COMMODITY CREDIT CORPORATION

Don Paarlberg, of Indiana, to be a member of the Board of Directors of the Commodity Credit Corporation.

DEPARTMENT OF THE INTERIOR

Carl L. Klein, of Illinois, to be an Assistant Secretary of the Interior.

Hollis M. Dole, of Oregon, to be an Assistant Secretary of the Interior.

James R. Smith, of Nebraska, to be an Assistant Secretary of the Interior.

Leslie Lloyd Glasgow, of Louisiana, to be Assistant Secretary for Fish and Wildlife, Department of the Interior.

Mitchell Melich, of Utah, to be Solicitor of the Department of the Interior.

DEPARTMENT OF COMMERCE

Larry A. Jobe, of Illinois, to be an Assistant Secretary of Commerce.

Myron Tribus, of New Hampshire, to be an Assistant Secretary of Commerce.

FEDERAL AVIATION ADMINISTRATION

John H. Shaffer, of Maryland, to be Administrator of the Federal Aviation Administration.

FEDERAL RAILROAD ADMINISTRATION

Reginald Norman Whitman, of Minnesota, to be Administrator of the Federal Railroad Administration.

U.S. COAST GUARD

The following licensed officers of the U.S. merchant marine to be permanent commissioned officers in the Regular Coast Guard in the grades indicated:

Lieutenant

Leo G. Vaske.

Lieutenant (junior grade)

James L. Hassall.

DEPARTMENT OF JUSTICE

Richard W. Velde, of Virginia, to be an Associate Administrator of Law Enforcement Assistance.

Richard A. Dier, of Nebraska, to be U.S. attorney for the District of Nebraska for the term of 4 years.

Allen L. Donielson, of Iowa, to be U.S. attorney for the southern district of Iowa for the term of 4 years.

HOUSE OF REPRESENTATIVES—*Thursday, March 20, 1969*

The House met at 12 o'clock noon.

The Very Reverend Vasil Kendysh, pastor of the Byelorussian Autocephalic Orthodox Church, Highland Park, N.J., offered the following prayer:

In the name of the Father, and the Son, and the Holy Spirit.

Almighty Father, Thou art our Creator, Teacher, and Judge. We beseech Thee, guide us in every step of our life, free us of all human weakness and imperfections.

Eternal God, bless this august House of Representatives of the United States of America. Strengthen the minds of its Members with wisdom, fortify their hearts with love, and their deeds with courage and justice.

Merciful God, we pray Thee on this 51st anniversary of the Proclamation of Independence of Byelorussia, have mercy upon her people. Strengthen their faith in Thy infinite goodness, support them in their sufferings, restore their freedom.

O God, accept this humble prayer of ours, bless the United States of America. Bless Byelorussia and her oppressed people. Amen.

THE JOURNAL

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

THE REVEREND VASIL KENDYSH

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

Mr. PATTEN. Mr. Speaker, the Reverend Father Vasil Kendysh of the Byelorussian Autocephalic Orthodox Church of Highland Park, N.J., is a member of the Byelorussian American group in my district. He gave the opening prayer in the House today.

These people, Mr. Speaker, yearn for freedom from Communist Russia, as do many of the other captive nations. I can assure the Members that the Byelorussians who live in my district are very intelligent, hard-working and wonderful people. They have doctors, lawyers, dentists, and other professional men among them. They are always a complete asset to America. Ethnically they regard themselves as separate and apart from Russia.

The Byelorussian area was between Moscow and Poland. For 500 years they were a free country. Only recently has Communist Russia recognized these people and appointed a Prime Minister for Byelorussia.

Mr. Speaker, I have found these people very interesting and I have greatly enjoyed their company. This is just another illustration of a great people who yearn for freedom from the Russian militarism.

LEANDER H. PEREZ, 1892–1969

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

Mr. RARICK. Mr. Speaker, Louisiana and the Nation has lost a champion of individualism with the lamentable passing of Leander H. Perez on March 19.

His devotion to the constitutional system and his loyalty for this country were unparalleled.

Judge Perez earned his fame and fortune in the true American free enterprise way. He was the seventh son of 13 children of a small Louisiana planter. He worked his way through college and became an attorney. In 1919 he was elected district judge in Plaquemines Parish—the first in a long line of positions he held while serving his people in public life.

The judge's reputation is one of courage and tenacity. He would never back down when he thought he was right, which is one of the many reasons the colorful "Judge," as he was known, had the confidence of his friends and the respect of his foes.

His passing removes from us a man of dynamic personality and conspicuous achievement—a man of fortitude and determined leadership for his people.

Mrs. Rarick and I extend deepest sympathy to his survivors and friends.

LEANDER H. PEREZ

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

Mr. PASSMAN. Mr. Speaker, I am saddened to learn of the passing of one of Louisiana's most colorful citizens, Judge Leander Perez, Sr. At times Judge Perez was somewhat controversial, but indeed he was forthright and one of Louisiana's best known citizens. Judge Perez was respected by friend and foe alike. He was known to have possessed one of the greatest minds among the legal fraternity, and doubtless he was one of the greatest constitutional lawyers known to the South. His contributions to his home Parish of Plaquemines, to his own State, and to his fellowman were well known. History will be kind to Judge Leander Perez. His thousands of friends indeed know that this world is a better place in which to live for Judge Leander Perez' having lived in it.

I want to extend my heartfelt sympathy to the members of his family.

REPEAL THE GUN CONTROL ACT OF 1968

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

Mr. LONG of Louisiana. Mr. Speaker, in response to clearly justified dissatisfaction and disenchantment, voiced by many of my constituents and, I do not doubt, uncounted citizens across the land, relative to the Gun Control Act of 1968, I am introducing today a bill to repeal that ill-advised and basically repressive law. It has been made abundantly clear today after only a few months of its creation, even to those who suffer with the gun control syndrome, that the act does not serve to keep dangerous weapons from the hands of criminals and incompetents as its proponents claimed, but rather works unnecessary hardships on the law-abiding and peaceful citizen who has legitimate uses for firearms. Furthermore it has come to my attention that Treasury officials, in their zeal to enforce the Gun Control Act, have used this unfortunate law to extend their authority over the legitimate and peaceful traffic in arms and ammunition in clear and direct violation of the spirit and letter of the legislation and in highhanded conflict with the obvious congressional intent of the bill. Such executive usurpation of legislative functions demands action of the Congress to redress the honest and extremely well-founded grievances of the American people who labor under the weight of an unjust law which should never have been passed in the first place. I ask my colleagues serious consideration of this bill which seeks to correct an injustice committed in fear and panic. Thank you, Mr. Speaker.

ANNOUNCEMENT OF THE REPRESENTATIVES FROM THE HOUSE TO THE INTERPARLIAMENTARY GROUP

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

Mr. POAGE. Mr. Speaker, on behalf of the chairman of the Interparliamentary Group of the United States, the Honorable JOHN SPARKMAN, U.S. Senator, it is my privilege to announce the appointment of the following Members of the House of Representatives to the American delegation for the upcoming conference at Vienna: ALEXANDER PIRNIE, of New York; EMILIO Q. DADDARIO, of Connecticut; EDWARD J. DERWINSKI, of Illinois; Ross ADAIR, of Indiana; W. R. POAGE, of Texas; JOHN S. MONAGAN, of Connecticut; ROBERT MCCLORY, of Illinois; JIM WRIGHT, of Texas; and JOHN JARMAN, of Oklahoma.

CONGRESSMAN BLANTON INTRODUCES A BILL TO REPEAL THE GUN CONTROL ACT OF 1968 AND TO REENACT THE FEDERAL FIREARMS ACT OF 1938

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

Mr. BLANTON. Mr. Speaker, today I would like to introduce a bill to repeal the present Gun Control Act of 1968 and to reenact the Federal Firearms Act of 1938.

Having conferred with a number of private citizens and public officials in Tennessee and throughout the country, I find the intent of the Gun Control Act of 1968 is being abused and inaccurately enforced by the Treasury Department. Since passage of the 1968 act, the crime rate in this country has increased rather than decreased. Our law-abiding citizens are being harassed by the Treasury Department as they usurp their authority by thwarting the intent of Congress in requiring the registration of firearms that was specifically excluded in the act.

It is my feeling that we should repeal this law in order to protect our constitutional rights to own and bear arms for the protection of our homes and loved ones.

I opposed this bill last year and warned my colleagues that the Treasury Department was using a foot-in-the-door approach to total firearms control. My fears were not unfounded and I now urge immediate consideration and passage of this repeal.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT ON H.R. 337

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight, March 21, to file a report on the bill H.R. 337.

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

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 5554

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight, March 22, to file a report on the bill, H.R. 5554, to provide a special milk program for children.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESIGNATION FROM COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER laid before the House the following resignation from a committee:

MARCH 17, 1969.

Hon. JOHN M. MCCORMACK,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I hereby tender my resignation from the House Administration Committee.

With kindest personal regards,
Sincerely,

ROBERT J. CORBETT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution (H. Res. 331) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 331

Resolved, That the following named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Armed Services: Robert J. Corbett, of Pennsylvania.

Committee on House Administration: Orval Hansen, of Idaho.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STRENGTHENING OF CHILDREN'S FOOD SERVICE PROGRAMS

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 330) providing for the consideration of the bill (H.R. 515) 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, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 330

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 515) 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, and all points of order against the provisions contained in section 3 of said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Massachusetts (Mr. O'NEILL) is recognized for 1 hour.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield myself such time as I may need and at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. Speaker, House Resolution 330 provides an open rule with 1 hour of general debate for consideration of H.R. 515 to amend the National School Lunch Act and the Child Nutrition Act. The resolution also provides for waiving points of order against section 3 of the bill because of a transfer of funds in that section—page 4, line 10.

H.R. 515 amplifies present language in the National School Lunch Act which requires meals without cost or at a reduced cost to children unable to pay the full cost of the lunch. The bill requires that such children be determined by a systematic plan applied to all families on the basis of need criteria. The bill adds provisions specifically prohibiting the identification of any child or children participating in the school lunch program or any food program under the Child Nutrition Act by the use of such devices as special tokens, tickets, or published lists of names.

The States and school districts are currently in the process of developing and publishing the eligibility standards so that every family will know whether a child should be receiving a free or reduced-price meal.

State matching requirements are provided in the bill and a nutrition training program is authorized.

The Secretary of Agriculture would be permitted to take a hard look at some of the competition to the balanced meal offered within schools and service institutions and the bill provides flexibility to the Department and to the States as they move toward providing a fully adequate food service for children.

Mr. Speaker, I urge the adoption of House Resolution 330 in order that H.R. 515 may be considered.

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

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Missouri.

Mr. HALL. In the gentleman's opening remarks he referred to the waiver of points of order in the House resolution, and said it applied to section 3 of the bill made in order. That is the section of the bill that is entitled "Nutrition Training and Education." I believe the gentleman's explanation justifying the waiver of points of order was, that there was a transfer of funds involved. Can the gentleman in his wisdom advise if such action reflected the decision of the Committee on Rules for waiving points of order. Frankly, I have read and reread that entire section, which is all one long quotation, and it involves about 32 subordinate clauses. I do not have the least idea in the world where we are transferring funds from and to, or indeed what section 3 means.

I just wonder if this was brought out in the hearing before the Committee on Rules, and if the waiver of points of order, which, of course, takes away our individual prerogative as elected legislators, was at the request of the chairman, the suggestion of the Parliamentarian, or the Committee on Rules.

