit—which has always been a remarkable feature of American life—to expand the benefits of limited Title I funds.

We commend the Office of Education's recently issued policy guidelines suggesting the establishment of local advisory committees to enable parents and other citizens of the local community to become involved in the planning, operation, and appraisal of compensatory education programs. We further urge state education agencies to encourage and assist local school districts in implementing the principle of parent and community involvement in Title I programs.

#### Compensation and Desegregation

In various sections of the country, the Council has noted a tendency by some school administrators to view Title I as an alternative to school desegregation. This tendency is not always motivated by racial bias or bad faith, but may result from genuine puzzlement; as the Council noted in its 1968 annual report, "the obstacles to desegrega-

tion have been so discouraging that some community leaders are now coming to rely almost solely on compensatory education to save the educational lives of children in impoverished ghettos."

The "obstacles to desegregation" remain as discouraging today as they were 12 months ago, and we can offer no quick solutions to a problem which has baffled wiser men. Indeed, as with many difficult tasks facing the nation, we might well abandon any search for quick solutions and simply accept the fact that desegregating our society will be a tedious, painful, and most demanding job for at least a decade to come.

But with specific reference to the schools, we can only state again that school desegregation appears to have a genuine educational value of its own by giving disadvantaged, minority children the benefit of intellectual and social stimulation from more fortunate classmates. Though not conclusive, the evidence we have—particularly the massive *Equality of Educational Opportunity* survey, popularly called "The Coleman Report"—indicates that a proper degree of school integration aids the learning of socioeconomically deprived children without diminishing the achievement of socioeconomically advantaged children.

The Council recognizes the complexity of the task, including the difficulties in various localities of carrying out the Supreme Court's mandate to desegregate the schools. We believe that solid progress toward a just society was made by the outgoing Administration and recognize that this progress was achieved only at the expense of social conflict and national anguish. We can only urge the new Administration to offer, on the one hand, a fresh, imaginative leadership in school desegregation and, on the other, to refuse to back down on this nation's sometimes agonizing but ever-necessary commitment to equality of opportunity.

In particular, we reiterate our conviction that school desegregation and compensatory education are not an either-or proposition, but are mutually complementary actions which can lose much of their effectiveness in isolation from each other. And this, in turn, leads to our single program recommendation:

That federal, state and local officials exercise their responsibility to prevent Title I from being used as a negative incentive—one that prolongs segregation—by ensuring that disadvantaged children retain their Title I benefits when transferred to schools whose student populations consist of socioeconomically advantaged children.

#### Conclusion

These ten topics do not complete the list of problems which the Council has identified since its first report was issued in March 1966. Many other matters—early childhood education, for example, and summer programs—are of great importance to the success of Title I. The subjects outlined above, however, seem to us to deserve the early attention of a new Administration and a new Congress as they review accomplishments and needs, and move to establish new priorities for government and society as the effort to meet those needs goes forward.

#### II. FOUNDATIONS FOR SUCCESS IN COMPENSATORY EDUCATION PROGRAMS

Though both compensatory education programs and the concept of "compensation" itself pre-date federal initiatives in this field, it was Title I which first gave such programs national visibility. Moreover, Title I added an important dimension to earlier state and local programs in that it required evaluation; those who framed the law insisted that an effort be made—usually by the local directors of Title I programs—to measure the results of this novel federal expenditure.

Critics of early reports on compensatory programs, whether federally funded or not, suggested that many of the "benefits" claimed—new equipment, for example, or

<sup>2</sup> Alan K. Campbell, "Matching Resources To Need," a paper presented at the Semi-annual Meeting at the Committee for Economic Development, Nov. 14, 1968, p. 13.

slightly smaller classes—related more to teacher pleasure than to pupil gain. In some cases, reports which claimed significant pupil achievement soon after a program was established had to be modified later, after more time had elapsed. The "self-analyses" of Title I and other compensatory programs sometimes demonstrated more wishful thinking than hard evaluation.

Though Title I evaluations are becoming more sophisticated and helpful each year, the results of the testing effort remain mixed to date. Different evaluators have pronounced the same program both successful and unsuccessful. It was against this background of scattered testing and often confusing results that Congress, in its January 2, 1968 amendments to the ESEA, requested the National Advisory Council to report a year later on programs which hold "the highest promise of raising the educational attainment of these educationally deprived children."

The Council has attempted to meet this request in two ways:

First, by presenting in the Special Supplement (Part V) to this report summaries of 21 compensatory programs which have produced significant pupil achievement gains in language or numerical skills.

Second, by trying to discern those components which distinguish successful and unsuccessful programs.

The 21 programs described in the Special Supplement (Part V) were identified by the American Institutes of Research under a contract with the U.S. Office of Education's Office of Program Planning and Evaluation and under the cognizance of the National Advisory Council. AIR compared the successful and unsuccessful programs under a second, separate contract with the National Council alone.

Because educators and testers frequently disagree on the criteria for a successful program and about what "significant improvement" means, it is important to state here the definitions and criteria used by AIR:

1. Only compensatory programs whose directors had measured achievement through standardized tests were included in the AIR report. Ratings, classroom grades, and even special tests prepared by teachers were considered too unreliable and subject to bias by program personnel to provide an accurate index to achievement gains.

2. An improvement in achievement scores was not considered sufficient by itself to identify a "successful program." The achieved gain had to exceed that made by a control group over a comparable period of time, or that to be expected on the basis of normative data, and had to be statistically significant.

3. The terms "successful" and "unsuccessful" have a highly restricted meaning as used in this report; they denote only programs which produced pupil gains in language or number skills. If, for example, a program succeeded in improving pupil attitudes but failed in the formal, "cognitive" or academic area during the period observed, it was considered unsuccessful.

4. "Language skills" meant achievement in such areas as reading, speaking fluency and word recognition; "number skills" usually implied arithmetic and, in some cases, mathematics.

#### Methods, procedures, and limitations

Since judging a given compensatory program to be a success or failure is as delicate a process for the evaluator as it is painful for the director whose program is being evaluated, some additional observations about AIR's study must in justice be offered here.

In selecting the 21 programs described under the original USOE contract, the American Institutes of Research screened 1,000 compensatory programs, collected detailed data on 400, and actually visited 98. Of the 400, about 100—in addition to the 21 successful programs—were considered suitable for the second, National Advisory Council study. Of that 100, in turn, 25 yielded suffi-

cient data for AIR to describe them as "unsuccessful" by the definition given above.

The next problem in distinguishing the factors that made some programs successful and others not was to match the successful and unsuccessful programs by objectives and age of pupils. Simply put, this was a matter of ensuring that apples were not compared with oranges. In matching two programs, AIR did not require that the objectives be identical in content or level of specificity; AIR and the National Council believed that a similarity in major purpose—improving reading skill, for example—would permit a valid comparison. Analogously, though it was clearly improper to compare a secondary school program with one aimed at preschool pupils, it seemed reasonable to match a program for first-graders with one for third-graders.

Program data for the comparisons were collected under four headings: (1) program objectives; (2) students served; (3) cognitive achievement gains; and (4) program components.

Under "objectives," the analysts described briefly what the experimenters in each program intended their students to achieve. The actual process, treatment or method was at this stage considered of secondary importance. If, for example, one program used dramatization to help children read while another used teaching machines for the same purpose, the goal was specified under this heading and the respective method treated elsewhere.

Under "students served," the analysts described as comprehensively as possible the ethnic backgrounds, socioeconomic status, and numbers of students involved, as well as any special criteria used to select students for each program. Many programs operated for more than a year, serving successive groups of students. To take this changing population into account, the analysts specified the group to which each evaluation referred, and sometimes based an evaluation of success or failure on a single year's operations.

Under "cognitive achievement gains," the analysts considered only those indicated by standardized tests, as mentioned above.

Finally, the "program components" refer to distinctive teaching methods, health or educational services, and other elements that made up an individual program and gave it its character.

As a result of this matching process, the AIR had to eliminate two of the 21 successful programs for comparison purposes simply because no comparable, "unsuccessful" program could be found. In the end, nine successful programs were compared with two unsuccessful programs each, and nine more successful programs compared with one unsuccessful counterpart each.

#### The subjective element

Having defined their special meanings and procedures as carefully as possible, AIR research analysts (and the National Advisory Council) recognize the essentially judgmental aspect of any appraisal such as this report offers. They acknowledge that biases or special perspectives developed over a period of time—mainly in connection with related studies—may have influenced their analysis of the data in question.

The data themselves, being stated as facts and figures, have every appearance of objectivity; nevertheless, placing these data in the appropriate category required subjective judgment on occasion, for some categories were more susceptible to bias or special interpretation than others.

The program component "team teaching," for instance, might be defined broadly to include any attempt by two or more teachers to share the instruction of their classes; on the other hand, it can be validly restricted to programs in which a proper team was established, regular meetings of the team held, and the duties of each member of the team

clearly defined. Though the analysts preferred the latter, accurate definition, the data sometimes demanded a definition more like the first.

Also, the data alone were not always adequate for drawing conclusions from comparisons. The analysts were dealing with probabilities rather than certainties, and often had to choose the most likely explanation of a given result rather than being able to fix on a certain scientifically proven cause. Hence, the suggestions offered here as to the foundations for success in educating disadvantaged children represent reasonable, analytical judgments rather than irrefutable demonstrations.

The programs described in the Special Supplement do not, of course, represent the universe of successful compensatory programs. The U.S. Office of Education estimates that there are about 20,000 Title I programs now in operation; in addition, there are many more compensatory programs funded by sources other than Title I. Because of the Council's time and resource limitations, AIR could examine only a small portion of the total; those described in the Special Supplement do, however, seem to represent accurately the kinds of programs which have been demonstrably successful.

#### Results and comments

Appendix A of this report illustrates one of the comparisons that AIR made between "successful" and "unsuccessful" programs. The suggestions that follow—concerning those elements of compensatory education programs most likely to produce significant gains in pupil achievement—are drawn from the entire series of 18 comparisons. Of the 18, 4 were at the pre-school level, 10 at the elementary, and 4 at the secondary.

From the pre-school comparisons, it is fairly clear that:

A program of less than two months' duration has little value at all;  
Teacher training is essential; and  
Objectives must be clearly defined in advance.

The successful pre-school programs all had certain features in common: careful planning, including the definition of academic (cognitive) objectives; teacher training (usually including frequent reviews of the program); and much use of small groups. Materials were selected carefully for their relevance to program objectives. Two programs stressed diagnosis of individual pupils' needs, three limited their curriculum and methods strictly to what was needed to achieve the objectives and meet the needs, and one removed competing stimuli from the classroom. Parental involvement featured as important in only one of the successful programs. To summarize the comparisons, success in pre-school programs seemed to be founded upon:

Careful planning, including statement of objectives;  
Teacher training in the methods of the programs;

Small groups and a high degree of individualization; and

Instruction and materials closely relevant to the objectives.

At the elementary level, ten comparisons were drawn. Instruction irrelevant to the stated objectives of the programs seemed to be the most frequent reason for failure at this level. No success factor was common to all ten of the comparisons, but academic objectives clearly stated and active parental involvement seemed to be most important, followed by a high intensity of treatment (that is, pupils were given many hours in the program), an emphasis on directly attacking pupils' problems, and the use of reading specialists, small groups and individual tutoring. Also important at this level were teacher training and the supervision and training provided for aides. While the patterns are not so marked, it seems that success in compensatory programs at the elementary level largely depends upon:

Academic objectives clearly stated;  
Active parental involvement, particularly as motivators;  
Individual attention for pupils' learning problems; and  
High intensity of treatment.