Mr. O'NEILL of Massachusetts. It was at the request of the chairman, the gentleman from Kentucky (Mr. PERKINS), and partly at the suggestion of the Parliamentarian. The gentleman from Kentucky is on his feet, and I yield to him so that he may answer the question.

Mr. PERKINS. Mr. Speaker, the first school lunch program we have ever had in this country was established by section 32 funds, pursuant to an act of Congress in 1935 to promote the sale of agricultural products to help the farmers in this country. We utilized it all during World War II until we enacted the School Lunch Act in 1946. We are still utilizing section 32 funds for the purpose of buying commodities and donating them to the States.

Here we have funds that are appropriated, and therefore it was necessary to ask for a waiver of points of order because we would utilize those appropriated funds. It was for that reason that we asked the Rules Committee to waive points of order only as to section 3.

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

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Missouri.

Mr. HALL. Does the gentleman mean to imply that all of these relative clauses in this very composite and quoted sentence to which I referred, applies only to section 32 funds?

Mr. PERKINS. Additionally, the amendment applies to two acts. It applies not only to the National School Lunch Act but also the Child Nutrition Act.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate that, and I want it clearly understood that, first of all, I was strongly in favor of the distribution of surplus commodities and their use for the youth and their nutrition, and I have no objection to further study of the nutritional state of our children or of our foods, whether they be surplus or not. But is it not true also that in at least five different instances in this paragraph under section 3 that certain percentages of income from different acts or funds are designated for the Secretary of Health, Education, and Welfare to use, in his wisdom, administratively, and therefore that in effect becomes an open ended call on these various funds, and that is why we are asked to waive points of order? Is such not an incorrect charge against one department, with the other given the implementing authority?

Mr. PERKINS. No; we have limitations on the appropriations, but the real reason we are waiving points of order is that we cannot utilize appropriated funds of a previous year because they would revert to the Treasury. Unless we have a waiver of points of order, you could make a point of order against it.

Mr. HALL. If the gentleman will yield further, I say to the distinguished chairman I am well aware of that. That is why I want to clarify this point before we give unanimous consent to consider it, or whether we ought to bring it before the House, or perhaps vote down the previous question, et cetera.

The gentleman is stating for the benefit of the Members, that we are not only getting authority to transfer funds, but we are also carrying over funds from prior year appropriations?

Mr. PERKINS. That is correct.

I compliment the gentleman from Missouri (Mr. HALL) for his great assistance in connection with this program through the years. There has been no greater, more stanch supporter.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Massachusetts yielding. I oppose these waivers of points of order, and I question this derivation of funds.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I agree with the statements just made by my colleague, the gentleman from Massachusetts (Mr. O'NEILL).

I wish to report I have no requests for time.

I support the rule. I support the bill. The administration supports the bill.

The purpose of the bill is to strengthen the National School Lunch Act and the Child Nutrition Act to: First, insure advanced funding for the programs included in the acts; second, institutes a policy to insure that the States will participate in the programs on a cash payment basis; and, third, prohibits any identification of those children who are being assisted under the two acts.

Last year Congress provided, in the amendments to the Vocational Education Act, that all educational programs administered by the Office of Education were granted advance funding authority. The committee believes the same reasoning applies to the food service programs. H.R. 515 will provide for advanced funding in order that school administrators may formulate plans before the school year begins.

According to the fiscal year 1970 budget submitted in January, funding requests for these programs will total $367,466,000. This includes, in addition to the regular school lunch program, some $90,000,000 for especially needy children, $10,000,000 for the school breakfast program—still almost a pilot project, $10,000,000 for purchase of food service equipment, and $20,500,000 for the nonschool food program. This total will be an increase of $121,191,000 over fiscal 1969 estimated expenditures. In addition to these expenditures, the Commodity Credit Corporation will contribute some $250 million in commodities to the program in fiscal 1970.

The bill also requires that in both fiscal 1970 and 1971 a State must appropriate funds to be used in the programs equal to at least 4 percent of the Federal funds. This is to be increased by 2 percent each year until a permanent figure of 10 percent is reached and then maintained. This requirement will not apply to programs conducted in nonprofit private or parochial schools.

Finally, the bill clarifies existing language in the School Lunch Act to insure that lunches are served to poorer children either at no cost or below cost. Such children are not to be singled out or identified in any public manner, such as lists or special tickets or tokens.

The gentleman from Wisconsin (Mr. STEIGER) has submitted additional views. He supports the bill and wants to add two amendments. To the section requiring State funds participation of 10 percent, he wants to add language to insure that the States will have an incentive to do this from their revenue sources—as required—rather than have some States drop out of the programs. The amendment would provide incentive to the States in the form of commodities for use in the programs. A second amendment to be offered will try to insure more cooperation between HEW and Agriculture, both of which are involved in funding the programs covered by the acts.

I support the rule and the bill and urge its passage.

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

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PUCINSKI) 2 minutes.

MR. HOPE'S INDISCRETION

Mr. PUCINSKI. Mr. Speaker, last night a very distinguished American humorist, Bob Hope, committed what was, in my judgment, a most unfortunate indiscretion during his appearance at Constitution Hall.

I yield to no one in my admiration of Mr. Hope. I have admired and enjoyed him all these years. But I must take objection to the fact that yesterday, in order to get some laughs, Mr. Hope used two Polish jokes—two very old, tired, and not very funny, Polish jokes.

Worst of all, to add insult to injury, Mr. Hope kept referring to "Poles" as "Polacks." I would hope we have outlived that era when in this country we refer to ethnic groups by slang names.

I think Mr. Hope owes Americans of Polish descent a public apology. It is my hope he will avoid similar indiscretions in the future. Mr. Hope is too highly respected and has too much real talent to have to rely on such Polish jokes to sustain his repartee.

I can tell my colleagues one thing: Bing Crosby would never be caught with this kind of indiscretion.

Mr. O'NEILL of Massachusetts. 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.

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 515), 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.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 515, with Mr. OLSEN in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Kentucky (Mr. PERKINS) will be recognized for 30 minutes and the gentleman from Ohio (Mr. AYRES) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, a bill in substance like H.R. 515 passed the House last year unanimously under a suspension of the rules. This bill, to my way of thinking, makes a great improvement to one of the greatest programs that this Congress has ever enacted, the national school lunch program.

We are opening our debate here today on H.R. 515, a bill to amend the National School Lunch and Child Nutrition Acts, in the midst of a growing public consensus that hunger and malnutrition shall be eliminated from this country. The essential points in this bill are almost identical to those in H.R. 17873, a measure we approved unanimously last year in a rollcall vote.

I am proud of the work we have done in the House Education and Labor Committee to improve nutrition among children and I am just as proud of the all-out endorsement we have received from the Members of this House each and every time we have come before you with proposals to strengthen child feeding programs.

H.R. 515 carries the full support of the last administration and the new administration—both have testified as to the need for this measure. The details of this bill were developed in full cooperation with the State school lunch directors who are charged with administration of food service in schools. They need and want this measure as is. The language, the proposals, the details were developed by those who know what they need from us; by those who live with these programs day in and day out and who are responsible for operating sound and effective food service programs for children.

And these proposals also reflect the thinking of private groups who were consulted fully on their views as to how to strengthen these programs. I cannot praise too highly the work of the dedicated women's groups who analyzed, in depth, the effectiveness of the food service programs and whose recommendations appeared just about a year ago in a widely praised publication, "Their Daily Bread." They did not just issue their report and then turn to other subjects. They have stayed with the problem—advising, counseling—providing the kind of solid grassroots support so essential if we are to really get on with the job of improving nutrition among children.

There may be some Members who are not familiar with all we have done in recent years to structure sound food service programs for children and this is an appropriate time for a review of where we stand.

First. The basic legislation is, of course, the National School Lunch Act, passed in 1946. This legislation grew out of congressional concern about the nutritional level of children in school—not just some children—all children. Through the national school lunch program, Federal support is provided in the form of cash and donated foods to public and nonprofit private elementary and secondary schools that agree to operate a nonprofit food service that meets specified nutritional requirements. These nutritional requirements are based on tested nutritional research and are designed to meet at least one-third of a child's daily nutritional needs. The schools also agree to serve meals free or at reduced price to those children that cannot afford the full cost of the lunch.

The lunch program is now operating in schools with almost 80 percent of all children enrolled in public and nonprofit elementary and secondary schools. The national average rate of reimbursement is about 4.5 cents per lunch in cash and 10 to 12 cents in the form of donated foods. The average cost of getting that lunch on the table was about 57 cents in the 1967–68 school year.

For most schools, this level of Federal support is just barely enough to operate a viable program and maintain the charge to the youngsters at a reasonable level. However, in a number of situations, the support provided is not adequate to underwrite the full need for free and reduced price meals.

It was in recognition of this that we added Section 11 to the National School Lunch Act in 1962. Section 11 carries its own apportionment formula and its own funding authority. It authorizes a higher level of support for lunch programs in low-income area schools. We enacted the legislation but it took us 3 years to get around to providing any funds at all for this section and then the amount appropriated was totally inadequate to do the job.

Second. In 1966, we passed the Child Nutrition Act that authorized a pilot school breakfast program for low-income area schools and remote rural schools where the children travel long distances. The Child Nutrition Act also authorized assistance to low-income area schools in the acquisition of equipment for food service.

And this measure also provided:

Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

Third. Just last year, we enacted Public Law 90–302 that locked into place the final bit of hardware to complete our capability for reaching children in groups of any age, year-round with food service. That legislation authorized assistance for food service in day-care centers, settlement houses, and summer day-care activities, particularly those for children of low-income families.

The proposal before us today does not launch any bold new initiatives—this part of the job has already been done. What H.R. 515 does essentially is to tidy up some loose ends and authorize some assistance in a long-neglected area—nutrition education and training. It is a bill that does not cost the Federal Treasury a nickel. H.R. 515 provides the following:

First. It strengthens the statutory requirements and responsibilities with respect to the criteria for the serving of free and reduced price meals. This section outlines some of the things the State and local education officials shall take into consideration in developing a policy and plan to assure equitable treatment for all who should be receiving a free or reduced price meal. It also provides that the policies and plans shall be announced publicly so that everyone knows the rules.

Second. It spells out several things that shall not be done in order to avoid publicly identifying those children who are receiving free meals. Special tokens or tickets for these children are prohibited as is the publication of lists naming the children who are receiving free or reduced price meals.

Third. The State matching requirements are changed so that State tax funds must be used to meet a portion of the present matching requirements. The change would be very gradual on a biennium basis, reaching the equivalent of 30 cents for each Federal dollar in fiscal year 1977. As matters now stand, only a handful of States provide direct program funds for school food service. Most rely far too heavily on children's payments to meet the matching requirement.

H.R. 515 authorizes that Federal appropriations for child nutrition programs may be made a year in advance. This is an important feature because it is becoming increasingly difficult for the State and local education officials to plan sound, sensible, and effective food

assistance programs when they may not know until well into the school year how much Federal support will be forthcoming. As a practical matter, schools need to establish a meal price before school opens and a price that will sustain the program throughout the school year. School food service programs operate on the thinnest of margins and if they are forced to raise prices in the middle of the school year, they can lose their clients by the dozen.

Any housewife with two or three youngsters in school will think twice about laying out that breakfast or lunch money five days a week if it represents too much of a squeeze. And here we are talking about the great majority of participating children—the children in families of fairly modest circumstances. After all, this is the bulk of our population and they need this small help they get through school food service.

Fourth. One major feature of H.R. 515 has very important long-range implications for this Nation's nutritional well-being. It provides that up to 1 percent of the funds appropriated for school food service may be used for nutrition training and education both for those directly involved in the operation and management of school food service and for the children benefiting from these programs.

It has become very clear over the past several years that all too many of our people have little understanding of the importance of good nutrition and what it takes to eat wisely and well. Good nutrition is a life-long need—even more essential in an area when we are greatly reducing the incidence of diseases that killed thousands of youngsters.

Fifth. The remaining amendments essentially clear up or clarify some technical points that State food service officials would like to see clarified. One, for example, would permit the States some flexibility in the use of funds appropriated for food service. Some States have virtually every school equipped for food service. These States then, on the basis of an approved plan, could concentrate on serving more free or reduced price breakfasts and lunches. This is essentially what has been done this year with the additional funding which was provided from section 32 money. It all goes to feeding youngsters—particularly the needy youngsters—but this approach allows the States to exercise some options to get food service to as many needy children as possible as quickly as possible.

In conclusion, I want to emphasize, I want to reiterate, that we are now in a position to move rapidly to reach more millions of children with food service. And I mean all children. This is the best route we have to show a dramatic improvement in the health and well-being of our young children and our school-age children. Reaching these children in group situations can do much to offset what may be inadequate nutrition at home whatever the family's financial status.

Let us always bear in mind that these are food service programs for children—all children.

Mr. Chairman, I hate to go over this program with no one on the floor. I am going to make the point of order that a quorum is not present.

The CHAIRMAN. It is obvious a quorum is not present. The Clerk will call the roll.

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

[Roll No. 28]

Adair	Ford, William D.	O'Konski
Adams	Fraser	O'Neal, Ga.
Addabbo	Frelinghuysen	Ottinger
Alexander	Gallagher	Pirnie
Anderson, Tenn.	Giaimo	Powell
Annunzio	Gray	Preyer, N.C.
Ashbrook	Hagan	Purcell
Ashley	Hanna	Quie
Ayres	Hansen, Idaho	Railsback
Bates	Hastings	Rees
Bell, Calif.	Hathaway	Reid, Ill.
Bow	Hays	Ronan
Brademas	Hébert	Rooney, Pa.
Bray	Holifield	Rosenthal
Brown, Calif.	Johnson, Pa.	Roudebush
Broyhill, Va.	Karth	Roybal
Burton, Utah	Kirwan	Sandman
Camp	Leggett	Scherle
Carey	Lowenstein	Scheuer
Casey	Lujan	Scott
Celler	McCarthy	Shriver
Chisholm	McCloskey	Springer
Collier	McDonald, Mich.	Stephens
Conyers	McEwen	Stuckey
Culver	Mailliard	Symington
Davis, Wis.	Mann	Taft
Derwinski	May	Teague, Calif
Diggs	Meeds	Tunney
Dowdy	Michel	Udall
Eckhardt	Mollohan	Utt
Erlenborn	Mosher	Waggonner
Esch	Murphy, N.Y.	Watkins
Findley	Myers	Williams
Flowers	Nichols	Wilson, Bob
Foley	O'Hara	Wold
		Wydler

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ROONEY of New York) having assumed the chair, Mr. OLSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 515 and finding itself without a quorum, he had directed the roll to be called when 325 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Kentucky (Mr. PERKINS) was addressing the Committee when the quorum call commenced. The Chair recognizes the gentleman from Kentucky.

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

The CHAIRMAN. The Chair will count. [After counting.] Sixty-seven Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 29]

Adair	Conyers	Hastings
Adams	Culver	Hathaway
Alexander	Daniels, N.J.	Hays
Anderson, Tenn.	Davis, Wis.	Hébert
Annunzio	Dellenback	Hicks
Ashbrook	Derwinski	Holifield
Ashley	Diggs	Johnson, Pa.
Ayres	Dingell	Kirwan
Bates	Dowdy	Leggett
Bell, Calif.	Eckhardt	Lujan
Bolling	Erlenborn	McCarthy
Bow	Esch	McCloskey
Brademas	Eshleman	McEwen
Bray	Evins, Tenn.	Mailliard
Brown, Calif.	Flowers	Mann
Carey	Fraser	Michel
Celler	Frelinghuysen	Montgomery
Chappell	Frey	Morton
Chisholm	Gallagher	Mosher
Cohelan	Giaimo	Murphy, N.Y.
Collier	Gilbert	Myers
Conte	Gray	Nichols
	Hanna	O'Konski
	O'Neal, Ga.	Roudebush
	Ottinger	Roybal
	Pike	Ruth
	Pirnie	Sandman
	Powell	Scherle
	Purcell	Scheuer
	Quie	Scott
	Rees	Shriver
	Reid, Ill.	Smith, Calif.
	Ronan	Stafford
	Rooney, Pa.	Stephens
	Rosenthal	Stuckey
		Taft
		Teague, Calif.
		Thompson, N.J.
		Tunney
		Udall
		Waggonner
		Watkins
		Weicker
		Williams
		Wilson, Bob
		Wold
		Wydler

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The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Kentucky (Mr. PERKINS) is recognized for 27 minutes.

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

Mr. PERKINS. I yield for a question; yes.

Mr. GOODLING. Prior to the interruption, Mr. Chairman, you made the statement that there is $600 million involved in this bill. To whom is this $600 million charged?

Mr. PERKINS. I made the statement that the entire school lunch bill cost last year about $623 million. We have in the budget this year for the school lunch programs $643 million. These funds go for the purchase of donated commodities and to reimburse the States for the school lunches served throughout the Nation at about 4.5 cents per school lunch served, and the donated commodities at about 10 cents, which totals about 14.5 cents. In other words, it cost about 57 cents last year to serve one of these lunches. That is where it goes.

Mr. GOODLING. I do not really think that the gentleman has answered my question. Perhaps he did not understand the question. My question is from what department does this $600 million come?

Mr. PERKINS. Some of it comes out of section 32 funds of the Department of Agriculture, some of it comes out of section 416 of the Agricultural Adjustment Act of 1949, some of it represents direct appropriations from this Congress here—most of it. That is where most of the funds come from.

Mr. GOODLING. One further question: This morning the Committee on Agriculture reported out the school milk bill. Why is it that the Committee on Agriculture has jurisdiction of the school milk bill and the Committee on Education and Labor has jurisdiction of the school lunch program? I think that many Members would like to have that jurisdictional question explained.

Mr. PERKINS. I know that the gentleman is perturbed about the school milk program and, likewise, in my opinion it is a mistake to omit the special milk program from the budget for fiscal year 1970. I believe it was a mistake. I am of the opinion that the Committee on Appropriations will do something about that, especially in view of the fact that

we extended the authority for the school milk program through 1970 and increased it up to $120 million annually. So, we have done everything in our power—the Committee on Education and Labor—all through the years to support this special milk program.

Mr. GOODLING. Mr. Chairman, if the gentleman will yield further, was not this jurisdiction just changed about a year ago—the school lunch program?

Mr. PERKINS. No, the school lunch program jurisdiction—and I have worked on the school lunch program in the Committee on Education and Labor—we rewrote the act in 1962.

It is true that back in 1946 the Committee on Agriculture had this jurisdiction but after the Reorganization Act the Education and Labor Committee has had the School Lunch Act. In recent years the School Lunch Act has been lodged, for all intents and purposes, in the Committee on Education and Labor.

Mr. GOODLING. I just wanted to point out, Mr. Chairman, that I do not want to see the farmers of America charged with an expenditure over which the Department of Agriculture and the Committee on Agriculture has no jurisdiction.

Mr. PERKINS. I certainly do not want to invade the prerogatives of the Committee on Agriculture.

Mr. Chairman, H.R. 515 strengthens the criteria for serving free or reduced price meals, and this determination of free lunch or breakfast has always been made by local school authorities, and we expressly prohibit discrimination through identification of children receiving free or reduced price meals such as an overt identification of children by segregation, physical segregation, use of special tokens or tickets, or announcing or publishing lists.

Mr. MIKVA. Mr. Chairman, would the gentleman yield?

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

Mr. MIKVA. I thank the gentleman for yielding.

Mr. Chairman, I was particularly concerned about this point that the gentleman has just been making. As the gentleman knows, there are some States, including my own, where I believe the original congressional intent was somewhat flaunted in terms of this identification of the children. I introduced a bill and made a statement before the gentleman's committee in my concern.

For example, one of the things done in Illinois was that the superintendent of public instruction required written application from the parents of children, and required identification of those as public aid recipients before being eligible for school lunch programs.

Do I understand the statement contained in H.R. 515, which the committee, chaired by the gentleman in the well, has reported out, would mean that such written application requirements would be contrary to the congressional intent in authorizing this program? Would I be correct in that statement?

Mr. PERKINS. That is correct. And we have tried for several years to eliminate this discrimination, or to prohibit these children being identified, but in certain school systems throughout the country this situation is still prevalent, and we feel that this language will do the job. That is the reason why we strengthened the language in this bill. I am very sure that this language will take care of the situation prevailing in Illinois.

Mr. MIKVA. For the purposes of the record, I had suggested some language at one time that said "No information shall be required by local school authorities from any child which shall identify him to his peers as the recipient of free or reduced-price school lunches, nor shall any child's family be required to provide personally to local school authorities information which is available from other public agencies regarding the family's income and public assistance or welfare status."

May I assume that the committee feels that the language of H.R. 515 already covers and prohibits the practices which I have suggested?

Mr. PERKINS. The gentleman is absolutely correct in that assumption.

Mr. MIKVA. Through the kind indulgence of the gentleman in the well, I wonder if it would be possible to insert my statement in the RECORD at an appropriate time on the discussion of this bill?

Mr. PERKINS. Certainly. I want to thank the gentleman for his contribution.

Mr. PUCINSKI. Mr. Chairman, would the gentleman yield?

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

Mr. PUCINSKI. Mr. Chairman, I might point out that on page 2 of the committee report the statement is made:

> The States and the school districts are currently in the process of developing and publishing the eligibility standards so that every family will know whether a child should be receiving a free or reduced-price meal.

Mr. PERKINS. Let me say to the gentleman that the language on page 2 is so clear, and also that on top of page 3, that I feel that the situation the gentleman refers to is already taken care of.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

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

Mr. LONG of Maryland. I thank the gentleman for yielding.

I would ask the gentleman are there any safeguards in here to prevent abuse of this program by some well-to-do people, for example, being permitted to take advantage of the free lunches for their children, even though the family can well afford to pay for their child's lunches?

Mr. PERKINS. Of course, we provide and set up certain safeguards here in the law; and to my way of thinking, we have adequate safeguards in this legislation, and I just do not believe that will happen.

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

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

Mr. ROGERS of Colorado. I thank the gentleman for yielding.

I would draw the attention of the gentleman to page 3 of the report wherein there is outlined an increase starting out at 4 percent of matching requirements, and increasing it 2 percent until it reaches 10 percent in 1976.

As I understand it, there is no requirement at the present time that the State matching this is taxed in any manner whatsoever?

Mr. PERKINS. That is absolutely correct. The cost of the school lunch program by and large is being borne by children's payments outside of the Federal Government contribution and there is no requirement on the part of the State.

It does not say that the States presently contributing—and that is the reason we require matching in a way that would not work a hardship on the States.

We start in at a low cost and gradually go up.

Mr. ROGERS of Colorado. If a State, as such, fails to provide percentages outlined up to 1976, would that result in any school districts within the State losing their money?

Mr. PERKINS. I cannot visualize any State rejecting or failing to cooperate because the evidence was so clear that all the States were willing to make a reasonable contribution here.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I yield to the gentleman.