In the four secondary school comparisons, the concomitants of failure were fairly obvious: programs failed because they were too "diluted," had very loosely structured objectives, or too wide a range of goals. An academic emphasis was missing from several of the unsuccessful secondary programs. Those that succeeded all had clearly stated academic objectives, often based on individual diagnosis, and incorporated tightly controlled teaching linked to these objectives; small group work was important in two. Successful programs at the secondary level seem to be founded upon:

Academic objectives clearly stated;  
Individualization of instruction; and  
Directly relevant instruction.

Far from being dramatic, the results of this study are perhaps not even surprising. In general, the factors consistently identified with successful compensatory education programs and consistently lacking in "unsuccessful" programs might have been advanced on the basis of theories of good management or common sense. But the results are nonetheless of real importance in two directions:

*On the negative side:* The analysis repeatedly showed that real compensatory education does not result from the mere addition of personnel, or equipment, or special services. Any of these elements can contribute to success if they are carefully integrated into a well-planned program and made relevant to the program's objectives.

*On the positive side:* The first requirement in planning programs to overcome learning retardation is to establish clear goals, specific academic objectives; the second is to concentrate attention and resources on those objectives.

The latter result has implications that should be raised: It is largely on the basis that private enterprise would operate education programs by relating methods to goals that the recommendation is made with increasing frequency to "farm out" compensatory education programs to business firms. The merits of such proposals are considerable, but there is no reason why schools cannot identify targets and marshal resources with equally successful results—if they understand the needs and procedures and have the will.

It must be stressed again, however, that the AIR comparisons termed "successful" only those programs which emphasize cognitive gains. And this point leads to a question which the Council believes is both relevant and important: Should programs for the education of disadvantaged children focus only on cognitive gain? Will an enhanced ability in reading and numbers suffice to enable the children of the poor to break the cycle of disadvantage in which they are caught up? Improving cognitive ability is crucial and perhaps—given the continuing limitation on resources—deserves the highest priority among all those needs which the Council and others have identified as attaching to disadvantaged children. But the goal of cognitive achievement—which seems clearly discrete because it is easily comprehensible—probably will not itself be reached if other needs (such as the health needs elaborated upon elsewhere in this report) are completely ignored.

#### Recommendations

The Council recommends that:

1. The Office of Education should engage in a special effort to disseminate examples of demonstrably successful compensatory education programs—such as those presented with this report—to be used as touchstones for other programs. (The recent OE publication, Profiles in Quality Education, is an ex-

cellent, though long overdue, example of the kind of dissemination activity which needs to be expanded by the Office.) We also urge state and local Title I planners working on continuing programs or new ones to consult with those whose programs have been judged successful, and to examine similar programs whether they are deemed successful or unsuccessful.

2. The Office of Education should explore both administrative and legislative means of providing rewards for well-designated, successful programs and incentives for the expansion of such high quality programs. In this connection, the Office should work with the states to secure their help in establishing Title I program priorities which take into account examples of proven success or suggested failure.

3. The Office of Education, in cooperation with the states, should develop criteria to ensure that the evaluation data submitted be more uniform and comparable than is currently the case. Such criteria would foster more informed judgments, based on comparable and comprehensive information, about the success or failure of education programs for the disadvantaged and about the measurements used to reach these judgments.

4. Professional educators and social scientists should intensify their review of achievement tests currently in use so as to further reduce any components which might be biased against the child of disadvantaged background and hence conceal indications of true, latent ability. We further urge these professionals to move beyond cognitive achievement tests and into other realms—self-concept, creativity, motivation, behavior—where compensatory education programs may have equally important long-range results.

#### III. THE PARTICIPATION OF NONPUBLIC SCHOOL CHILDREN IN TITLE I

Apart from providing the first major federal assistance to public schools in our country, the Elementary and Secondary Education Act of 1965 (ESEA) had added significance in that its Title I offered public aid to disadvantaged children whether they were enrolled in public schools, in private schools, or in no school at all. The public-private controversy attracted considerable attention during Congressional debate on the bill, and practical as well as constitutional questions were raised. But the need was great and obvious, the means were deemed appropriate, and Congress voted for the plan by a strong majority.

The concept of using federal funds to attack educational handicaps of disadvantaged children, whether in public or nonpublic schools, has gained increasingly widespread and solid support since Title I first went into operation. Although ESEA has been amended in 1965, 1966, and 1967, the desire of Congress to help disadvantaged nonpublic school children has remained firm.

Both major political parties have backed the 1965 Congressional vote. The 1968 Democratic platform supported Title I, obviously including the feature of aid to disadvantaged public and nonpublic school children. The Republican platform was quite specific in its endorsement of the concept, urging "the states to present plans for federal assistance which would include state distribution of such aid to nonpublic school children and include nonpublic school representatives in the planning process."<sup>3</sup>

Still, the issue and the practice involved remain delicate matters. Though the constitutionality of Title I is periodically challenged, two other concerns are more commonly raised:

<sup>3</sup> Republican Platform 1968, p. 9. The statement continues: "Where state conditions prevent use of funds for non-public school children, a public agency should be designated to administer federal funds."

First, has Title I, in reaching out to poor children in private parochial schools, been administered consistent with the limitations of the law?

Second, is Congressional intent being frustrated by state and local practices and attitudes so that disadvantaged children in some nonpublic schools are denied help to which they are entitled?

The Council has recognized both concerns. Its first annual report to the President in March 1966 stated that it was necessary "to emphasize the need for most careful attention to the administration of the act in order to protect against violation of our constitutional safeguards, and to insure that needy children in private and parochial schools will receive all the services to which they are now entitled by law."

Discrete studies relating to one or the other of these issues have been undertaken. A study conducted for the Senate Committee on Labor and Public Welfare, and directed by a group of researchers at Boston College, looked at Title I programs in thirty small and large communities.<sup>4</sup> It concluded that participation of private school children varied from location to location, that there was considerable private school dissatisfaction with the level of participation, and that this dissatisfaction was warranted. The study was conducted during the first year of Title I and does not reflect the many changes which have occurred since that time. Nor did it attempt to discover whether the programs it viewed in operation conformed to Office of Education guidelines. It is, however, the only wide-scale examination of this aspect of Title I attempted before the present study.

Professor George R. LaNoue of Columbia University, who has written strong commentaries on the church-state issue for both the Civil Liberties Union and the National Council of Churches, recently conducted a study of nonpublic school participation in New Jersey.<sup>5</sup> On the basis of his interpretation of Supreme Court precedents in the church-state area, Professor LaNoue concluded that a number of local Title I programs in New Jersey include some practices of questionable constitutionality. (Specifically, he detailed the use of equipment and personnel on private premises which he believes to run counter to constitutional propriety and legislative intent.)

Though others have written about one or another aspect of disadvantaged nonpublic school children and public funds, no one has to date provided an overall picture of this aspect of Title I.

The difficulties of providing such an overview are readily apparent. An exhaustive study would require enormous resources—resources of a magnitude not available to this Council. But after three years of Title I's effective existence, the Council believes that broad patterns of operation, and effects of and influences on operations, can be discerned and interpreted. Hence the Council has attempted to study, with the help of a special researcher,<sup>6</sup> the participation of nonpublic school children in Title I programs. Our wish was to identify and report broad patterns and practices at the federal, state, and local level. The Council did not instruct its staff to spend their major efforts in fer-

<sup>4</sup> "Program Participation of Nonpublic School Children," 90th Congress, 1st Session, December, 1967, U.S. Government Printing Office.

<sup>5</sup> "Church-State Problems in New Jersey: The Implementation of Title I (ESEA) in Sixty Cities," *Rutgers Law Review*, Winter Issue, 1968.

<sup>6</sup> Henry S. Lufner, Jr., a graduate of Wesleyan University and currently a Ph. D. candidate in political science at the University of Wisconsin, Mr. Lufner, with other members of the Council staff, spent the summer of 1968 working on this study under Council direction.

reting out possible individual misuses of public funds, but did instruct them to be alert to questionable practices, and to the way these practices were handled by responsible officials.

The Council's report has three facets:

1. *At the federal level:* A review of Office of Education guidelines and procedures governing the participation of private school children, including OE monitoring of such participation; also, a review of statistical information indicating trends in nonpublic school pupil participation nationwide.

2. *At the state level:* Consideration of the effects of state laws and constitutions, and of the attitudes of state and local educational agencies, on nonpublic school pupil participation in Title I.

3. *At the local level:* A look at Title I programs in 17 cities, particularly the extent to which nonpublic school children are participating—the kinds of programs they are joining, the location of the programs, and the opportunity they are given to participate.

The Council wished to help provide, in short, a clearer perspective of the actual situation and to suggest ways by which the goals of the framers of Title I could better be accomplished.

#### Federal guidelines

A number of U.S. Office of Education guidelines refer to the participation of nonpublic school children in Title I programs. These guidelines, or criteria for local programs appear in several sources, including the *Federal Register*, Title I Program Guides issued by the Commissioner of Education, and memoranda sent to Title I Coordinators by the Director of the Division of Compensatory Education of the Office of Education. *No single document presents all current regulations.*

Many of the original 1965 guidelines are still applicable, though some have been changed in content or emphasis. Several pertain to the participation of nonpublic school children in Title I programs and to the role of nonpublic school officials in planning and evaluating programs.

#### Participation of nonpublic schoolchildren

The original provisions of Title I indicate that nonpublic school children must participate but do not clearly spell out the nature of the participation, saying only that:

"To the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, the local educational agency must make provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate."

Almost two years later, the Office of Education, reacting to indications that private school children were not fully participating under the law, clarified the meaning of law and ordered that nonpublic school children "be provided genuine opportunities to participate" in Title I programs.<sup>8</sup> And on March 18, 1968, the guidelines were made more explicit when Commissioner Howe informed the chief state school officers that it was necessary that "the needs of all (both public and nonpublic) school children in the eligible low-income areas" be assessed to guarantee "genuine opportunities" and that the nonpublic school children must receive services that are "comparable in scope and quality to those provided to meet the high priority needs of public school children."

#### Planning and nonpublic school officials

Title I of ESEA does not mention nonpublic school officials. Nor do the original 1965 guidelines insist that nonpublic school officials be involved in the planning of Title I

programs. The Office of Education suggested only that they be consulted by the public school official applying for funds. The February 1967 regulations went a step further and required consultation, stating programs for nonpublic school children shall be determined "after consultation with persons knowledgeable of the needs of these private school children." The March 1968 guideline from the Commissioner was even more explicit requiring the assessment of the needs of private school children to be carried out "in consultation with private school authorities" and this consultation must "provide the basis for" selecting the private school children to participate and determining the special services for them.

#### Evaluation

Title I requires annual evaluation of programs to measure their effectiveness. The initial Office of Education guidelines concerning the evaluation of programs involving nonpublic school children indicated only that they be included. And it was not until the March 1968 guideline that the participation of private school officials in the formulation of evaluation procedures was called for. A later memorandum, dated August 8, 1968, from the Director of the Division of Compensatory Education stated that the same nonpublic school officials involved in planning should be consulted concerning evaluation. (It is distressing to note that at the same time the Office of Education was urging local school districts to increase nonpublic school participation in evaluation, its recently completed major nationwide sample evaluation survey did not include nonpublic school children. The Council urges the inclusion of nonpublic school children in any further evaluation.)

These OE directives indicate that the evaluation of nonpublic school participation has only recently been made more rigorous. The specific requirements remained unchanged until 1968, so we do not yet know how these changes will affect the participation of nonpublic school officials in the evaluation process.

#### The guidelines and this report

The study on which this report is based was undertaken in the summer and fall of 1968, before the most recent guidelines went into effect. Those issued in 1965 would be in force for the 1966-67 programs discussed in this report; those issued in 1966 and early 1967 would apply to 1967-68 programs.

An additional memorandum was issued on February 14, 1966, entitled "Involvement of Private School Students in Title I ESEA Projects." Since this memo was received by state Title I coordinators before any of the programs we studied were started, its contents are worth reviewing. The memorandum expressed the concern of the Office of Education about the "rather minimal involvement of private school students" and urged action to change the situation.

It was against the background of these particular guidelines that case studies of operating Title I programs were conducted.

#### The States

Title I gives considerable powers to state departments of education. Community project plans or program evaluations are approved at the state level and transmitted to Washington. Federal funds and regulations reach local communities through the state agencies.

Various states treat nonpublic involvement in Title I in different ways. Some emphasize Washington's desire that disadvantaged private and parochial school children be fully involved in Title I. New York and California have issued guidelines on the participation of these children which combine state suggestions with the federal directives. Connecticut has a special employee whose job it is to ensure equitable participation by nonpublic school children in Title I programs. Pennsylvania requires additional

evidence, beyond that suggested by federal regulations, that nonpublic officials have been involved in the planning and evaluation of Title I programs. State evaluation forms vary considerably, some asking communities to provide detailed descriptions of their attempts to seek out disadvantaged nonpublic school children and others scarcely mentioning them.

Some states do not emphasize the Office of Education guidelines on nonpublic participation. Our researcher noted North Dakota, Illinois, and Massachusetts as examples of this group and offered other examples of state management of the public-private issue:

North Dakota's 1967 annual report states that "The public schools generally had established priority needs beforehand and the nonpublic schools then cooperated as much as they desired in the program as established." By contrast, even the first procedure suggested by the Office of Education would, if followed, involve consultations with appropriate nonpublic school officials in the course of the development of Title I programs.

In Missouri it is illegal for public school personnel to provide services in nonpublic schools, thus preventing instructors from offering remedial assistance to children at this location. Missouri also requires children to remain in one school for six continuous hours on a school day, thus preventing dual enrollment programs.

In Oklahoma, while no public school personnel can visit private schools under any circumstance, nonpublic school children can visit public schools to participate in programs so long as transportation is provided by the private schools.

New York's Attorney General found that his state's restrictive "Blaine Amendment," which prohibits any aid to nonpublic schools, need not apply to Title I since the program was totally federally funded. He reasoned that so long as Title I funds were kept separate from state and local monies, no violation occurred. Participation of private school children in New York has been relatively high.

Obviously some state laws serve to reduce the participation of disadvantaged nonpublic school children. Some officials, notably in New York, seek ways to avoid this consequence. Other officials in other states are unable or unwilling to seek such interpretations or changes in the law.

#### Patterns of community implementation

The patterns of practice summarized here are those of 17 communities.<sup>9</sup> Visits of several days each were made to five cities where public and private school leaders were interviewed, and specific programs observed and discussed with project leaders. To collect information in cities not visited, telephone interviews were conducted with local public officials and private school administrators. Prior to all visits and interviews a detailed examination was made of the official Title I evaluation reports for all the communities, and discussions were held with Office of Education officials and others familiar with the communities under study.

The reasons for selecting the 17 test cities were as follows: First, three appeared to have either markedly high or markedly low levels of nonpublic participation according to Office of Education figures. Second, all were known to have large numbers of disadvantaged nonpublic school children. Third, three cities were recommended by the heads of educa-

<sup>9</sup> (1) Pittsburgh, Pennsylvania, (2) Washington, D.C., (3) a large Mid-Western city, (4) a large Eastern city, (5) a small Eastern city (site visits), (6) St. Louis, (7) Kansas City, Missouri, (8) Bismarck and (9) Belcourt, North Dakota, (10) Columbus, Ohio, (11) New Haven, Connecticut, (12) Madison and (13) Milwaukee, Wisconsin, (14) East St. Louis, Illinois, (15) San Francisco, California, (16) New Orleans, Louisiana, (17) Charleston, South Carolina.

<sup>1</sup> P.L. 89-10, Sec. 205(a) (2)

<sup>2</sup> *Federal Register*, Feb. 9, 1967, p. 2747.

tional groups either because of cordial public-nonpublic school relations, or because of suggested hostility. The rest were selected because they appeared to be relatively "typical" according to Office of Education evaluations and a stratified random mail survey of school superintendents.

Detailed case studies of four of the five cities visited during the summer of 1968 are presented in Appendix B. In the same series are summary commentaries on three other communities: Washington, one of the cities visited, whose situation is special because, among other things, it is the location of the U.S. Office of Education; New York City, whose uniqueness lies in the huge size of its public school system, in the number and variety of its nonpublic schools, as well as in a host of problems which, if not intrinsically unlike those of other cities, are not comparable because of the differences in magnitude; and Bismarck, North Dakota, which in some components seems to typify a number of other community situations found in the course of the present study.

With one exception the Council has not identified the communities which served as case studies. We have not done so for several reasons. First, ESEA has encouraged basic changes in a number of areas which this Council endorses but which are difficult to effect quickly and completely on the local level. More specifically, even in those instances where the intent of Congress to help nonpublic school children is not being fully realized, the shortcomings seem to result more from communications problems and other practical difficulties (though none of them seem insurmountable, given awareness and will) rather than from plain bad faith. Further, the purpose of this report is not to identify culprits but to shed light and suggest improvements.

The exception to the rule of nonidentifica-

tion is the case study of "City D"—Pittsburgh. We identify Pittsburgh because it seems to have done a model job with Title I. Admittedly, Pittsburgh has certain advantages. All the Catholic elementary and secondary schools in Pittsburgh, for example, come under the jurisdiction of the Catholic School Office, a well organized and highly centralized agency. In any case, the principal reason for Pittsburgh's success with this aspect of Title I lies in regular, cordial, and open communication between public and nonpublic school officials.

Implementation of Title I in Pittsburgh follows closely the letter and spirit of the law. While services are provided for eligible nonpublic school children under the direction of public school officials, nonpublic school officials are given the opportunity for regularly contributing to the planning and evaluation stages. The disadvantaged child in Pittsburgh receives help regardless of the school he attends and that is the intent of Title I.

Varying degrees of participation by disadvantaged nonpublic school children were found in the other Title I cities studied. A few cities carefully provided such children genuine and equitable opportunities; most offered participation only in scattered programs at the convenience of public school Title I administrators. There was no indication that either the number or percentage of nonpublic school children was increasing from previous years.

These findings for the 17 cities studied during the 1967-68 school year must be read in light of the figures for nonpublic school children participation available for the preceding two years on a nationwide basis. The following are Office of Education figures:

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, PUBLIC LAW 89-10 TITLE I, ASSISTANCE FOR EDUCATIONALLY DEPRIVED CHILDREN

TABLE 1.—NUMBER OF PARTICIPATING CHILDREN, BY PUBLIC AND NONPUBLIC SCHOOL ENROLLMENT, FISCAL YEARS 1966 AND 1967

Children enrolled in—	Fiscal year 1966		Fiscal year 1967	
	Number (thousands)	Percent	Number (thousands)	Percent
Total.....	8,299.9	100.0	9,046.2	100.0
Public schools.....	17,773.3	93.7	8,580.1	94.8
Nonpublic schools.....	526.6	6.3	466.1	5.2

<sup>1</sup> Includes children not enrolled in any school such as dropouts.

<sup>2</sup> Includes children not enrolled in any school and children in institutions for the neglected and delinquent.

TABLE 2.—EXPENDITURES FOR INSTRUCTION AND SERVICE ACTIVITIES, BY PUBLIC AND NONPUBLIC SCHOOL CHILDREN PARTICIPATING, FISCAL YEARS 1966 AND 1967

Children enrolled in—	Fiscal year 1966			Fiscal year 1967		
	Total		Per pupil	Total		Per pupil
	Amount (thousands)	Percent		Amount (thousands)	Percent	
Total.....	\$778,113	100.0	\$94	\$883,928	100.0	\$98
Public schools.....	747,842	96.1	98	848,832	96.0	100
Nonpublic schools.....	30,271	3.9	57	35,096	4.0	75

Such figures must be read with caution, for several reasons. First, the Office of Education suggests that in the first year of Title I, local education agencies across the country were uncertain about both eligibility criteria and reporting requirements, and consequently counted more public and nonpublic school children as participants than ought to have been included. Second, a major statistical error in reporting the number of nonpublic school participants during the first year exaggerated their participation by 40,000. Third, the number or percentage of disadvantaged children in private schools does not approach the number, or percentage, of disadvantaged children in the public schools of our country. Fourth, figures for the 1967-68 school year are still not available. Finally,

even if the number of participating nonpublic school children is less the second year, the estimated Title I per pupil expenditure rose from \$96 to \$99 for public school children, for the years 1966 and 1967, while they rose from \$58 to \$76 per child for nonpublic school children, and the total expenditure for nonpublic school children rose almost \$5 million.

On the other side, the first thing to be said is that the per pupil expenditures still differ significantly between public and nonpublic school children. Second, the extent of nonpublic school children's participation in Title I may in a sense be exaggerated even by those figures cited, for private school children often participate in programs only a few hours each month, and in programs not de-

signed for their special needs, while public school children participate for larger portions of the school day and month. Next, in the 17 cities studied there was no indication that the quantity or quality of services for nonpublic school children was improving. Hence, if available information does not constitute incontrovertible evidence of inadequate participation of nonpublic school children, they nevertheless offer circumstantial evidence of considerable weight.

Planning and evaluating local title I programs

In the cities studies, local Title I planning rarely involves active participation by nonpublic school officials, despite Office of Education guidelines. Most cities merely present final plans for Title I programs to nonpublic school officials for their information, if they do that much.

Whether or not programs designed for project areas make provision for eligible nonpublic school children depends on the knowledge and sensitivity of public school Title I officials. Typically selected on the basis of census tract and public welfare data, project areas chosen may not include within them the nonpublic schools with the largest numbers of disadvantaged children. Once low income neighborhoods are identified, boundaries are fixed around them to match public school boundaries, and private school children residing within them or "in reasonably coterminous areas" may be considered for participation.

Perhaps it is not unreasonable to assume that nonpublic schools serving the same disadvantaged neighborhoods as public schools have comparable percentages of disadvantaged children. But since public and nonpublic school boundaries are not usually the same, project area boundaries and the inclusion or exclusion of children in nonpublic schools are not matters that should be decided according to inflexible rules. They probably would not be if nonpublic school officials were included in Title I program planning.

Similarly, the pattern of Title I evaluations shows them to be the exclusive product of Title I officials. This practice makes it even more difficult to ascertain whether nonpublic participation is justified or unjustified in particular cases. But when the absence of any local nonpublic participation is explained in official evaluation reports as simply the result of "lack of parental interest"—a frequent explanation—one wonders if there are not more complicated reasons. Again, if nonpublic school officials were given some voice in evaluating those programs for which their disadvantaged pupils are eligible in principle, such explanations would occasion less doubt.

The role of nonpublic school officials

If low participation by nonpublic school children in many Title I programs can be ascribed in part to the attitudes and practices of public school officials, including Title I personnel, the fact that this pattern is not changing significantly is attributable in considerable part to organizational problems of nonpublic schools, especially Catholic schools.<sup>10</sup> In many cities there is no effective central organization capable of representing the total parochial school network. Elementary and secondary schools often report to separate ecclesiastical orders rather than a single diocesan school office. The result is that a coordinated assessment of needs within the system is lacking, as is the simple ability to speak with one voice in communicat-

<sup>10</sup> Although private schools operating under a variety of auspices were considered in connection with this study, Catholic parochial schools are by far the most numerous of all nonpublic schools on a national basis. Catholic school children constitute over 85 percent of all private school children in this country.

ing such needs to those whose job it is to consider them in planning Title I programs.