Mr. ROGERS of Colorado. That State—or may I ask the gentleman—my State, in my congressional district, the city and county of Denver——

Mr. PERKINS. Let me interrupt the gentleman to say this—that we only got one derogatory telegram on this matter and that came from the gentleman's chief State officer in Colorado.

The chief State school officers otherwise unanimously endorsed this legislation—outside of the gentleman's own State.

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

Mr. PERKINS. I yield to the gentleman.

Mr. ROGERS of Colorado. Then, as an example, if the State of Colorado did not come forward as provided by this, and provided the necessary money, is it possible then for the school district No. 1, that is the city and county of Denver, then to negotiate directly with the department?

Mr. PERKINS. The school districts could then possibly negotiate directly with the Department of Agriculture for the use of any available section 11 funds where no matching is required.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I yield to the gentleman.

Mr. ROGERS of Colorado. If my school district then had to proceed in this fashion, then what would the situation be—as to the State?

Mr. PERKINS. Your district would have to deal with the State, but let me remind the gentleman that all State or local matching is required under section 11 funds.

Mr. ROGERS of Colorado. I thank the gentleman.

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

Mr. PERKINS. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. May I ask if the effect of this bill is to reduce the price of the lunch to the child who buys it or is the effect intended to be that additional children, who are not now being served school lunches, will be served?

Mr. PERKINS. Let me state that last year, until we got an extra $50 million, we only were serving 2.7 million needy schoolchildren free or reduced-priced lunches.

Now we are up to approximately 4.1 million.

The effect of the State matching requirements will either be an expanded program within a State or reduced prices for school lunches in such State.

Mrs. GRIFFITHS. Would not the real effect of this bill be, in my State, for example, that the wealthy suburbs of the State would be able to buy the school lunches at these reduced prices?

Mr. PERKINS. I will state to the gentlewoman from Michigan that a survey was made by a consortium of prominent national women's organizations. The report that they made was published and called "Their Daily Bread." That survey was very comprehensive and it recommended continuation of our present school lunch program and, on top of that, it recommended that something be done about the low-income groups, the schoolchildren from the low-income families of this country. That is what we are really trying to do. But we do not want school lunches for moderate-income families to be priced so high that in a few years the students will resort to snack bars and forget about the type A lunch which they are presently receiving in the school.

Mrs. GRIFFITHS. But the answer is that this measure will apply to all schools.

Mr. PERKINS. That is correct; and I want to thank the gentlewoman for her contribution.

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

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

Mr. HORTON. I thank the gentleman for yielding. I wish to get back to the same subject the chairman was discussing with the gentleman from Colorado; namely, the provision in the bill which will require the States to pick up the share that has been paid previously by the schoolchildren. I wanted to ask the chairman if he would clarify for me whether that provision would mean mandated funds insofar as the State is concerned.

Mr. PERKINS. The bill is very clear in stating that commencing with fiscal year 1871 at least 4 percent of the local and State matching must be derived from State tax revenues. These funds do not have to be earmarked by the State legislature and may come from any funds made available to State and local educational agencies from tax revenues.

Mr. HORTON. I wish to commend the chairman and the committee for trying to improvise a bill and a program which is going to give the school districts advance time so that they can make their plans accordingly. But the thing I am concerned about is the mandate of tax funds by the Federal Government in this bill upon the States.

Mr. PERKINS. Does not the gentleman think that it is reasonable where several States are making a big contribution, to require the other States that are receiving benefits, to contribute? The States now contributing are Louisiana, New York, Massachusetts, New Jersey, Hawaii, Utah, Delaware, Minnesota, West Virginia, District of Columbia, Vermont, Indiana, Puerto Rico, Virgin Islands, Guam, American Samoa.

We are not trying to put a harsh requirement on the States. It is very reasonable. We held really comprehensive hearings on this legislation, and all the experts and people throughout the country, the school lunch people, unanimously from the various States thought that these recommendations were reasonable, and this bill emerged from the committee.

Mr. HORTON. I understand. Will the gentleman yield further?

Mr. PERKINS. I yield for one additional question.

Mr. HORTON. Mr. Chairman, I am not being critical. I am trying to understand. In the State of New York, for example, would it be required to appropriate additional funds in order to carry out this phase of the program?

Mr. PERKINS. The State of New York, for instance, in my judgment is now appropriating more than would be required the first biennium or maybe the second biennium under this bill. We are just trying to put the school lunch program in order, so it will be solvent in the future, by reasonably requiring the States to make a reasonable contribution without penalizing any State. I do not think any State legislature in the whole country will object, and it will not do it unless we place this requirement in the law. All the States are going to take advantage of the school lunch program; we all know that.

Mr. Chairman, as we discussed the requirement on the part of the States, we all know that today under the National School Lunch Act the requirement is for $3 in local money to $1 from the Federal Government. These payments in the past have been mostly met from children's payments, and that is the real reason for this requirement in this bill.

Then another really important aspect of this bill is the nutrition education and training. We provide that 1 percent of the funds shall be utilized for that purpose.

Mr. Chairman I, have taken too much time, but before I conclude, I must compliment the gentleman from Minnesota (Mr. QUIE), the gentleman from Wisconsin (Mr. STEIGER), and all the Members on that side of the aisle who have worked so diligently in helping to write the bill last year and this year.

Last year this bill came out of the committee unanimously, and with the enthusiastic support we are all giving this measure, I hope the bill will pass the House unanimously this year.

Mr. Chairman, I thank the gentleman from New York.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

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

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 515, 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 and to strengthen the food service programs for children in schools and service institutions.

It is estimated that there are now approximately 6½ million children who need a free or reduced price lunch, and the Department of Agriculture expects to reach about 3½ million of those children this year. If Congress appropriates the amount requested for the school lunch program in the 1970 budget and in addition funds for the special milk program the remainder of the children should be reached next year. This bill contains the following provisions which would make the program more effective:

Local school authorities shall make determinations as to eligibility for participation in the program in accordance with a publicly announced policy and plan applied equitably, on the basis of criteria which must include level of family income, the number of persons in the family, and the number of children attending school.

There is to be no overt identification of children participating in the program through the use of special tokens, tickets, or published lists of names. It is hoped that this will prevent discrimination against or embarrassment to the children involved.

The bill authorizes advanced funding authority for the school lunch program, to facilitate planning, and requires that State-appropriated funds for the school lunch program made up from tax sources must equal at least 4 percent of the matching requirements in fiscal years 1970 and 1971. In the past, many States have relied almost entirely on children's payments to meet the matching requirement, and the intent of this bill is to avoid the practice of increasing the price of lunches to the children to make up the State share of the cost. This provision must be closely monitored to insure that all children in fact receive free or reduced-price lunches.

The bill authorizes a program of nutrition training in education, and provides flexibility to the States as they attempt to provide a fully adequate food service to their children. Some States need equipment before they can begin a full-scale food service program and other

States need money for free or reduced-price meals. This legislation would meet both needs.

Although the fiscal 1970 budget request for child nutrition programs has been increased over previous levels, it is important to note that the special milk program has been eliminated. The "increase" is therefore not an overall increase, but represents a shifting of funds from one program to another. Although the flexibility which the Department of Agriculture seeks through this move may be desirable, it would be unthinkable to discontinue the special milk program, since such action would end assistance to many children in summer camps, and it is essential that steps will be taken to prevent this.

Mr. Chairman, I urge passage of this bill, which would authorize programs which are vital to our efforts to eradicate hunger in America.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Kentucky.

Mr. CARTER. Mr. Chairman, I rise in support of the school lunch program, H.R. 515. I have been in contact with the superintendents of schools throughout my district, and all favor the enactment of this bill. In many mountainous counties of Appalachia, I am told by these reliable people that the only good food many of the children get is that which is given them at school. They state further that within a month after many of the children have entered school they take on a healthier appearance, they are more alert and are more interested in their work.

The school lunch program has been greatly helpful to all the people of southeastern Kentucky. I strongly support the enactment of this bill which has been developed by the committee of which my colleague, the gentleman from Kentucky (Mr. PERKINS), is chairman. I wish to compliment the chairman and also each member of the committee on their excellent work.

Mr. STEIGER of Wisconsin. Mr. Chairman, this bill is a good bill. The bill was reported unanimously by the Committee on Education and Labor; it does have the support of both the majority and minority members of the committee; it is nearly identical to a bill that was passed unanimously by this House last year.

At the time that this bill was considered by the committee, I attempted to offer an amendment which was turned down. My amendment touched on the problem that the gentlewoman from Michigan raised. In the form that this bill reported to this House for consideration, the requirement that there be State tax money either appropriated or utilized specifically for the school lunch program in no way gives any guidelines to the States concerning the purposes for which this money may be used.

The gentlewoman from Michigan is correct in saying at this time that the new revenue, using the budget figures for fiscal year 1970 as presented by President Johnson, would equal approximately $21,964,920, or 4 percent of the total matching requirements. The bill as approved by the committee provides very little guidance as to how this money will be used.

Let me suggest to the Members of this House that this bill is not an appropriation bill. It is nothing more than an important piece of legislation which does provide a series of technical amendments to the School Lunch Act and the Child Nutrition Act of 1966 which the Committee on Education and Labor and school people and educators throughout this country support. It does require that there be no segregation or identification of those receiving free or reduced-price lunches. It does emphasize—and I want to stress the importance of that emphasis—the need for nutritional education.

In addition, H.R. 515 provides for a minimum level of support for the program from State appropriated or utilized funds. The existing law requires that States match each dollar of Federal money received under sections 4 and 5 of the act with $3 collected from sources within the State, including State and local appropriations and the funds collected from children in the local schools. H.R. 515 as reported by the Committee on Education and Labor would require the States to pick up a minimum of 4 percent of the total matching requirement from State tax revenues, either specifically appropriated or utilized to support the school lunch program. H.R. 515 further provides for a biennial 2 percent increase in the portion which must come from State tax sources reaching a maximum of 10 percent of the total matching requirement beginning on July 1, 1976.

This provision is specifically aimed at those States which now pass on the major costs of the program to the children who participate. In at least one State, the children pay 100 percent of the total matching requirement, and in a good many others, the State now provides less than 1 percent of the matching requirement. A few States have taken it upon themselves to pay a substantial part of the cost. Louisiana pays 36 percent of the matching requirement.

The State of New York provides 20.9 percent and the State of Utah provides 19.9 percent. The State of Missouri provides 20.4 percent. In many of the other States, however, it is quite clear very little is being provided through State tax revenues. This bill does not touch the special milk program. A number of Members have asked, both the majority and the minority, about the effect of this legislation on the special milk program. There is no impact whatever. The issue of the special milk program stems from the budget proposals of Mr. Johnson. He recommended eliminating that program in fiscal year 1970 and transfering those funds into section 11 of this act. This bill does not have an effect on the special milk program. We will have to face that issue when we consider the budget.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman.

Mr. WILLIAM D. FORD. I do not want to interrupt the gentleman while he is discussing the school-lunch program, but you used the expression a moment ago of nutritional education. This raised a problem in my congressional district. The gentleman placed great emphasis on this as a positive aspect of the bill in terms of education. Do you mean that this would be in terms of education of the children partaking of food and learning the value of a balanced diet or nutritional education in terms of the people serving the food and learning something in the process of doing that?

Mr. STEIGER of Wisconsin. I would answer by saying that the stress of the legislation as it comes to us is in terms of the people serving the meals. An amendment I intend to offer will clarify these provisions, focusing on the development of curricula, materials and training programs for professionals and paraprofessionals involved in nutrition, as well as make these materials available to local schools upon request for teaching schoolchildren about nutrition. If my amendment is adopted, the bill will provide nutrition education for students, teachers and food service personnel.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I had some discussion with the chairman of this committee and I want to take this opportunity to commend the chairman and the gentleman from Wisconsin and the other Members of this House for bringing this bill out again.