Other reasons for the low involvement of nonpublic school children in Title I services include disinterest and particularly reticence on the part of nonpublic school officials. While voicing private complaints about the dispersal of Title I funds and unilateral establishment of programs, parochial school officials admitted they had not expressed their concerns directly to local Title I or other public school officials for fear of "jeopardizing cordial relations" or of seeming ungrateful for that bit of Title I help their needy pupils had been given—usually in the form of equipment loans.

The convictions of nonpublic school officials are not necessarily the best guide to the Title I eligibility of the disadvantaged children they represent, for those convictions may be misplaced. For example, some of the nonpublic school officials interviewed, unhappy at the relatively low level of participation by disadvantaged pupils enrolled in their schools, spoke repeatedly of not receiving their "fair share" of the city's Title I funds; occasionally they mentioned a "fair share" percentage coinciding with the percentage of nonpublic school children in the city. Of course, the law intends no such "sharing" or division of funds. Further, the number of disadvantaged nonpublic school children was not proportionate to the number of disadvantaged public school children in any city in the present study. The phrase "fair share" as used above may be convenient shorthand, but such usage is inconsistent with the intent of the law.

The problem, once again, is primarily one of clear guidance from the top to the bottom—from the Office of Education through the states to local Title I officials—and communication between school officials public and nonpublic, who have the final power to achieve or deny the legislative intent that disadvantaged children will be served by Title I regardless of where they go to school.

#### *The monitoring system*

The Council wished to present, in this report, broad patterns and practices related to nonpublic school children's participation in Title I. Thus, as stated earlier, the Council did not instruct its staff to spend its major efforts in searching out possible violations, but rather to be alert to improper practices in the course of their broader study. In fact, no obvious violations were uncovered in the site visits, and no questionable practices were discerned in the course of the extensive conversations with public and nonpublic school officials in the other communities surveyed.

We do not suggest that no violations have occurred. Others have claimed to document violations; indeed, given the fact of very wide dissemination of and essentially local control over Title I funds, plus the vague guidelines and ambiguous legislative intent as to specific usages, it is almost inconceivable that misuse has not sometimes occurred. Still, if the dozens of public and nonpublic school officials interviewed in the course of the Council's study were not always completely clear about Congressional intent and the implications of federal guidelines, all of those questioned evidenced clear understanding that, for example, equipment loans to nonpublic schools are to be loans and not gifts, with the title and ultimate control remaining with public school authorities. Further, the practices observed conformed with the understandings expressed.

The point, however, is that the Council's focus has mainly been on how the use of Title I funds involving nonpublic school children has been monitored, and on how alleged violations are handled.

#### *Violations*

Generally, complaints to the Office of Education in Washington either suggest that dis-

advantaged nonpublic school children are not fully participating in Title I programs or that Title I funds in programs involving these pupils are being misused. In either case, the OE directs the complaints to the state Title I office which is required to submit to the federal office a statement of disposition. Generally the state Title I office passes the complaint to the local Title I coordinator for investigation.

All known complaints to Washington during 1967 and 1968 were examined for this study. They were surprisingly few. Several complaints which the Council knew had been sent were sought out by the staff and, in each case, the Office of Education appears to have forwarded them to the state asking that they be investigated. Reports were eventually returned from the local level to the state and finally to the federal government.

Office of Education files contain 38 letters concerning private school children and Title I received in the last two years. These included: 25 complaints about inadequate participation by nonpublic school children in Title I; 3 complaints alleging improper use of Title I funds; 8 requests for clarification of requirements; and 2 letters from nonpublic school officials expressing gratification for Title I aid.

In one instance involving a dispute between public and nonpublic school officials in New Orleans, federal officials were sent to mediate. However, Office of Education officials report that funds have never been cut off to local programs as the result of such inquiries and no court cases have ever been brought by those disappointed in this complaint procedure. Regardless of the official receiving the letter—Congressmen, the Commissioner, and the President among others—the procedure followed in answering was the same.

If alleged violations of Title I language, or of Office of Education guidelines interpreting that language, are fewer than might have been imagined, and seem to be handled fairly and consistently according to an established routine, the monitoring function of the Office of Education in this regard appears, nevertheless, to need strengthening. This is so for several reasons. First, some states have not developed any written guidelines or established any formal mechanisms for monitoring appropriate use of Title I funds with regard to nonpublic school children, leaving the burden for such monitoring on the U.S. Office of Education. Second, the Office of Education's procedure of referring complaints back to the state and local levels where they originated, without specific guidance and suggestions, potentially has the effect of allowing an official who has himself been a participant in the alleged infraction also to act as judge of the propriety of the practice.

Further, when serious charges of misuses of Title I funds are made in public forums, whether or not such charges are simultaneously formally presented to the Office of Education, informed judgment must be made as to whether the practices in question are in conformity with the law. The state education agency bears primary responsibility for investigating such matters, and for reporting their investigations and their disposition of the questions to the Office of Education. But the Office of Education has the responsibility to review such cases and, presumably, to take any necessary corrective action, including making recommendations to the state agency or even the withholding of funds, to correct misuses of Title I. In short, more than routine handling of more serious charges is to be expected at all levels, with persistent follow-through by the Office of Education. Whether the Office is sufficiently equipped for such follow-through is unclear from the examples—which include both frivolous and serious allegations—on record to date.

#### *Summary of findings and recommendations*

Following initial reluctance on the part of the Office of Education to interpret the basic legislative requirement on non-public school children participation in Title I, OE has attempted to strengthen the regulations and guidelines after it appeared that nonpublic school children participation was "rather minimal." Yet in spite of the stricter guidelines from the Office of Education, most of the cities studied show varying degrees of cooperation in involving nonpublic school officials in planning Title I programs; more often than not they offer nonpublic school children participation only in scattered programs at the convenience of public school Title I administrators.

The case studies and additional reports presented in connection with this report suggest several reasons for the limited participation:

Nonpublic school officials are rarely included as active consultants in Title I planning and evaluation despite federal guidelines and despite the contribution they might make in strengthening their city's overall program.

Reticence or lack of interest is displayed on the part of many nonpublic officials in participation under Title I.

Public school officials are sometimes prejudiced against participation by nonpublic school children, basing their opposition on personal opinions about the constitutionality of the Act.

A number of state constitutions, laws, and attitudes seriously hamper the provision of genuine and equitable treatment for disadvantaged nonpublic school children.

The frequent absence of a single spokesman for local nonpublic school systems considerably complicates cooperation and consultation with public school systems.

Office of Education guidelines calling attention to low nonpublic participation and urging additional efforts to involve these children are usually directed to state Title I officials and are not available from any one source.

There is insufficient follow-through at the federal level on implementation of guidelines and on monitoring of private school children participation.

Title I project areas are not established with nonpublic schools in mind; generally coordinators assume (often incorrectly) that nonpublic schools located near Title I public schools enroll the same percentage of disadvantaged children. Little effort is made to locate disadvantaged nonpublic school children.

Based on these findings the Council offers the following suggestions and recommendations:

1. We suggest that the Commissioner of Education designate a special, visibly placed official to monitor all aspects of the participation of nonpublic school children. This official would also supervise the circulation of guidelines recommended below, and keep tabs on complaints and questions. We have suggested that the greatest single need in the operation of this aspect of Title I is for regular, open, informed communication; and we believe that the example should be set at the top.

2. We recommend to the states that they designate, in their departments of education, a liaison officer between public and nonpublic school officials, overseeing the participation of nonpublic school children at the local level. Such an individual would remain in close contact with the official serving that function in the Office of Education in Washington. Similarly, we recommend to local public and nonpublic school officials that they designate an individual with sufficient time and resources to act as a liaison on Title I participation.

3. We encourage the Office of Education and the states to continue to urge the in-

volvement of nonpublic school officials in the planning and evaluation of Title I at the local level. This effort could be given emphasis by providing space on planning and evaluation forms not only for the signature of nonpublic school officials but also for their comments on various aspects of the Title I program. Similarly, the comments of public school officials on the problems they have encountered in encouraging nonpublic participation should be invited.

4. We recommend that the Office of Education put into one updated document regulations and requirements on the participating of nonpublic school children in the various aspects of the Title I program. These guides should be published with clear annotations and should include a section on the several state laws which affect nonpublic participation in Title I. This booklet should contain all existing rules and requirements on the participation of nonpublic school children in Title I and show how these rules might apply in individual states; it should be made available for the widest possible circulation, especially at the local level.

5. We recommend that the Office of Education disseminate examples of programs of successful participation of nonpublic school pupils.

6. Having observed certain weaknesses in the present mode of deciding which children in which areas are eligible for Title I programs, we urge that the Office of Education and the states review the means of identifying eligible children and particularly of establishing target areas. It may be that amendments to the law are required to insure that the nonpublic school children are included in Title I programs regardless of the locations of their schools. On the other hand, it is not inconceivable that present arrangements are as practicable as can be developed as nationwide standards. However, because it seems clear that automatic delineation of target areas includes some children who are not so greatly disadvantaged and excludes some who are, the present approach needs to be reviewed and reconsidered.

7. Where services to children justify it, there should be an increase in shared time programs, joining public and nonpublic school children in common learning experiences. Such mingling is a positive intent of Title I. Yet few localities include shared time in Title I planning. It should be encouraged by disseminating reports of successful programs which incorporate shared time.

#### IV. HEALTH AND LEARNING: TITLE I'S IMPACT AND STILL UNMET NEEDS

The compelling reason for enactment of Title I of the Elementary and Secondary Education Act of 1965 was, in the words of the accompanying House Committee report, the "close relationship between conditions of poverty and lack of educational development and poor academic performance." All too often one of the key factors in that relationship is poor health.

As he goes off to school for the first time, a child may carry with him the legacy of an illiterate family—he may be ignorant of the alphabet and unable to recognize words. Or he may be retarded in learning to read for a simpler but equally disadvantageous reason: bad eyesight. He cannot see well and his poor vision has never been detected.

It is difficult for the teacher to reach boys and girls in class who have no motivation to learn; who feel that school is a burden, or at best a diversion, or that in any case it is irrelevant to life as they know it. But it is just as hard for the teacher to involve in a learning process the boy or girl who suffers from bad hearing, or an emotional disorder, or an empty stomach.

The obvious connection between a child's health and his ability to learn was recognized by the Congressional authors of Title I who specified "school health, psychiatric and psychological services" as a proper program

for educationally disadvantaged children under the legislation. Similarly the National Advisory Council, from the first months of its existence, has been concerned about poor health as a barrier to learning and interested in the impact Title I might have on this problem.

The Council first surveyed the variety and quality of Title I projects across the country in the summer of 1966. One finding was that provision for meeting health needs was not consistently included in the design or implementation of programs for educating the disadvantaged. In a subsequent survey by approximately 60 consultant-observers who visited 86 school districts in 43 states in the fall of 1966 and the winter of 1967, the Council made a detailed inquiry into use of Title I funds for health-oriented programs. The study revealed that: 1) poor children have more severe health problems than their advantaged counterparts and suffer greater educational disadvantage as a result of physical disability than was commonly realized even in education circles; 2) resources available to meet health needs in poverty areas were often inadequate; 3) local education agencies and officials were not always aware that Title I funds could be used for health services; but that 4) in some instances Title I funds apparently made possible health services which might not have been provided otherwise and which seemed important in overcoming or reducing health barriers.

In light of these findings, the Council decided that a more concentrated study was required to determine precisely how great were the health needs of disadvantaged children and how much Title I funds were helping to meet them. At our behest, Dunlap and Associates conducted the study in the spring of 1968. The contract specified a follow-up review of 50 Title I programs which had been examined earlier by our consultant-observers; in fact, the present study included a review of 60 programs, including visits to 14. Council staff members accompanied Dunlap researchers on a number of site visits and were also involved in the design and review stages of the project.

In general, the Dunlap study confirms the Council's earlier assessment. Health needs of poor children are a severe and continuing problem. The educational progress of too many disadvantaged youths is impeded by defective eyesight, bad teeth, and other physical and emotional disorders. However, except in the area of psychological disorders, progress does seem to have been made in the last several years in the detection of health problems, and Title I has quite clearly played a part in that progress in the areas surveyed. Treatment, unfortunately, does not always follow detection, especially where resources for treatment are lacking or inaccessible. In fact in some of the localities visited, child health problems were detected, diagnosed, and treated only because Title I provided the necessary money for the work.

Approximately 80 percent of the school systems contacted during the recent survey have expanded and improved health services with Title I funds. In some instances, Title I has given children from poor families medical treatment for the first time in their lives. Our sampling suggests that eligible school districts are spending in the range of 5 to 20 percent of their Title I funds for health services, including the provision of food.

Typical services include general physical and specialized examinations and tests, inoculations and immunizations, and the provision of certain basic remedial devices such as glasses and hearing aids. Often the money is used to hire school nurses. In some cases these elementary services have been provided for the first time under Title I, ostensibly because no money had been available for them before. In other cases Title I funds merely expanded existing services. (In the latter cases, while the Council understands that local conditions must determine priorities, we wonder whether instead of

merely adding to an examination and inoculation schedule, school systems ought not to use the health portion of their Title I budgets for treatment of the more serious problems that have already been detected.) Title I health programs have provided prescription drugs, psychological counseling, psychiatric care, dental treatment, and surgery.

It is sad that the dearth of health care resources and facilities for the poor of some locales forces the use of federal education funds for physical examinations and other elementary health services. We wish it were not so, especially in view of the limited annual appropriation Title I unfortunately continues to receive. If the need were not so basic and so clear, we would rather see Title I funds spent on efforts more directly educational than feeding hungry children. But under the circumstances we cannot quarrel with this use of Title I funds. Given the fact that "there is an undisruptable association of increased morbidity and mortality with poverty,"<sup>11</sup> and the fact that poor health can prevent a child from learning, we are happy that federal resources are being made increasingly available, even if in a piecemeal way, to break the cycle of poor home-poor health-poor education.

#### Title I and food

Against this background, we note that in a number of the school systems surveyed the largest expenditure of Title I "health" funds was for free lunches. Hunger and malnutrition have only recently been dramatized—if not "discovered"—as a major national health problem though, in fact, the need is one of long standing. Belated or otherwise, there is now a keen concern that a nation such as ours, with general prosperity and abundant food, should permit a number of its citizens to suffer from malnutrition, and some of them to go about hungry.

As detailed in a June, 1968 report of the U.S. House Committee on Education and Labor, federal food service programs have been greatly expanded in the 1960's particularly those providing free breakfasts and lunches to disadvantaged children. But as the Committee also pointed out, "More than 4½ million needy children ages 5 through 17 are not receiving free or reduced price lunches. More than 6,600 schools in economically needy areas are without food services."<sup>12</sup> Rectifying this situation requires awareness, purposefulness, adequate resources, and the cooperation of governmental units and private groups at all levels. The federal government must continue to take the lead in developing policies and programs if hunger and malnutrition are to disappear in America. Until that happy day we cannot but approve the use of Title I funds to help nourish the children of the poor when no other resources are available.

#### Health personnel

One of the least surprising findings of our survey is the continuing shortage of medical and paramedical personnel, not only in school systems but in communities at large. Several programs reported that funds available to hire health personnel went unspent because there were no qualified applicants. This shortage, coupled with the consistent efforts by school systems using their Title I "health" funds to try to secure such personnel, raises an important point. School nurses, for example, often provide only health screening, referral, and record-keeping services (rather than preliminary diagnosis or

<sup>11</sup> "Delivery of Health Services to the Poor," December, 1967, Report of a Program Analysis Group of the U.S. Department of Health, Education and Welfare and published under the auspices of the Assistant Secretary of HEW (Planning and Evaluation).

<sup>12</sup> House Report No. 1590, 90th Congress, 2nd Session (U.S. House Committee on Education and Labor; accompanying H.R. 17873, June 26, 1968, p. 2.)

treatment). Can some of these jobs be performed with less elaborate and less formal training? Under some Title I programs, the nursing staffs are all college-trained and Public Health Service-qualified. Other programs have similarly qualified nurses in charge, but their health support personnel include practical nurses, medical technicians, and "health aides."

It seems especially important to consider this question in connection with a Title I study because Title I has increased the demands for medical services. By expanding health screening and examination programs, Title I has produced a significant increase in referrals to public health clinics in a number of localities. As Title I funded programs increase the likelihood of detection and treatment of health defects, the legislation expands awareness of the professional health personnel shortage and may even contribute to the shortage itself. Since this situation seems destined to continue for some years to come,<sup>13</sup> it would seem sensible to reexamine the functions of school health personnel and reassign those that can appropriately and competently be performed by others.

#### *Coordinating title I and other resources*

There is obvious need for improved coordination between school health programs and the aggregate health resources of the community—medical personnel, public health clinics, welfare agencies, privately sponsored health support services—a need that has grown greater as federally sponsored programs such as Head Start and Neighborhood Health Centers have augmented more traditional resources. At the present time interaction and coordination usually occur only on the chance knowledge of a given individual, such as the school health nurse, of all available resources.

The alert school nurse will check to see if a child in need of medical attention has a "health services enrollment card" authorized by a non-Title I medical or social welfare program. If he has, she knows she can send him to a physician for immediate treatment. If he hasn't, she may then resort to Title I funds, preferring not to do so if immediate treatment is required because it often takes longer to work out arrangements for payment, hence for treatment, under Title I procedures. If local civic organizations provide services for disadvantaged children, as they often so helpfully do, these services (typically the fitting of eyeglasses or hearing aids) tend to be "saved" for children of poor families in schools not eligible for Title I.

#### *Detecting health needs and following through*

Title I coordinators in most programs surveyed are not sure which local programs offer health services for children or how much money is available. The coordinators generally assume that teachers, principals, nurses, and counselors take care of coordinating the use of such services. It is true that the latter are generally more aware but, again, their knowledge seems to be chance matter. A better means of coordination is clearly needed if we are to close the gap between the detection of health defects, a practice in which schools are becoming increasingly proficient, and the essential follow-up to such detection. Though schools are a natural instrument for screening child health needs and even preventing illness, school officials no doubt ask themselves how far their responsibilities extend and at what point other community institutions or services should step in. However responsibility is apportioned, the schools must make sure

that the ball is not dropped midway between detection and correction.

One barrier to successful follow-up underscored by our consultants is transportation. A simple matter for most of us, transportation can be frustrating and costly for residents of a black inner-city ghetto or an isolated rural community. School health programs which showed consistent patterns of follow-through—and a high level of success in correcting child health defects—usually were (1) willing to spend Title I funds to transport children and sometimes parents to the required services, and (2) willing to pay the costs of treatment, if no other resources were available.

Although in health, as in other areas, Title I programs seem to be involving parents to a greater degree, the trend is not as clear in those programs surveyed as the Council would wish. Still, Title I health programs seem to have reinforced the follow-up activities of principals, teachers, and school nurses; in some cases they have brought health aides and community representatives into the effort to make sure that once a child's health problem is identified, someone contacts his parents and, perhaps by staying involved, makes sure that something is done about the problem. The examples of success in remedying health defects offered by a number of school health officials most often included the element of personal contact with the child's family by the school nurse, health aide, or other school personnel. Such examples stand in contrast to another pattern of situations where a child's problem was detected but nobody was sure afterwards whether he ever got proper treatment. All of which suggests once more the vital need for direct and personal lines of communication between school and parent.

#### *Summing up: Health needs in title I schools*

Most Title I programs surveyed now have adequate screening and referral facilities and a number have developed satisfactory follow-up procedures. As is the case with other schools throughout the country, few Title I schools have directly connected treatment facilities although one or two health clinics have been acquired with Title I funds. The emphasis in most Title I programs remains on screening and referral. Once these first steps have been taken, obtaining treatment often becomes a major problem. Public health clinics are sometimes overtaxed because of the increased number of referrals and a child's parents may fail to seek treatment for a detected problem, often because they can't. *Clearly the present need is to combine the emphasis on diagnosis with an emphasis on treatment.*

The most frequently mentioned and observed needs in the area of treatment and correction are dental treatment, fitting hearing aids, and surgical correction of internal or external defects. Tooth problems are extremely common among disadvantaged children; because of this prevalence and a shortage of dentists, it is often months after the detection of defects before actual dental appointments. Hearing aids are an unmet need because they are expensive. Their provision is one of the services civic organizations often perform. *But if hearing aids—or eyeglasses or surgical treatment—are not provided, it is generally because school personnel are unaware that Title I funds can be used to supply them and, therefore, have not requested such funds as specific line items in their Title I proposals.*

In almost every program mental health is a major difficulty. It is difficult to find qualified nurses, and even more difficult to hire psychiatrists, psychologists, psychiatric social workers, and counselors. Consequently many school systems are forced to refer severe cases of behavior disorder to school counselors who are overloaded with work and unqualified in any case to provide the needed therapy. Although several programs provide subcontract funds for such services, they are usually

totally inadequate to the magnitude of the mental health problems.

Mental problems of disadvantaged school children can be overdramatized. Obviously not every child who fails to conform to a given teacher's expectations of proper classroom behavior needs psychiatric care. But mental health problems, like afflictions of the body, are not uncommon among the very poor. And while other health needs—such as dental treatment—were mentioned with comparable frequency, the greater menace of mental problems seems obvious: *A behavior disorder is likely to be much more dysfunctional than a bad tooth. It is this important implication, as well as the frequency of the reported need, that makes the mental health of disadvantaged children rank high in any order of unmet needs.*

Two more needs require reemphasis: First, the lack of convenient clinical facilities in city ghetto or isolated rural community makes transportation a key link between detection and treatment. Where transportation has not been given adequate attention those responsible for Title I programs have not realized that Title I funds can be expended to transport children—and even their parents—to the appropriate facility.

Second, the pattern of arrangements under which the health needs of Title I school children seem to be most successfully met, compared with those arrangements which trail off into uncertainty, remind us of the need for the involvement of parents—both in connection with their children's particular problems and in a more general health education effort.

#### *The Council's suggestions and recommendations*

The demands made on Title I have been very great and varied, determined according to locally set priorities. Because good health is crucial to the learning process and because health needs often are of high priority, Title I can help to meet those needs. But with so many needs, and such limited funds available under Title I, a strain inevitably exists between health services components and (more directly) educational components of Title I plans for local school districts.

Among the more obvious and more important ways to begin to resolve this dilemma are (1) for Congress to follow the original plan and begin to increase appropriations for Title I; and (2) for new ground rules to be devised which will make more certain that those in greatest need get the most help. The Council would support both steps.

Meanwhile, other steps are in order. *Local level planning* is necessary to ensure that the various federally funded programs providing health services are interacting efficiently and to maximum advantage and that they are complementing traditional community services. More comprehensive studies of needs and resources—in which Title I personnel ought to take part—could lead to more effective health programs. (For example, under Title XIX of the Social Security Act of 1965, some of the \$2 billion provided might be tapped by local communities to reinforce efforts to meet health problems.)

*At the national level, professional health personnel and government officials must become better and more constantly informed about local services and facilities so that these can be included in national planning.* We must be sure that national efforts are not predicated on the assumption that no services exist locally, for despite some unfortunate patterns of poor local services this Council has found and noted, our impression is that the general picture of health service provision is slowly improving.