This is an important contribution and it has far-reaching effects which will be very helpful toward resolving the problem of malnutrition in our young people.

Mr. Chairman, I firmly believe that the goals of H.R. 515 to improve the national school lunch program and strengthen its focus on children of low-income youngsters are very sound.

The provisions of this bill set strong guidelines for school authorities, mandating that free and reduced price lunches be distributed on the basis of need, and that there shall be no overt identification of children receiving free or subsidized meals.

These get to the very heart of glaring defects of the present program.

Also, I support the emphasis this bill gives to nutrition training and education in our Nation's schools. The need for help in this area was well illustrated last year in a television documentary on "Hunger in America" which showed how many thousands of Americans are living on nutritionally backward diets.

What disturbs me about this bill is that it requires the States to up their ante to meet the matching requirements of the program. While it is true that many States have contributed very little to the school lunch program, outside of money paid by youngsters for their lunches, the reasons for meager State contributions from tax revenue may not lie in the lack of enthusiasm for the lunch program.

The fact is that State and local governments in America today are extremely hard pressed for tax and budget dollars.

Part of the State's problems are traceable directly to the Federal Government.

Over the past few years the Federal Government has promised high levels of dollar participation in many of these programs. These promises have gone partially unsatisfied in many areas because of the Vietnam war and the need for Federal budget restraints.

The burden in each case has fallen to the States which are already saddled with high and unpredictable welfare and education costs.

Most States need the full-potential of their taxing and borrowing powers just to keep up with the demands of program and population growth.

Like the Federal Government, State and local governments face growing demands for improved and expanded services in education, in welfare, in economic development, in pollution control, in transportation, and in social programs. Like the Federal Government, they face skyrocketing salary and construction costs, in fact, rising costs on every front.

This bill requires States which are not already pulling their weight, to make a higher level of tax dollar expenditure for the school lunch program, but gives them little promise of greater Federal responsibility in return.

I am supporting this bill, but with the strong reservation that we at the Federal level must take a very sympathetic and helpful view of the fiscal problems of States and localities. It is unrealistic from any standpoint for the Federal Government to pile more responsibility on these lower levels of government when there is no prospect that they can be handled there under present circumstances.

I am interested in these things insofar as it will affect the State of New York. Will the gentleman please comment on that situation and what this bill does with regard to mandating expenses to the State?

Mr. STEIGER of Wisconsin. In specific reference to the State of New York, it already provides funds in excess of the requirements of this bill. It now provides, according to the latest data available, 20.9 percent of the matching funds from State tax revenues. That, then, is double the maximum that would be required by H.R. 515. So your State will not have the problem that other States may have in terms of this new requirement.

In my additional views, to the committee report as the gentleman, I know, is familiar, I intended to try to find a way which would ease the burden to the States by providing an incentive or bonus formula with reference to the commodities available from the Federal Government.

Let me say that the Department of Agriculture representatives and I spent quite some time trying to work out a system to accomplish this. However, it was not possible within the limited period of time I had to work on it with them and I had to drop that idea. I hope to pursue it. Because of the strain on State resources I feel it would be appropriate to make use of the incentive concept.

Mr. HORTON. Mr. Chairman, if the gentleman will yield further. I do want to commend him for his study in this area. He has made an important contribution toward an incentive for those States who will find this a hard burden, especially when they find these expenses mandated requiring additional tax revenues to participate in the program.

Mr. STEIGER of Wisconsin. I thank the gentleman from New York for his comments.

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

Mr. STEIGER of Wisconsin. I am glad to yield to the distinguished gentlewoman from Michigan.

Mrs. GRIFFITHS. Is there any requirement in this bill that if a State provides a school lunch program for some children that it must also provide a school lunch program for all children?

Mr. STEIGER of Wisconsin. No. The distinguished gentlewoman might discuss that matter with the chairman of the Committee on Education and Labor. I shall appreciate hearing the comments of the chairman on that question.

The amendment that I have proposed is essentially one which would require that the new State tax revenue be utilized solely for the purposes of sections 9 and 11 of the School Lunch Act.

Section 9 of the act relates to the provision of free and reduced price meals to children from low-income families and section 11 provides special assistance to schools in areas having a high concentration of children from low-income families.

The purpose of the amendment is to provide some guidance as to how the additional funds are to be used at the State and local level. It would focus our effort more precisely on those individuals and schools who most urgently need to participate in the program, but are unable to at the present time either because they must pay the full costs of the meals or because the schools themselves do not have food service facilities and equipment.

All of the evidence accumulated to date indicates that approximately 3 million needy students, as defined by the Department of Agriculture, are not now able to participate in the program. Our inability to reach this group with the school lunch program has led many schools to seek funding under title I of the Elementary and Secondary Education Act to feed disadvantaged children. Some $34 million of ESEA funds are now being spent annually to feed children who should be fed under the auspices of the national school lunch program. This money could be well used for additional educational programs for disadvantaged children, but school officials have found that undernourished children cannot learn no matter how effective the educational program.

At the present time the children who most urgently need the program attend schools in low-income areas which lack the resources to participate in the program. The budget requests of the Department of Agriculture for fiscal 1970 seek additional funds to expand the program in these areas, and the bill, H.R. 515, provides for additional funding to be supplied by the States. My amendment simply provides guidelines for the States, so that the funds required by the bill as reported by the committee will be spent in an effective manner.

My amendment will not have any impact on those States which are already making a substantial effort, nor will it require any State to make a contribution any larger than that required by H.R. 515 as reported by the committee. It would require that these additional funds be focused on the areas of greatest need as is presently the case with Federal spending under the provisions of sections 9 and 11 of this act.

That may not be acceptable to the chairman. However, the gentleman from Kentucky and I have discussed this at some length.

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

Mr. STEIGER of Wisconsin. I yield to the chairman of the committee.

Mr. PERKINS. Section 5 of the bill provides for the additional money with which to meet the requirement on the part of the States.

On page 3 of the bill, commencing on line 5 we say:

> For each of the two fiscal years beginning July 1, 1970, State tax revenues appropriated or utilized—

Those two words are in your amendment—

> specifically for program purposes in the schools or to defray the cost of intrastate distribution of federally-donated commodities to the schools shall equal at least 4 per centum of the matching requirement.

That is as far as we felt we should go. We did not feel that we should limit the space any further. We felt if we did, as this amendment proposes to do, that some school districts would be able to receive free or reduced-price school lunches while others would not receive free or reduced-priced school lunches.

Also, if the gentleman can find any administrator in Government, especially those in the Department of Agriculture who have had anything to do with this school lunch program, that will state that the gentleman's amendment will work effectively, I certainly would accept the amendment on my part as chairman of the Committee on Education and Labor. However, everyone with whom I have talked tells me that it is completely unworkable. In addition to that, this formula, this requirement on the part of the States, was placed in here to keep the school lunch program solvent for all of the schoolchildren in America.

Now, section 11—the one you are talking about—the needy youngster, the needy school child, I think the members of the committee know that we are all interested in them and should give preference to the needy schoolchild.

Some money has been taken out of the specialty program, and I agree with the gentleman from Wisconsin, I believe that was a mistake, and I do not know whether it was put in section 11, but we have additional money in section 11. But I still say there is not nearly enough money in section 11. But we have all the authority in the world we need to do something for the needy schoolteachers in section 11, and in the Nutrition Act where we provide free breakfast and

equipment for the needy schoolchildren. But the amendment offered by the gentleman from Wisconsin will disrupt the whole school lunch program overall for all the schoolchildren in America, and throw the whole thing out of gear.

The amendment originally—the matching requirement—was put in there to keep the whole school lunch program up.

Mr. STEIGER of Wisconsin. I appreciate the gentleman taking my time to oppose my amendment. I only would say to the gentleman that it is quite clear, the record is there, and the record of the hearings of the committee both of last year and this year. There are some 100,000 schools in the country; 75,000 of the schools have the program; 25,000 do not. Of those 25,000, a substantial number are located in areas where the need is greatest.

I am trying to utilize the limited funds that are available to service the largest possible number of needy children which I believe is the goal we are all striving for.

Mr. Chairman, I shall not take the time of the Committee at this point to go into any further detail.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding on that point.

Mr. Chairman, I am not always in favor of evangelical zeal to extend a sociological program to the nth degree, to the end result of all arithmetical progression, but I believe I perhaps would be in this case, for the milk program for children.

Be that as it may, I have taken considerable interest in this program, and I have visited on National School Lunch Day various schools, junior high schools, high schools, grade schools, schools at the elementary and secondary levels throughout the district that I am privileged to represent. I believe they do a good job. I know there is a lot of pride on the part of the people who prepare and serve the lunches.

As a physician I am not particularly worried about the nutritional aspects because these people have been feeding their families, by and large, for a long time.

My question is pertaining to some rumors that are coming back to me by mail that maybe they are going to throw all of these people out who have been preparing these lunches for years, who have made the program a success, who have such pride in it, and who are doing a good job—and this can be seen in the complexions and faces of the children who partake of the school lunches—and contract it out to profitmaking organizations.

In the first place, Mr. Chairman, I do not believe we can even do that. In the second place, I believe and I know that it would immediately raise the cost of the school lunch program. And in the third place, I have literally less the zeal to spread this to the point of no return, including all. I believe a pilot program for mercenaries to feed our children, rather than the cooperative effort of school boards to do this, will fall on foul play and do more damage to the program than it does good.

I wonder if the gentleman could make a few remarks about the school pilot project where we have been hiring Hot Shoppes, or Stokeley-Van Camp, or someone else to come into the schools and actually susbidize the schools in an effort to hire the so-called mercenaries—and I have nothing against an honest profit, but I just do not believe it applies here when we started this program out on the basis of getting rid of surplus foods, and nourishing foods that we have in our national warehouses.

Mr. STEIGER of Wisconsin. The gentleman from Missouri is correct in saying that there are, at this point, something like six pilot programs whch have not yet been started. No contracts have yet been signed. None are in operation as of today.

The six that they have proposed, may I say to the gentleman from Missouri, are only directed at schools in which there are no facilities for serving hot lunch programs. We have had a serious problem, particularly in cities like Cleveland, Ohio, and Detroit, Mich., where a vast number of older schools have no kitchen facilities. They are going to try to find out whether it is economically feasible and effective to utilize profitmaking concerns to serve meals in those schools.

Mr. HALL. My premise, if the gentleman will yield further—my premise that it is the zeal and the enthusiasm to spread the program into needy areas produces these spurious telegrams.

Mr. STEIGER of Wisconsin. No, sir. I do not think that is correct. The Department of Agriculture in testimony before the committee—did not see changes in this bill to allow the Department to go into the profitmaking area.

I, for one, support the Department in its effort to explore the feasibility of using the resources of the private sector.

Mr. HALL. Whether it is called zeal or equity or whatnot. I think this is a sound program and I would not want to, speaking for myself, see it die by its own weight.

Would it be better to teach or to train people in these schools, even if they have to pay for their own services—as happens in Army bases and camps—where they could bring in a setup on the playground in order to have a school lunch program or have it taken over by the school board or the PTA and let them handle it locally?

I strongly hope and recommend that this project not go any farther and that it die in travail unborn.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. PRICE of Texas. I would like to ask the gentleman if at any time the U.S. Department of Agriculture in the question and answer period, was there anything brought out about the amount of imported cheese and powdered milk or beef of any kind being used in the school lunch program?