Just as evaluation is supposed to be an integral part of Title I education projects, so *Title I health programs ought to have meaningful evaluation components built in from the start.* The importance of direct communication with parents in getting children's health defects corrected suggests the poten-

<sup>13</sup> See, for example, the report, *Health Manpower: Perspective 1967*, Public Health Service Publication No. 1667, Government Printing Office, Washington, D.C., 1967; esp. pp. 9-11.

tial value of health evaluation sections or subcommittees of local Title I evaluation committees composed of parents as well as professionals, nonprofessional health aides, and teachers. Goals and needs of existing programs might be reevaluated and priorities reconsidered by such committees. And their actions could be documented and transmitted to the state and national levels for inclusion in overall planning and evaluation efforts and transmittal to other Title I programs.

If better planning of health programs is in order at the state, local, and national levels, so without question is better communication. *Title I health program planners should be conscious of patterns and priorities of the health needs of the children of the community and know all potential resources which might help meet them.* They should also make sure that all those who work in Title I schools know these things. The dedicated people working with disadvantaged children across the nation are sometimes hampered either by not having a full picture of the range of needs of the disadvantaged or by not being certain as to how to apply the resources of Title I, together with others, in fulfilling those needs. *Stronger and more regular communications systems serving all those involved in Title I efforts in common geographical areas—states, regions, or metropolitan areas—seem to be needed.*

Finally, we recommend that Congress, the Department of Health, Education, and Welfare, professional associations in the medical and health fields, plus Title I personnel at all levels, begin to explore with others the question of how communities might overcome, or at least mitigate, the shortages of medical personnel. That problem exists in a majority of communities across the nation and, according to all estimates, will continue to be acute for the foreseeable future. The essential question is whether there are persons, apart from those traditionally qualified, who might perform needed functions.

Teacher Corpsmen have helped dramatically in supplementing the efforts of regular teachers, of whom there never seem to be enough. Returning Peace Corps volunteers and military veterans have taken up teaching posts in inner-city schools; they have not only filled apparently unfillable vacancies but have brought unsurpassed energy, concern, and sensitivity to their tasks. Could not well-trained, practically experienced para-medical personnel—such as medical corpsmen returning from the military—serve disadvantaged communities in important ways and so reduce a variety of burdens now carried by short-handed doctors and nurses? The role and functions of such persons would have to be defined very carefully as have those of school "health aides." The need is great and the resource seems to be appropriate if it can be tapped since the challenge of helping lift up the children of the poor is as important as any this nation faces. New approaches to meet it, we believe, must be explored.

Indeed, the latter suggestion relates to the central purpose of this review by the National Advisory Council. For though we have called attention to Title I's actual and potential impact on the health needs of disadvantaged children, our main purpose has been to illuminate those needs and to emphasize our conviction that they are of urgent importance, now and for the future.

#### OFFICE OF COAL RESEARCH SHOULD UNDERTAKE SUGGESTED EDUCATIONAL PROGRAM

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

Mr. SAYLOR. Mr. Speaker, I have

on previous occasions addressed this body concerning an educational program for the Nation's coal industry. I have recently sent a letter to the Interior Secretary asking that the Department increase its request for funds in fiscal year 1970 for the Office of Coal Research to undertake such an educational program.

I point out in my letter that the AEC, which produces only a tiny fraction of the energy needs of this Nation of ours, is supporting at the taxpayers' expense an extravagant \$16 million training and education program to tell the story of atomic energy.

It is high time, Mr. Speaker, for the coal industry to get a fair shake, and I have requested the Secretary of the Interior to formulate an educational program for coal with adequate funding in fiscal year 1970.

A copy of my letter to the Secretary follows:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., March 12, 1969.

HON. WALTER J. HICKEL,  
Secretary, U.S. Department of the Interior,  
Washington, D.C.

DEAR MR. SECRETARY: Early in February, in a speech before my colleagues in the House of Representatives, I recommended that the Office of Coal Research undertake an "educational program designed to portray the importance of coal to the nation's economy and security . . ."

I ask now that the Department of the Interior revise its Fiscal Year 1970 budget request for the Office of Coal Research for appropriate monies to implement such an educational program.

As stated in the Department's request for Fiscal Year 1970 funds, "The Office of Coal Research is responsible for developing the full potentiality and versatility of coal as the nation's largest energy resource to the maximum benefit of the United States." How can such development come about without the coal industry attracting new miners, new coal technicians, and new coal managers? And how can this, the most basic of all American industries, attract such people if the coal industry story is not told to the American public?

We have an example of how an industry story can be told in the operation of the Atomic Energy Commission. The American taxpayer is asked this year to underwrite the "training, education, and information" efforts of the AEC to the tune of \$16 million. That is \$3 million more than is requested for the total operation of the Office of Coal Research. The AEC does not have to justify its budget request on the basis of productivity, for if it did, one could say with complete justification: never has so much been spent for the production of so little. Any standard of comparison—energy requirements, energy production, energy potential, persons employed, capital investment—would show that our first line of energy defense is provided by the American coal industry.

With this in mind, it seems eminently desirable to expand the operation of the Office of Coal Research to include public education about our nation's number one energy source. I do not propose that OCR's educational program must be as extravagant as those offered by the AEC, however, I would expect the Interior Department to propose a realistic and forward-looking program for expanding the nation's awareness and knowledge of its coal industry.

I must agree with the Central Pennsylvania Coal Producer's Association which questioned the wisdom of allowing the AEC to continue to unfairly undercut the coal industry with taxpayer money. Mr. R. B.

Hutchinson, President of the Association, in a letter to me dated January 16th said:

"As you know, the electric utilities constitute the coal industry's chief market, and we look to increasing sales to them for the very survival of the industry. Necessarily, since atomic energy is our major competitor in the utilities field, we cannot permit them unfair advantage and hope to survive . . ."

"The coal industry cannot afford to sponsor an educational program on the scale conducted by the AEC with taxpayers' funds. Yet, we are being grievously damaged. Since the coal industry's success is the lifeblood of our district, we earnestly implore your help in stopping this misuse of taxpayers' funds, and resultant damage to the coal industry (particularly, in its backyard) or in the alternative, the appropriation of equal funds for the furtherance of the coal industry through a similar national program."

Mr. Hutchinson puts his finger on the heart of the matter: AEC produces very little in the way of energy, yet is supported to the hilt by the government at the expense of the coal industry, by the U.S. taxpayer. The coal industry is the major producer of energy, is not supported by a government-sponsored, taxpayer-supported, public relations program. It's time the situation was either reversed or equalized.

In another recent communication, the College of Earth and Mineral Sciences at the Pennsylvania State University has added its endorsement to the educational program idea for the coal industry and offered to assist in the formulation of an educational program.

Taking a page from the coal industry's government-financed competition, the AEC, you might be interested in their description of some of the services they provide throughout the nation on behalf of atomic energy. The same kind of services could and should be part of an OCR education program.

In a letter to me announcing that a "lecture demonstration" would be in Pennsylvania's 22nd Congressional District recently, Mr. Edward J. Brunenkant, AEC's Director of the Division of Technical Information succinctly described their activities as follows:

"The Atomic Energy Commission has for several years sponsored lecture demonstration programs to acquaint secondary school students and their teachers with the basic principles and the peaceful applications of nuclear energy. In this activity, AEC-trained lecturers provide a basic introduction to the subject at student assemblies, utilizing colorful demonstration equipment. At most schools they meet also with selected science classes to help the teachers familiarize their students with specific aspects of nuclear science."

More detailed information on the AEC's activities in this field are documented in past year hearings on authorization and appropriation requests, but the above gives a brief and complete indication of the magnitude of the competition the coal industry faces in telling its story.

And, lest we forget, the AEC is requesting \$16 million this year to carry out and expand this program, while nothing has been requested on behalf of the 120,000 coal miners, and the uncalculable thousands of persons in coal management and in coal-supporting services industries, to tell the coal story.

I believe, Mr. Secretary, that it is high time for the American people to learn about the essential job that our nation's coal industry is performing. The young people that must become tomorrow's miners and managers must be made aware that there is a challenging future in the coal industry. A realistically-funded educational program under the auspices of the Office of Coal Research is the answer.

Sincerely,

JOHN P. SAYLOR,  
Member of Congress.

## ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, as a contribution to this Government's present consideration of an anti-ballistic-missile system, I wish to insert into the RECORD of today the views of 15 professors in the Department of Physics and Astronomy at the University of Hawaii. The letter was addressed to both of Hawaii's U.S. Senators, and copies sent to our two Members of the House.

In the cover letter to me, one of the 15 professors, Dr. V. J. Stenger, had this to say:

On the matter of the ABM we feel that as physicists we have a certain professional competence. After all, the problem of destroying an offensive missile is a problem of physics, and even though we do not have access to classified research on the subject, the laws of physics must be obeyed. We are convinced that the ABM system, thin or thick, *simply will not work*. I can personally speak from some specialized knowledge on the problem since I was involved in interceptor weapons system analysis for three years at Hughes Aircraft Company. There I was concerned with the problem of destroying a B-70 type bomber with the F108. The problem was very difficult but still possible. As you know, B70's were never made an offensive weapon for the very reason that they were vulnerable while the ballistic missile was impossible to stop.

As citizens with no particular competence on political questions, we all feel very strongly that the ABM is the place to draw the line on the ever spiraling military budget. We feel that our survival as a nation will be threatened rather than made more secure by this weapon.

Mr. Speaker, the 15 learned men who signed this letter make a most persuasive case against deployment of this ABM system. I hope their letter will help this House to understand the case against its deployment.

Here are the views of the 15 professors as set forth in their letter:

UNIVERSITY OF HAWAII, DEPARTMENT OF PHYSICS AND ASTRONOMY,

March 3, 1969.

Senator HIRAM FONG,  
Senator DANIEL K. INOUE,  
U.S. Senate, Washington, D.C.

DEAR SENATORS FONG AND INOUE: Our government is presently reviewing its plans for the deployment of an anti-ballistic missile (ABM) system, and further argument undoubtedly will be made in the House and the Senate concerning this matter. We are convinced that the deployment of an ABM system would be a grave mistake either as a "thin" system for defense against the Chinese or as part of a more extensive system designed to withstand any form of nuclear attack. We would like you to consider the following arguments on which our case is based.

1. The so-called "thin" system was originally approved by Congress to provide a defense in the 1970's against a light attack by a relatively small nuclear power such as China might be at that time. We do not believe that the proposed system could provide us with this defense. It is relatively easy for the attacker to build penetration aids to fool the defense system. Such aids include multiple warheads, decoys, clouds of metal wire (chaff) to fog the defense's radar, etc. These and other methods are discussed in an article by H. A. Bethe and R. L. Garwin in

Scientific American of March 1968. It would be quite feasible and relatively inexpensive for the Chinese who are developing their offensive ICBM system at this time to incorporate such penetration aids into their system, and surely they would do so, knowing as they do the nature of the defense system they must overcome. For although it is conceivable (barely) that they might be sufficiently unreasonable to attack us with ICBM's (in spite of the full knowledge that we could and would eliminate them as a viable country if they did) it is inconceivable that they would do so without taking the relatively simple and inexpensive steps necessary to make sure such an attack would be effective.

2. Another argument put forward by proponents of a thin ABM system is that it would provide protection against the accidental firing of an ICBM by the Russians. It is argued that \$5 to \$10 billion is a relatively small price to pay for such protection. Those who argue in this way overlook one very important point. If the United States deploys an ABM system, then the Russians, or for that matter any other nation which considers us a threat, must modify their offensive missiles so as to give them a good chance of penetrating our defense. As we have said, such modifications are relatively easy. The technical advantage is always with the attacker. When such modifications were made (and they would undoubtedly proceed in parallel with our deployment of an ABM system) we would have to contend with the accidental launching of a missile equipped with multiple warheads, decoys, chaff, or whatever it takes to penetrate our ABM system. Thus in the end our cities would not be significantly better protected than they are at present.

It is important to note that the likelihood of an accidental launch by the Russians due to technical malfunction is comparable to the likelihood of an accidental explosion of one of our own missiles. Thus by surrounding our cities with nuclear tipped ABM's we are, if anything, increasing the probability of technical accident, either due to one of our own missiles or due to one of theirs.

Presumably, the chance of an accident on our part is very small. However, the damage it could cause is so great that we would have to consider ourselves in very great danger to want to take such a risk, particularly with a system that is not likely to be effective against the danger for which it is designed.

3. A third argument that we have heard in defense of an ABM system is that it would improve our over-all defense posture. This argument is put forward by those who see the thin system as the forerunner of a more extensive system costing many tens of billions of dollars. The trouble with this argument is that the cost of constructing any ABM system is very great compared to the cost a potential enemy must incur to redesign his offensive system to penetrate our defenses. Thus building an ABM system is a very inefficient way of improving our defense posture. It is too easily rendered useless by improvements in offensive weapons. Thus extensive expenditures by both sides lead to no relative improvement in either's position. Our country can ill afford to waste even \$5-10 billion on a thin system, let alone \$50-100 billion on the thick system which would be likely to follow.

4. In addition to these arguments, we have great doubts, of a purely technical nature, about the performance of any ABM system. It seems unlikely that a system of this complexity, if ever called upon, will perform with any high degree of success. The technical demands on a defensive system are much greater than those on an offensive or retaliatory system such as we have at present. Moreover, the necessary testing of the proposed system under realistic conditions

seems impossible and therefore we have very grave doubts about its successful performance.

We hope you are in agreement with us on these matters. We would appreciate any opportunity to discuss this further with you at your convenience. If we can be of any service to you in this matter we would be glad to cooperate.

Signed by the following members of the Physics and Astronomy Department faculty, University of Hawaii.

V. J. Stenger, Associate Professor; David Cline, Visiting Associate Professor; H. V. Neher, Visiting Professor; Richard J. Wolf, Assistant Professor; B. L. Henke, Professor; John R. Holmes, Professor/Chairman; Kenichi Watanabe, Senior Professor; San Fu Tuan, Professor; Peter N. Dobson, Jr., Assistant Professor; Ann M. Boesgaard, Assistant Professor; Ramon D. Wolstencroft, Associate Professor; William W. Sinton, Professor/Astrophysicist; J. B. Zirker, Professor; Frank Q. Orrall, Professor/Astrophysicist; Michael W. Peters, Assistant Professor.

## COOPERATION WITH THE UNITED KINGDOM IN THE FIELD OF NUCLEAR PROPULSION ON NUCLEAR SUBMARINES

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

Mr. ANDERSON of Illinois. Mr. Speaker, Congressman CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, on the day before yesterday in a statement on the House floor, placed all of the particulars in the RECORD concerning a proposed amendment to the agreement with the United Kingdom for mutual defense in the field of atomic energy.

I support the amendment with the assurances the committee received from the executive branch concerning the use of the enriched uranium which would be transferred under the amendment explained by the chairman of the Joint Committee yesterday.

In the course of JCAE discussions with the executive branch on the subject of this agreement, a number of related issues came to light which caused concern to the committee in terms of U.S. security and political interests. Although the committee is not opposed to the provision of the requested materials to the United Kingdom, committee members were reluctant to approve the proposed revision to the 1958 agreement without further assurance that such action would not be adverse to broader U.S. interests.

Some of these issues did not come to the attention of the committee until a final hearing on March 10. Accordingly it was not possible for the executive branch to resolve them with the British Government by today, when the legally specified period of congressional consideration expires. Committee approval is, therefore, based on an understanding with the responsible executive agencies that the outstanding issues will be resolved before the revised agreement for cooperation is implemented.

Since the position of the committee is contingent upon the satisfactory resolution of these questions, I expect that the executive branch will consult with the

British Government at an early date, with a view to providing the committee with the necessary assurances.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. MILLER of Ohio), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. STAGGERS (at the request of Mr. FLOWERS), today, for 5 minutes; to revise and extend his remarks and to include extraneous matter.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. JOELSON.

Mr. KLUCZYNSKI.

Mr. GROSS.

(The following Members (at the request of Mr. MILLER of Ohio) and to include extraneous matter:)

Mr. STEIGER of Wisconsin in two instances.

Mr. McCLURE.

Mr. BOB WILSON.

Mr. ZWACH.

Mr. RUMSFELD.

Mr. WHALEN.

Mr. ASHBROOK.

Mr. CONTE.

Mr. WYMAN.

Mr. CLEVELAND in two instances.

Mr. McEWEN.

Mr. HASTINGS.

Mr. NELSEN.

Mr. HANSEN of Idaho.

Mr. BROTZMAN.

Mr. ANDERSON of Illinois.

Mr. WATSON.

Mr. DERWINSKI in two instances.

Mr. BOW in two instances.

Mr. GUDE.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. DENT.

Mr. EILBERG.

Mr. ANNUNZIO.

Mr. BIAGGI in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. ADDABBO in three instances.

Mr. NATCHER.

Mr. MATSUNAGA.

Mr. HANNA in two instances.

Mr. POPELL in two instances.

Mr. BROWN of California.

Mr. GONZALEZ in three instances.

Mr. RARICK in four instances.

Mr. WOLFF in three instances.

Mr. PICKLE in three instances.

Mr. FRASER.

Mr. DANIELS of New Jersey.

Mr. MOORHEAD in two instances.

Mr. FEIGHAN in four instances.

Mr. ZABLOCKI in two instances.

Mr. EDMONDSON in two instances.

Mr. DIGGS.

Mr. FARBSTAIN in two instances.

Mrs. GRIFFITHS.

#### ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, March 17, 1969, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

580. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' Home for fiscal year 1968 and the report of the annual general inspection of the home for 1968, pursuant to the provisions of 24 U.S.C. 59, 60; to the Committee on Armed Services.

581. A letter from the Secretary of Commerce, transmitting the 1968 Annual Report of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

#### 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. PERKINS: Committee on Education and Labor. H.R. 8438. A bill to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969 (Rept. No. 91-77). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Disposal of rights in Indian tribal lands without tribal consent (Rept. No. 91-78). Referred to the Committee of the Whole House on the State of the Union.

Federal air pollution research and development; an interim report on sulfur oxides pollution abatement research and development (Rept. No. 91-79). Referred to the Committee of the Whole House on the State of the Union.

Pursuant to an order of the House, March 12, 1969, the following report was filed March 13, 1969. S. 1058. An act to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government (Rept. No. 91-80). 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. ADAMS:

H.R. 8915. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. ADDABBO:

H.R. 8916. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of California:

H.R. 8917. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASHLEY:

H.R. 8918. A bill to amend title II of the Social Security Act so as to remove the limi-

tation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BEALL of Maryland:

H.R. 8919. A bill to amend title IV, section 401, of the Older Americans Act of 1965 to provide for demonstration grants to nonprofit organizations assembled to find employment for older Americans; to the Committee on Education and Labor.

By Mr. BINGHAM:

H.R. 8920. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 8921. A bill to provide for the establishment of an additional national cemetery to supplement Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 8922. A bill to amend section 8341 of title 5, United States Code, to provide annuities for surviving spouses without deduction from a retired employee or Member's annuity, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California (for himself, Mr. HAWKINS, Mr. REES, and Mr. ROYBAL):

H.R. 8923. A bill to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia:

H.R. 8924. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California:

H.R. 8925. A bill to provide that nonprofit hospitals shall be subject to the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. CLEVELAND:

H.R. 8926. A bill to amend title XVIII of the Social Security Act to provide that payment may be made under the hospital insurance program for emergency inpatient hospital services furnished in Canada or Mexico regardless of where the emergency occurred; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 8927. A bill to amend the Internal Revenue Code of 1954 to provide for a liberalized child-care deduction as a trade or business expense; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 8928. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 8929. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. EDWARDS of Alabama:

H.R. 8930. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

H.R. 8931. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 8932. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 8933. A bill to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeeville lock and dam; to the Committee on Public Works.

H.R. 8934. A bill to amend title XVIII of the Social Security Act to provide coverage under the supplementary medical insurance program for the cost of services furnished by privately practicing anesthetists; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 8935. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. EVANS of Colorado (for himself and Mr. MATSUNAGA):

H.R. 8936. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8937. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 8938. A bill to amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 8939. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public lands; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 8940. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 8941. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

H.R. 8942. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 8943. A bill to provide for the exclusion of sick-pay benefits from gross income of employees until such time as they are not expected to work because, for example, they have reached the age for compulsory retirement, and for other purposes; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 8944. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 8945. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 8946. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 8947. A bill to amend the Internal Revenue Code of 1954 to provide a basic \$5,000 exemption from income tax for amounts received as annuities, pensions, or

other retirement benefits; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 8948. A bill to establish the Inter-agency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HATHAWAY:

H.R. 8949. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

H.R. 8950. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. JOELSON:

H.R. 8951. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. KYL (for himself, Mr. GROSS, Mr. SCHWENGLER, and Mr. MAYNE):

H.R. 8952. A bill to amend the Internal Revenue Code of 1954 to limit losses allowable with respect to farming operations which are incurred by taxpayers whose principal business activity is not farming; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 8953. A bill to authorize funds for the development of flood protection in the vicinity of Fairfield, Calif.; to the Committee on Public Works.

H.R. 8954. A bill to authorize funds for the development of flood protection in the Jack and Simmerly Sloughs area, California; to the Committee on Public Works.

By Mr. LONG of Maryland (for himself, Mr. MOORHEAD, Mr. RYAN, and Mr. ST GERMAIN):

H.R. 8955. A bill to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, D.C., and Boston, Mass.; to the Committee on Public Works.

By Mr. LOWENSTEIN:

H.R. 8956. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MCCARTHY:

H.R. 8957. A bill to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLURE:

H.R. 8958. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 8959. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 8960. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

H.R. 8961. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of the salary of a full-time policeman or other State or local law enforcement offi-

cer shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 8962. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 8963. A bill to establish a pilot program making housing loans available to veterans of service in the Armed Forces of the United States who are residing abroad; to the Committee on Foreign Affairs.

H.R. 8964. A bill to establish a pilot program under which the Administrator of Veterans' Affairs shall make direct housing loans available to certain veterans residing abroad; to the Committee on Veterans' Affairs.

By Mr. NIX:

H.R. 8965. A bill to authorize repatriation of Americans of African descent and the furnishing of development aid to Africa, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'KONSKI:

H.R. 8966. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; to the Committee on Interior and Insular Affairs.

By Mr. O'NEAL of Georgia:

H.R. 8967. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 8968. A bill to facilitate equipment interchange between and among the several modes of transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. POLLOCK:

H.R. 8969. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. RIEGLE (for himself and Mr. MATSUNAGA):

H.R. 8970. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

By Mr. ROUDEBUSH:

H.R. 8971. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 8972. A bill to amend title II of the Social Security Act to increase to \$3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. RUMSFELD (for himself, Mr. BEALL of Maryland, Mr. BROZMAN, Mr. BROWN of Michigan, Mr. BUCHANAN, Mrs. DWYER, Mr. EDWARDS of Alabama, Mr. FINDLEY, Mr. FREY, Mr. HANSEN of Idaho, Mr. HOSMER, Mr. KYL, Mr. LUJAN, Mr. McCLOSKEY, Mr. MOSHER, Mr. NELSEN, Mr. RIEGLE, Mr. STANTON, Mr. STEIGER of Arizona, Mr. THOMPSON of Georgia, Mr. VANDER JAGT, Mr. WEICKER, Mr. WOLD, and Mr. WYATT):

H.R. 8973. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ST GERMAIN:

H.R. 8974. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8975. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 8976. A bill to prohibit the use of Federal funds for sex education in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 8977. A bill to prohibit certain weather modification activities over land areas of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 8978. A bill to amend the Public Health Service Act to support research and training in diseases of the digestive tract, including the liver and pancreas, and diseases of nutrition, and aid the States in the development of community programs for the control of these diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8979. A bill to increase the personal income tax exemption (including the exemptions for dependents and the additional exemptions for old age and blindness) to \$1,200 for 1969 and succeeding years; to the Committee on Ways and Means.