Mr. STEIGER of Wisconsin. To the best of my knowledge the question may have been asked and the answer was that only very little, if any at all, of the obviously inferior imported dairy products are being used in this fine program.

Mr. PRICE of Texas. I know that the gentleman has been greatly interested in the dairy products that are used and brought into this country—products that are imported and that they had increased by 300 percent. On the dairy imports in this case, I think we want to be aware of the fact that we are not furnishing a program just to promote that kind of operation when it comes to beef and cheese and things of that nature. I think it should be looked into in depth.

Mr. STEIGER of Wisconsin. I concur with the gentleman and I am sure the committee will be very watchful when it comes to that.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Michigan (Mrs. GRIFFITHS).

Mrs. GRIFFITHS. Mr. Chairman, with real reluctance I would support this bill.

Mr. Chairman, in my judgment. it is almost a hypocrisy to say that we are feeding the children of America. The children of America that need to be fed are not being fed by the school lunch program. We are feeding moderate- and high-income children a meal that is subsidized by the Federal Government.

Under this bill, we are attempting to get up to 10 percent of the cost from the States. I would like to point out to you that many of these States really cannot afford this and the local school districts cannot afford to equip a school to feed children who need to be fed.

I have introduced into this Congress a bill, H.R. 8585, which would feed every child in America, at cost for those who could pay; for those who could not afford to pay, would be at the expense of the Government. I would feed them not one but three meals a day 52 weeks a year. The total cost of that program would be approximately $2.5 billion over that which is now being spent. That bill is my answer, really, to a guaranteed annual income. I am for guaranteeing that children under 16 years of age have a decent diet.

I would like to point out to you that at the present time the Agriculture Department has a program set up to teach people how to eat and how to cook. They are going to hire 5,300 people by the first day of July at a cost of $1.98 per hour—I figured that out to amount to almost a half million dollars a week—to go to 200,000 families and teach them how to cook.

I would like to point out to you that I know how to cook. In order to be able to cook a decent, nutritious meal you have to have available to you a wide selection of foods. You have to have a constant source of heat. You have to have a constant source of refrigeration. And you have to have transportation to a market.

We are not going to put into a guaranteed income, nor any welfare program, sufficient money to cover such expenses and the Department of Agriculture is not going to, according to their figures, is not going to guarantee the things that are necessary to cook a nutritious meal. It would be cheaper for everyone if we

would simply take the children in the school system and feed them. Those children can be relied upon to teach their parents. But of all the bills that can be introduced into this Congress—the bill now before you works most unfairly against the big-city schools.

I would like to point out that in Minneapolis, Minn., only nine elementary schools out of a total of 71 participate in the school lunch program—51 percent of the children in the city are excluded because they go to schools with no facilities.

In Detroit, Mich., 79 out of 224 elementary schools participate. But of those not participating, 78 are located in the slums.

In Springfield, Mass., one-third of the elementary schools are eliminated from the school lunch program because they have no facilities.

I would also like to point out on behalf of the South that while these statements go uniformly across northern cities, the investigators found that in the Southern States, in big cities there was no uniform exclusion of children. They uniformly fed them a school lunch.

I am for a bill that guarantees that those who do not now eat, those who are the hungriest, those who are the poorest, be fed. What we are going to do in this bill is to require that your State now pay at least 10 percent of the lunch bill for those in moderate to well-to-do circumstances.

The CHAIRMAN. The time of the gentlewoman from Michigan has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 2 additional minutes to the gentlewoman from Michigan.

The CHAIRMAN. The gentlewoman from Michigan is recognized for 2 additional minutes.

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

Mrs. GRIFFITHS. I yield to the gentleman from Kentucky, the committee chairman.

Mr. PERKINS. Let me compliment the gentlewoman from Michigan (Mrs. GRIFFITHS) for offering her school lunch program. I am the first to admit that we are not doing enough in this country for the children really in need. We wrote section 11 into the school lunch program and it went for 3 years and we did not get a dime of money to concentrate on the needy schoolchildren in the ghettos and the real rural areas where they needed it.

Mrs. GRIFFITHS. In the first place, may I say to the gentleman, the school lunch program really is a welfare program. It is entirely possible many parents would not like to admit this, but more than 25 percent of this bill is being paid by the Federal Government. Perhaps in the strata to which the lunch program is extended, we should refer to it as a subsidized program, but this program should be under the control of the welfare department. It is a very big problem to the school system. They do not want to go into the problem of who needs the lunch. They do not want to see to it that children are protected who are receiving free lunches. They do not try to set up a program that gives a parent with several children in the school a reduced price on these lunches.

So in reality when this program is passed, Bloomfield Hills, which has a very high income, and also Grosse Point, Mich., will be getting subsidized school lunch programs, but in the ghettos of Detroit, nobody will be fed.

I make these points because I feel that the average person in this country believes that every child can get his lunch at school. I am sure that Americans are not willing that children go hungry; nor that a subsidized program be available only to a limited number of children.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield to the gentleman from Hawaii (Mr. MATSUNAGA) such time as he may consume.

Mr. MATSUNAGA. Mr. Chairman, as one who in the past has voted for the National School Lunch Act and the Child Nutrition Act of 1966, I rise in support of H.R. 515, which would strengthen and clarify these two outstanding programs to aid the children of America.

When the Child Nutrition Act of 1966 was being considered by this body on September 1 of that year, I urged the enactment of that measure as a logical sequel to the two then existing programs, the national school lunch program and the special school milk program, both of which were, and they still are, highly acclaimed for their valuable contributions to the health and well-being of boys and girls in elementary and secondary schools. We were more concerned then with the goals we sought to reach than with the means to be used in their attainment. A hungry schoolchild, we said, is a child in need of adequate amounts of good wholesome food. By means of the Child Nutrition Act of 1966, we agreed such food would be provided these hungry and malnourished schoolchildren.

We were not seriously concerned then, but we are deeply concerned today, with respect to the possible adverse psychological effects upon the children these programs are designed to benefit. There is ever present the possibility that irreparable harm might unwittingly be inflicted upon a recipient child who may smart under the stigma, real or imagined, that he is somehow different from his schoolmates who are not beneficiaries under any of the programs.

H.R. 515 recognizes that a child in need may also be a proud and self-respecting individual. It therefore not only spells out the basis of need criteria, but it also does something which I believe is of equal if not greater importance. H.R. 515 specifically provides that the anonymity of the participating school child shall be preserved.

Another provision of the legislation that is particularly noteworthy is the concept of granting advance funding authority which Congress adopted in the Vocational Education Act Amendments of 1968. Its inclusion in H.R. 515 ought to insure the continuity and reliability of the children's food service programs presently in operation.

The aim of these programs clearly is to provide nutritional meals to children. This aim would be thwarted if the participating children are served meals that are not well-balanced and nutritious. Nutrition education activities on the part of personnel involved in the several programs are therefore essential, and H.R. 515 meets this need by authorizing nutrition training in connection with the school food service programs.

Mr. Chairman, these and other provisions in H.R. 515 make it a necessary implementing vehicle to strengthen our existing children's food service programs. It deserves our unanimous vote.

Mr. GILBERT. Mr. Chairman, there are several features of the bill before us today which I believe are particularly important. The first of these is the provision that States shall begin to put up some money from their own resources to meet part of matching requirements under the school lunch program. There has been a matching formula in the National School Lunch Act since that measure was passed in 1946. That matching formula requires the States to put up $3 for every dollar of Federal cash reimbursement provided for the regular lunch program. There has never been any problem for the States in meeting these matching requirements, frequently without putting up a dime of State tax money except for State administrative expenses. This has been and is possible because children's payments for the lunches served have always counted toward the matching requirement. Very few States have put in substantial amounts of money to assist in expanding the lunch program for their children.

We are not eliminating children's payments as a State asset in meeting the requirement. We are just saying that all States—and not just some States—must begin to put up some money to help feed youngsters in the school lunch program. To facilitate adjustment to this, we are providing that the child nutrition programs may be funded a year in advance. In this way, the States will know well ahead of date how much they will need to appropriate as their share. And perhaps even more important, the States will be able to plan ahead for program expansion. Local schools will be able to set meal prices with confidence at the beginning of the school year because they will know what level of Federal and State support they can count on.

The bill before us also strengthens provisions prohibiting identification of children unable to pay the full cost of lunches and authorizes grants to States for nutrition training in connection with school food service programs.

Mr. Chairman, I rise in support of these provisions to amend and strengthen the National School Lunch Act. I do not think anyone questions the value of this program. We have witnessed its success; we are aware of the need to continue the program and to make it available to more needy children. The school lunch program is one of the most effective means of reaching children in poverty areas—both urban and rural—and of providing every schoolchild with at least one nutritious meal a day.

Mr. VANIK. Mr. Chairman, while I support today, as I have in the past, continued improvements in the children's food service programs, I am deeply con-

cerned about the implications of section 2(b) of H.R. 515, the legislation before us today.

This section requires that beginning in fiscal year 1971—about 15 months from now—the State appropriated funds must equal at least 4 percent of the matching requirements of the school lunch program. In fiscal 1973, the matching requirement will rise to 6 percent, in fiscal 1975, to 8 percent, and after fiscal 1977, it will rise to 10 percent.

In my State of Ohio, schoolchildren benefit from $5.5 million in Federal funds for the school lunch program. This is matched by some $16.5 million in local funds, with the State picking up certain administrative expenses. This will mean that in 15 months, the State of Ohio will have to come up with an additional $670,000 in educational funds to allow continued participation in this vital program.

Ohio is a rich State, and I have long deplored its failure to provide more educational assistance for the hard-pressed local school districts of the State. The past year has seen dozens of local levies and bond issues for the support of schools defeated in Ohio. Services and actual schooldays in the major city of Youngstown have been curtailed. A number of smaller cities and villages have suffered a "taxpayers revolt" against school taxes. What is needed is to remove some of the tax burden from the local levels. And yet the tax situation on the State level, the burden of taxes, and perhaps, the inability of many of the States to tax themselves to provide for needed services is also one of the greatest problems facing the Nation.

This is not the time to require the States to pick up 4 to 10 percent of the program cost. It would be my hope, in fact, that the Federal Government could provide a larger proportion of the funding of the program, thus relieving the States and local communities of this special burden.

At this very time of general concern over hunger and malnutrition in America, it would be tragic to jeopardize the success of the school lunch program.

Mr. DANIELS of New Jersey. Mr. Chairman, the bill, H.R. 515, is designed to make needed permanent changes in the National School Lunch Act and the Child Nutrition Act to provide better use of the funds authorized.

The amendments proposed in H.R. 515 in and of themselves do not affect the authorizations of appropriations.

As the report on the bill indicates, H.R. 515 was supported by the former administration and is supported by the present administration.

So this bill is a bipartisan bill supported by the present Republican administration and the preceding Democratic administration and is supported by the members, majority and minority, of the Committee on Education and Labor.

The purpose of the legislation is to make sure that we are discharging our responsibility to provide the framework so that if the Congress, wearing its appropriations hat, provides the necessary financing, no child will have his learning ability impaired because he or she is hungry.

As a result of the rather extensive hearings conducted in 1968 by the Committee on Education and Labor, as well as a result of House approval of three bills, one of which was substantially the same as the present bill, the Department of Agriculture was given for fiscal year 1969 an additional $43 million for support of school food services being extended to hungry children. In the current fiscal year that $43 million is supporting the provision of free or reduced-price meals to 1,000,700 who were not receiving the service last year.

Currently, school food service programs, administered by the Department of Agriculture, are reaching a total of 19,400,000 children, of whom 4,100,000 are receiving free or reduced-price meals. This means that slightly more than one out of every five meals being served under Department of Agriculture assisted programs is going to a needy child.

As good as that record is it must be better. The best estimate that we have is that the total number of children in need of free or reduced-price meals is in the neighborhood of 6.5 million so we are falling short by about 2.5 million children.

The budget request for fiscal year 1970 adds about $291 additional million for school feeding purposes of which approximately $111 million is proposed for section 11 purposes.

This is a section added to the School Lunch Act in 1962 which provides special assistance to schools drawing attendance from areas in which poor economic conditions exist for the purposes of helping such schools to meet the requirement of section 9 of this act concerning the service of lunches to children unable to pay the full cost of such lunches.

We have the testimony of former Secretary Freeman and of those designated to speak for Secretary Hardin that these will enable the Department to achieve the goal of this House that there shall be no hungry child attending school or in an institutional environment any place in the United States.

I urge approval of this legislation.

Mr. DONOHUE. Mr. Chairman, I would hope and urge that this House speedily approve this measure before us, H.R. 515, designed to improve and expand the provisions of the National School Lunch Act and the Child Nutrition Act of 1966.

The provisions in this present measure will clarify the responsibilities related to providing free and reduced-price meals and prevent discrimination against children. The bill's provisions will also and more equitably revise the current program's State fund matching requirements and consolidate and strengthen the nutrition training and food service programs for all the children in our schools and service institutions.

In other words, this bill is proposed and designed, based upon the experience of previous legislation, to make the food service programs for school children in the country totally effective.

The foods to be provided to our children under these programs will be guaranteed to contain nutrients essential for good health; they will give the schoolchild a healthy start each morning for a wholesome day of the fullest accomplishment and instruct each individual in the formation of proper diet habits. It is axiomatic that a healthy child is a happy child and that a well-nourished child learns better than an undernourished child.

In brief, this bill represents a most prudent investment in the future of America through the encouragement of a healthy, well-nourished, wholesome American youth in the best educational environment we can devise. Let us approve this patriotic investment without further delay.

Mr. MIKVA. Mr. Chairman, this statement is a revised copy of my testimony before the House Education and Labor Committee on H.R. 515. I am happy to note that Chairman PERKINS has said that the unfortunate situation in the State of Illinois described in my statement is covered by the new provisions of H.R. 515 and will preclude any further misunderstandings of that sort.

The statement referred to follows:

STATEMENT OF ABNER J. MIKVA OF ILLINOIS TO THE COMMITTEE ON EDUCATION AND LABOR OF THE HOUSE OF REPRESENTATIVES IN SUPPORT OF H.R. 4832, TO AMEND SECTION 9 OF THE NATIONAL SCHOOL LUNCH ACT

Mr. Chairman, it is my pleasure to have the opportunity to submit this statement for inclusion in the Committee's hearings on amendments to the National School Lunch Act. My reason for submitting this statement is to explain to the Committee, and to its distinguished Chairman, the need for my bill—a need which has been demonstrated by an unfortunate situation in my home State of Illinois.

Before I describe the circumstances which gave rise to H.R. 4832, I should note how delighted I was to find that my bill coincides in intent, if not in detail, with proposals of the Chairman of this Committee, Mr. Perkins. I have seen that section 1 of the Chairman's bill, H.R. 515, is designed to incorporate into the statute more specific procedures by which local school authorities will determine eligibility for free or reduced-price school lunches. Section 1 will also incorporate into the law safeguards on the anonymity of children who are intended to benefit from the school lunch program. My bill, H.R. 4832, would also attempt to safeguard the anonymity of benefiting children, but would do so in a more explicit way than the language contemplated in section 1(b) of H.R. 515. The reason I believe this more explicit protection is necessary is described below.

Last October, the Department of Agriculture, in an attempt to rationalize the procedures by which eligibility for the Free School Lunch Program is determined, published amendments to its regulations governing the program. These regulations required that local school authorities establish a written policy for determining which children at schools under its jurisdiction would qualify for free or reduced price lunches and which would not. The idea was obviously to make certain that eligibility was being determined on a fair basis, and that no irrelevant factors were being considered in determining such eligibility. The new Department of Agriculture regulations specified that such criteria as "level of family income (including welfare grants), the number in the family unit, and the number of children in the family in attendance," should be considered.

The new Agriculture regulations were not intended to require that families of children who are free school lunch recipients identify themselves, or that the families be required to file detailed written applications

which negate the protection of the children's identity. In fact the new regulations specifically required that the new policies "protect the anonymity of the children receiving free or reduced price lunches in order that such children shall not be identified as such to their peers."

This Committee is certainly familiar with these two requirements of the Agriculture regulations—the written policy and the protection of recipients' anonymity—since some of the regulations' language is included in section 1 of H.R. 515. What the Committee may not be familiar with is how these regulations were misinterpreted by state education officials, and how this misinterpretation placed local school officials in the embarrassing position of asking families of free school lunch recipients to apply for benefits under the program. I can testify to this misinterpretation and this embarrassment, because it happened in the State of Illinois.

Upon receipt of the Department of Agriculture requirements, the Office of the Illinois Superintendent of Public Instruction prepared a lengthy letter to all school authorities who were then participating in the National School Lunch Program. This letter described the written policy requirement of the new Agriculture regulation, but apparently overlooked completely the provision to protect the anonymity of the children involved. Superintendent Page's letter included a sample policy statement for local school boards to use, and a sample application statement for families of free school lunch recipients. Although the letter stated that "a written application is not mandatory," it went on to add that "we believe that the use of such an application will ease the task of the person responsible for the determinations." In other words, Mr. Chairman, for the sake of administrative convenience the express safeguard of the child's anonymity in the Agriculture regulations was ignored. How would it be possible for a child's family to submit a written application for free school lunches and still have the anonymity of the children involved be protected? I submit that it is not possible.

The Superintendent's letter is attached as Exhibit 1 to my statement. I believe that anyone who reads it will agree that it was a fair interpretation to say that the State was encouraging local school authorities to require applications from families of potential free school lunch recipients. Thus the Board of Education of the City of Chicago felt helpless to do anything except require the onerous and distasteful "application for free school lunches" which the State had recommended. I include as Exhibit 2 a copy of a news story from the Chicago Daily News which describes the dismay of some Chicago School Board members at having to "require" families to "apply" for free school lunches for their children.

Mr. Chairman, mandatory applications for free school lunches are completely at odds with Congress' express intent in passing and funding the National School Lunch Act. Both the Act and the Department of Agriculture regulations make clear that beneficiaries of the program are not to be identified. The worthy goals of the Department of Agriculture in attempting to rationalize the selection procedure for free school lunch recipients should not be allowed to cloak a procedure which will surely result in the identification of the children receiving free or reduced price lunches. The information on family income and welfare status which the Agriculture regulations contemplate is available from city and State welfare agencies—there is simply no need to require parents to furnish this information. No need, that is, except administrative convenience.

Unfortunately the misinterpretation of Congressional intent which the Illinois State requirements demonstrate was not remedied by the new Secretary of Agriculture. Hoping that the unhappy situation which arose in Illinois might be corrected by administrative action, I wrote to the Secretary of Agriculture to ask that he clarify the import of Agriculture's October change in National School Lunch regulations. To my regret, Mr. Chairman, Under Secretary Phil J. Campbell answered by letter in a most unresponsive way. I have included Under Secretary Campbell's letter with my testimony as Exhibit 3, but I quote the following crucial sentences to make a point:

"Amendment 8 to the regulations was not intended to prohibit school boards from requesting financial information from free lunch applicants. In fact, a school board needs financial information on families who are applying for free or reduced price lunches."

The point, as I tried to explain in my letter to Secretary Hardin, is not that the boards need information on a family's financial status—I certainly agree. The point is: where will the board get this information? Mr. Campbell seems to assume that if a local board is to have the information, it must come from the family itself. This is not so. The information is available from other public agencies. What is more, Mr. Chairman, if the school board does require "financial information from free lunch applicants," as Under Secretary Campbell says they may under Department policy, then I say the anonymity of free lunch recipients which Congress so carefully sought to maintain will inevitably be destroyed.

The situation I have just described is what led to the introduction of my bill, H.R. 4832. Having carefully reviewed H.R. 515, I feel that in order to guarantee that there are no repetitions of what happened in Illinois and Chicago, this committee should satisfy itself that the language contained in section 1(b) of H.R. 515, is strong enough. After all, Mr. Chairman, if the Superintendent of Public Instruction in Illinois could misinterpret the Agriculture regulations, it seems to me he might misinterpret the statutory language proposed in H.R. 515. Only if the committee feels that the existing language of H.R. 515 already includes the new sentence which my bill adds to Section 9 of the National School Lunch Act, and only if it feels that H.R. 515 would eliminate all doubt about the Congress' feeling on the matter of "applications for free school lunches," should it report H.R. 515 as it now reads.

Finally, Mr. Chairman, the strongest argument which I can make against "written applications" and requiring parents to disclose their welfare status is that these requirements run the risk of endangering the central purpose of the free school lunch program. What I am saying is that the kind of application requirement which the State of Illinois has told local school authorities they must establish will ultimately deprive many needy children of the benefits of the free school lunch program. When families that are already degraded by the demeaning tests and oaths which unfortunately form part of our present welfare systems are now asked to apply for free school lunches for their children, many of them simply will not do it. Contrary to the popular image, many of these families are proud, and will suffer no more humiliation than they must to receive the meager welfare benefits we now confer upon them. The free school lunch application would be just one more indignity to add to the rest—and I submit that many families would not apply even for the benefit of their own children.

Mr. STEIGER of Wisconsin. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

FREE AND REDUCED-PRICE MEALS

(a) Section 9 of the National School Lunch Act (42 U.S.C. 1751) and section 4(e) of the Child Nutrition Act of 1966 (42 U.S.C. 1771) are each amended by inserting after the second sentence, a new sentence: "Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions."

(b) Section 9 of the National School Lunch Act is further amended by inserting before the period at the end of the former third sentence, and section 4(e) of the Child Nutrition Act of 1966 and section 13(f) of the National School Lunch Act are further amended by inserting before the period at the end of the former fourth sentences of each the following: "nor shall there be any overt identification of any such child by means such as special tokens or tickets or by announced or published lists of names".

(c) Section 13(f) of the National School Lunch Act is amended by inserting after the second sentence, a new sentence: "Such determinations shall be made by the service institution authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions."

APPROPRIATION AND MATCHING

SEC. 2. (a) Section 3 of the National School Lunch Act is amended by inserting at the end thereof: "Appropriations to carry out the provisions of this Act and of the Child Nutrition Act of 1966 for any fiscal year are authorized to be made a year in advance of the beginning of the fiscal year in which the funds will become available for disbursement to the States."

(b) Section 7 of the National School Lunch Act is amended by inserting immediately before the last sentence of the section the following:

"For each of the two fiscal years beginning July 1, 1970, State tax revenues appropriated or utilized specifically for use for program purposes in the schools or to defray the cost of intrastate distribution of federally-donated commodities to the schools shall equal at least 4 per centum of the matching requirement; for each of the two succeeding fiscal years, at least 6 per centum of the matching requirement; for each of the subsequent succeeding two years, at least 8 per centum of the matching requirement; and for each fiscal year thereafter, at least 10 per centum of the matching requirement."

(c) The first sentence of section 10 and section 12(d)(5) of the National School Lunch Act are amended by striking the words "preceding fiscal year" and inserting in lieu thereof the following: "latest completed program year immediately prior to the fiscal year in which the Federal appropriation is requested".