By Mr. STUCKEY:

H.R. 8980. A bill to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 8981. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unmarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 8982. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

H.R. 8983. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 8984. A bill to provide that the park referred to as the "Piscataway Park" on the Potomac River, Md., shall hereafter be known as the Frances Payne Bolton Park; to the Committee on Interior and Insular Affairs.

By Mr. WAGGONER:

H.R. 8985. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 8986. A bill to provide for the establishment of the Eugene O'Neill National Historic Site and the Las Trampas Ridge National Park; to the Committee on Interior and Insular Affairs.

By Mr. WATTS:

H.R. 8987. A bill to confirm the purpose of the accelerated depreciation provisions of the Internal Revenue Code, and to avoid loss to the Federal revenues in the case of regulated taxpayers through the application of these provisions contrary to the intent of Congress; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 8988. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 8989. A bill to amend section 901 of title 38 of the United States Code to require the Administrator of Veterans' Affairs to provide two sizes of flags for burial purposes and to permit next of kin of deceased veterans to select the size desired; to the Committee on Veterans' Affairs.

By Mr. CABELL:

H.J. Res. 547. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. COWGER:

H.J. Res. 548. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of Government of the United States; to the Committee on the Judiciary.

By Mr. HAYS:

H.J. Res. 549. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.J. Res. 550. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 551. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. OTTINGER:

H. Con. Res. 168. Concurrent resolution establishing a Joint Committee on Social Welfare; to the Committee on Rules.

By Mr. DORN (for himself, Mr. RIVERS, Mr. GETTYS, Mr. McMILLAN, Mr. WATSON, and Mr. MANN):

H. Res. 317. Resolution endorsing the efforts of the South Carolina Jaycees; to the Committee on Education and Labor.

By Mr. GONZALEZ:

H. Res. 318. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding the Mexican-American War in 1848; to the Committee on Rules.

By Mr. LOWENSTEIN:

H. Res. 319. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H. Res. 320. Resolution providing funds for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

55. Also, memorial of the Legislature of the State of Arizona, relative to studying the feasibility of acquiring riparian rights for the piping and pumping of water from the Gulf of California to Arizona for irrigation purposes; to the Committee on Foreign Affairs.

56. Also, memorial of the Legislature of the State of Arizona, relative to granting Federal lands for schools; to the Committee on Interior and Insular Affairs.

57. Also, memorial of the Legislature of the State of Idaho, relative to water rights; to the Committee on Interior and Insular Affairs.

58. Also, memorial of the Legislature of the State of South Dakota, relative to a users' tax on airport facilities for the development of a program relating to the needs of the air transportation system; to the Committee on Interstate and Foreign Commerce.

59. Also, memorial of the Legislature of the State of South Dakota, relative to equipping planes with a locator beacon for rescue purposes; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8990. A bill for the relief of Francesca and Lucia Palminteri; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 8991. A bill for the relief of Leopoldo DiTrapani; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8992. A bill for the relief of Rita Vitale; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 8993. A bill for the relief of Miss Milagros L. Lim; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 8994. A bill for the relief of Adolfo Q. Bengzon and his wife, Honorata Bengzon; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8995. A bill for the relief of Silvestre Bommarito; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 8996. A bill for the relief of Fakhrol Zaman Askarpour-Hamadani; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 8997. A bill for the relief of Sixto C. Baco; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8998. A bill for the relief of Zalmal Sayyad Ameeriar and his wife, Ayesha Zalmal Ameeriar; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8999. A bill for the relief of Umberto Anania; to the Committee on the Judiciary.  
H.R. 9000. A bill for the relief of Corazon A. de la Merced; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 9001. A bill for the relief of William Patrick Magee; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 9002. A bill for the relief of Florida Hernandez; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. By the SPEAKER. Memorial of the Legislature of the State of South Dakota, relative to the conservation and development of soil, water, and all related natural resources; to the Committee on Agriculture.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

78. By the SPEAKER. Petition of the Mariana Islands District Legislature, relative to a unified territorial civil service plan for employees of the Trust Territory of the Pa-

cific Islands; to the Committee on Interior and Insular Affairs.

79. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of

grievances; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA—ARTICLE BY DAVID FROMKIN

### HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. CRANSTON. Mr. President, Mr. David Fromkin has written an interesting article entitled "Leader of the Opposition: An American Lacuna," which was published in *Interplay* magazine for February 1969. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA

(By David Fromkin)

(NOTE.—David Fromkin is an international lawyer with offices in London, New York and Chicago. He has served from time to time as an advisor to Vice President Hubert Humphrey.)

"Only in America . . ." the familiar phrase begins, but in this case it must read: "Only in America or, if you used a different set of numbers, in Gaullist France." For in no other Western democracy could the candidate of 31,770,231 voters receive supreme power while the candidate of 31,270,533 voters receives no power at all. In theory, the elected President represents all of us. But in years like 1960 and 1968 he really represents less than half the electorate, and the other 30-plus million voters have no one to speak for them in the high places of government; their leader vanishes. For another four years, half the nation has no voice.

The British, in the course of a long constitutional development, have created a role for the leader of the defeated party, a position in which he, too, can contribute on a continuing basis to the thinking and leadership of his country and the shaping of its policies. We, on the other hand, have no use for such a leader. In the United States he raises funds to make up the campaign deficit; then, more often than not, we send him home.

Quite apart from its unfairness—that one man passes into the pages of history and the other out, by the margin of one-half of one percent—ours is a wasteful system. To the extent that our parties fulfill the obligation to nominate their best men for national office, we are wasting the judgment, talent, knowledge and experience that the candidates of the losing party can contribute to public life. Among my personal examples are Wendell Willkie and Adlai Stevenson; every-one will, of course, have his own.

The defeated candidate who decides to resist the tendency of the system—who decides that, even without another political position such as Senator or Governor, he will remain in public life—must support himself and his staff by private means. He goes to a private foundation. He administers a university. He heads a large corporation. He joins a law firm. Whichever alternative he chooses, he is retained by some private interest. His political program must take account of the needs and desires of his employers, clients or donors. His future political availability is limited by the "conflict of interest": was there a single free-wheeling client of his law firm who was not dredged up against Richard Nixon in the

campaign? The viciousness is in the system itself. We force the leader of the losing party to serve private interests when we should be requiring him to serve the public interest.

The chief defect of the way in which we treat the losing candidate, however, lies in its effect upon the victorious candidate. Ours is the only country in the Anglo-Saxon world whose Head of Government is not checked, balanced and limited by an adversary, a Leader of the Opposition, with whom he is locked in continuous public debate. One reason is that our Head of Government is also Head of State. As the symbol of the nation as a whole, he is to that extent lifted above the leader of the opposite party. This only makes matters worse, for it cloaks him in an immunity that he should not have. The important things the President does nowadays are the life-and-death things done as leader of party and government, the very areas in which he should face constant challenge. In comparison, ceremonial functions of the presidency matter relatively little, although their existence adds to the aura and influence of the office of the presidency and can be misused.

The excessive growth of executive power has been observed throughout the world and almost universally deplored. One need not go so far as de Riencourt in *The Coming Caesars* to view with apprehension the growing accumulation of overwhelming power in the hands of one man. There is no one to question the President of the United States, except the newspapermen who do so at his pleasure. He does not submit to congressional inquiry. He may subtly commit us to foreign or domestic conflicts, without our being aware until they and their consequences are upon us. He dominates the media of communications. When he chooses to argue his case to the people, there is no one to argue the case against him: no one equally known, with equal access to communications facilities, with equal prestige, whose job and interest it is to clarify the choices before us, uncover the commitments in process of being made, expose the shortcomings of the President's program, and propose better alternatives.

#### A GAP IN THE SYSTEM

In the American system of government, there is a gaping hole where there ought to be a Leader of the Opposition.

The congressional leadership of the opposition party cannot fill the need; indeed, it misleads the electorate if it attempts to do so, because the alternative to the President was and will be the nominee of the party in Convention, which often has a different viewpoint from the party in Congress. Moreover, few congressional leaders have the motive or desire to challenge the President, or the national prestige to do so. Nor have they the appropriate status: the adversary of the Minority Leader of the Senate is the Majority Leader of the Senate, not the President. Most important, the congressional leadership does not dominate the news media, as the President does, and cannot argue the case against him to the people. The congressional leadership can neither question nor debate with the President.

On an *ad hoc* basis, as titular head of the Democratic party, Hubert Humphrey apparently hopes to supply some of the needed opposition leadership in the four years to come. As his friend and his countryman, I wish him well. But he cannot supply for himself what the law of the land withholds from him: public recognition, public funds, and a public role. Above all, he cannot compel the President (as the British system compels the Prime Minister) to answer his questions in open debate.

Three steps are necessary in order to fill the gap.

The first necessity is legislation defining the position of Leader of the Opposition (perhaps: "that losing candidate for the Presidency who receives the highest number of popular votes"), providing for his replacement upon death or disability, and establishing appropriate pay and allowances.

Analogous British legislation was enacted 32 years ago. As a Member of Parliament, the Opposition's Leader already received a parliamentary salary. In 1937, the position of Leader of the Opposition was constitutionally recognized for the first time and, for the first time, the Leader of the Opposition was given a salary as such. ("He had supported the constitution in 1936. In return the constitution formally recognized him." A. J. P. Taylor in *English History 1914-1945*.)

The salary might perhaps be equivalent to the salary of a US Senator. In addition, there would be the expenses of a staff, for without one no political figure can play a major public role. A minimum effective political staff is comprised of: an administrative assistant; a press secretary; a researcher and a speech-writer; and a chief advance man. Also, there would be office rental, secretarial and other clerical expenses.

The second necessity is a forum. Today this means, in effect, frequent access to prime television time. Appropriate legislation should provide for this.

The third and final necessity is an opportunity to publicly question and debate with the President on a regular basis. It is no objection to say we do not have a parliamentary framework for such debate, as do the British. Even in Britain the effective confrontation now occurs on television. The position of the Leader of the Opposition, which developed as a function of the parliamentary system, has transcended that system in this respect.

Therefore legislation enabling—and eventually, a constitutional amendment requiring—a mutual questioning and debate between President and Leader of the Opposition, on television, would round out the new public position of Leader of the Opposition. (Lest this be misunderstood as an anti-Nixon proposal, the amendment would be effective commencing with the next President, not with him.) Perhaps once a year, in early January, the two leaders would question and debate with one another before the assembled nation, clarifying in all due solemnity the state of the nation and the choices before us.

Clearly there are aspects of the British system that we cannot copy. Our Leader of the Opposition is not always, nor necessarily ever, the alternative Head of Government. He need not be, in order to fulfill his most significant function. In Britain there is a dialogue at the pinnacle of power. In America there is only a monologue; this is what should and can be changed. This would enable us to form wiser judgments on public matters, and to bring into play the full range of our private and public institutions (most especially, the Congress) to influence executive decisions conformable to the will and desire of the people as a whole.

The means of accomplishing this would be the means we have used, and used successfully, before. For instance, our solution to the many problems of the securities markets was called the "Truth-in-Securities" Bill, requiring full public disclosure of all pertinent data concerning securities issues, as well as extensive exposition and clarification of the risks inherent in investing in them. Similarly the proposals above might be termed the "Truth-in-Politics" Bill, the idea being to