NUTRITION TRAINING AND EDUCATION

SEC. 3. Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by striking the entire first sentence and inserting in lieu thereof the following: "The funds appropriated directly or by transfer from other accounts for any fiscal year for carrying out the provisions of this Act, and for carrying out the provisions of the Child Nutrition Act of 1966, other than section 3 thereof, less not to exceed 3½ per centum

thereof which per centum is hereby made available to the Secretary for his administrative expenses under this Act and under the Child Nutrition Act of 1966, less the amount apportioned by him pursuant to sections 4, 5, and 10 of this Act less the amount appropriated pursuant to section 11 and section 13 of this Act and sections 4, 5, and 7 of the Child Nutrition Act, and less not to exceed 1 per centum of the funds appropriated for carrying out the programs under this Act and the programs under the Child Nutrition Act of 1966 other than section 3 which per centum is hereby made available to the Secretary to supplement the nutritional benefits of these programs through grants to States and other means for nutritional training and education for workers, cooperators, and participants in these programs and for necessary surveys and studies of requirements for food service programs in furtherance of the purposes expressed in section 2 of this Act and section 2 of the Child Nutrition Act of 1966, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools and service institutions participating in the food service programs under this Act and under the Child Nutrition Act in accordance with the needs as determined by the local school and service institution authorities."

INCLUSION OF TRUST TERRITORY

SEC. 4 (a) Section 12(d)(1) of the National School Lunch Act is amended by striking the word "or" that precedes the term "American Samoa" and by adding at the end of the sentence the following: "or the Trust Territory of the Pacific Islands."

(b) Section 15(a) of the Child Nutrition Act of 1966 is amended by striking the word "or" that precedes the term "American Samoa" and by adding at the end of the sentence the following: "or the Trust Territory of the Pacific Islands".

(c) The National School Lunch Act and Child Nutrition Act of 1966 are amended by inserting the phrase, "and the Trust Territory of the Pacific Islands" after the term "American Samoa" wherever that term appears in such Acts other than in the sections amended by subsection (a) and (b) of this section and other than the proviso in section 11(b) and in section 4 of the National School Lunch Act.

EQUIPMENT RENTAL

SEC. 5. Section 5(c) of the Child Nutrition Act of 1966 is amended by striking the period at the end of the first sentence and inserting at the end thereof "through purchase or rental."

STATE ADMINISTRATIVE EXPENSES

SEC. 6. (a) Section 7 of the Child Nutrition Act of 1966 is amended by inserting in the first sentence following the phrase "its administrative expenses", the following: "or for the administrative expenses of any other designated State agency", and by inserting after the phrase "the local school districts", the words "and service institutions".

(b) Section 7 of the Child Nutrition Act of 1966 is further amended by inserting at the end of the second sentence the following: "including additional activities undertaken in the distribution of donated commodities."

REGULATIONS

SEC. 7. (a) Section 9 of the National School Lunch Act is amended by inserting at the end thereof a new sentence: "The Secretary is authorized to prescribe terms and conditions respecting the use of commodities donated under said section 32 and section 416 of the Agricultural Act of 1949 as will maximize the nutritional and financial contributions of such donated commodities in schools receiving such commodities."

(b) Section 10 of the Child Nutrition Act of 1966 is amended by striking the period at the end thereof and inserting the following: "and the National School Lunch Act, including regulations relating to the service of food in participating school and service institutions in competition with the programs authorized under this Act and the National School Lunch Act. In such regulations the Secretary may provide for interchange of funds by any State between the programs authorized under this Act and the National School Lunch Act on the basis of an approved State plan of operation for the use of the funds and may provide for the reserve from the apportionments to the States of not to exceed 1 per centum of available funds for special developmental projects."

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 3, line 16, after "appropriated" insert "or utilized", and strike out "for use".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: On page 3, line 24, immediately after the period insert: "The State tax revenues, made available pursuant to the preceding sentence, shall be expended, to the extent the State deems practicable, proportionate to the State's allocation of Federal funds for programs authorized under sections 4 and 11 of the National School Lunch Act, section 4(a) as amended, and section 5 of the Child Nutrition Act of 1966."

Mr. STEIGER of Wisconsin. Mr. Chairman, this amendment does not do what I would like to have done as I stated earlier. It does, however, meet with the approval of the chairman of the committee.

I should be quite honest with the members of this committee in telling them that my concern is if we do not adopt something along this line, we will have defaulted in our responsibility to assure that those children in greatest need of nutritional supplements do in fact receive them.

This amendment, very simply, would say that the new State tax revenue required by H.R. 515 shall be expended, to the extent practicable, proportionate to the State's allocation of Federal funds for programs authorized under sections 4 and 11 of the National School Lunch Act, section 4(a), as amended, and section 5 of the Child Nutrition Act of 1966.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Kentucky, the chairman of the committee.

Mr. PERKINS. Mr. Chairman, I am altogether in accord with the purposes that the gentleman is seeking to accomplish. I know later on all of us will have the opportunity to support legislation for the most needy school youngsters.

But, if I understand the gentleman's amendment correctly, the amendment now reads:

The State tax revenues, made available pursuant to the preceding sentence, shall be expended, to the extent the State deems practicable, proportionate to the State's allocation of Federal funds for programs authorized under sections 4 and 11 of the National School Lunch Act, section 4(a), as amended, and section 5 of the Child Nutrition Act of 1966.

Is that the exact wording of the gentleman's amendment which he is now offering?

Mr. STEIGER of Wisconsin. It is.

Mr. PERKINS. Mr. Chairman, I have no objections to that amendment, and I do not think anyone on this side of the aisle has any objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: On page 7, after line 18, insert:

"COORDINATION OF EFFORT

"SEC. 8. Section 6 of the National School Lunch Act is amended by inserting at the end thereof the following: "The Secretary of Agriculture and the Secretary of Health, Education, and Welfare shall cooperate in a coordinated effort (1) to develop curriculums, training programs, and materials to be made available to educational institutions for the improvement of training and education in nutrition for professional and paraprofessional persons engaged in school food service, and to be made available to State and local school systems upon their request for use in nutrition education and training for students; and (2) to evaluate the adequacy and effectiveness of food programs conducted under the authority of various acts administered by the Department of Agriculture and the Department of Health, Education, and Welfare in meeting the nutritional and health needs of schoolchildren (including children in preschool programs).'"

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes in support of his amendment.

Mr. PERKINS. Mr. Chairman, I would like to ask the gentleman a question.

Mr. STEIGER of Wisconsin. I will be happy to yield to the chairman.

Mr. PERKINS. Mr. Chairman, personally I entertain some reservations about this amendment, because I think the coordination is presently taking place between HEW and OEO and the Department of Agriculture, but at the State level I am wondering if the wording of that amendment would interfere with the distribution of the commodities or any reimbursable funds that are made available to the various local school lunch programs. What is the gentleman's response to that?

Mr. STEIGER of Wisconsin. Mr. Chairman, I would respond to your question by saying that this in no way affects anything at the State or local level. The amendment quite clearly states the Secretary of Agriculture, who in the end has

responsibility for this program, and the Secretary of Health, Education, and Welfare shall cooperate in a coordinated effort: First, to develop curriculums, training programs, and materials to be made available to educational institutions for the improvement of training and education in nutrition for professional and para-professional persons engaged in school food service, and to be made available to State and local school systems upon their request for use in nutrition education and training for students, and Second, to evaluate the adequacy and effectiveness of food programs conducted under the authority of various acts administered by the Department of Agriculture and the Department of Health, Education, and Welfare in meeting the nutritional and health needs of school children, including children in preschool programs.

The amendment would insure the cooperation of the secretaries and would: First, make available to the Department of Agriculture the knowledge now in HEW about the state of the Nation's health and nutritional needs, in order to provide for more realistic program evaluation; second, make available to those administering the school lunch program sufficient expertise to insure a proper emphasis on the educational benefits of the program; and third, make abundantly clear the desire of the Congress that the agencies expending funds under title I of ESEA and the School Lunch Act work together to insure benefits for all who qualify while keeping duplication of effort to a minimum.

Mr. PERKINS. One further question. Does the gentleman's amendment in any way affect the Department of Agriculture in the procurement, distribution, and donation of the various commodities to the States and local educational agencies? Is that your interpretation of the amendment? It does not affect it in any way?

Mr. STEIGER of Wisconsin. It in no way affects procurement, distribution, or donations of commodities.

Mr. PERKINS. Then, the sole purpose of the gentleman's amendment, I take it, is to coordinate at the Federal level with the Office of Economic Opportunity, the Department of Health, Education, and Welfare, and the Department of Agriculture to make sure that no funds are thrown out or wasted. Is that correct?

Mr. STEIGER of Wisconsin. That is correct with one exception, the Office of Economic Opportunity is not included in the amendment. It is designed to insure that there is cooperation between the Department of Health, Education, and Welfare and the Department of Agriculture.

Mr. PERKINS. Now another question. Your amendment does not in anywise, I take it, interfere with the training programs presently going on and inaugurated by the Department of Agriculture under the State extension service?

Mr. STEIGER of Wisconsin. No, sir.

Mr. PERKINS. And under the Cooperative Educational Act; is that correct?

Mr. STEIGER of Wisconsin. Yes, sir; that is correct.

Mr. PERKINS. Now, if in the event of a dispute about the distribution of commodities or dispute about the reimbursement of funds would the gentleman's amendment as presently written prohibit the Department of Agriculture from making any determination, assuming that everyone did not go along in the manner in which they should?

Mr. STEIGER of Wisconsin. No, sir.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman from Wisconsin is a member of the committee which brings this bill to the floor; is he not?

Mr. STEIGER of Wisconsin. Yes, sir.

Mr. KYL. A moment ago the gentleman introduced an amendment which was agreed to by the chairman of the full Committee on Education and Labor. He said he knew there was no objection to that amendment on that side of the aisle.

Now we have an amendment which has been introduced here in the Committee of the Whole House on the State of the Union and apparently there was not any disagreement on this one.

I would like to ask the gentleman why these amendments were not brought up in the committee before this bill came to the floor.

Mr. STEIGER of Wisconsin. In response to the question of the gentleman from Iowa, I must say that every effort was made to get this bill out onto the floor for consideration as quickly as possible. The chairman of the full committee, at the time this bill was considered, wanted to have it brought to the floor under a suspension of the rules on the Suspension Calendar, with 20 minutes of debate for each side with no amendments allowed. I objected to that procedure because I felt there were amendments which could be considered and would improve the program. Furthermore I wanted to protect the rights of the Members of the House to work their will.

Mr. KYL. Mr. Chairman, if the gentleman will yield further, would it have taken any longer in the committee to consider these amendments as it now takes on the floor to consider them?

Mr. STEIGER of Wisconsin. Not necessarily.

Mr. KYL. The gentleman's committee sometimes confuses me in its deliberations. It seems to me that each time one of these bills comes to the floor from the Committee on Education and Labor it has to be rewritten on the floor. It makes me wonder when a bill comes from the Committee on Education and Labor and is considered on the floor, they expect the Committee of the Whole House on the State of the Union to automatically put a rubberstamp on it.

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

(By unanimous consent, Mr. STEIGER of Wisconsin (at the request of Mr. EDMONDSON) was allowed to proceed for 1 additional minute.)

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

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The principal thrust of the changes which the gentleman from Wisconsin is seeking is to endeavor to do is more along the line of issuing free or reduced-priced lunches in order to see that they will go to those whose need is the greatest in the school districts and areas where the need is greatest; am I correct on that?

Mr. STEIGER of Wisconsin. That was taken care of in the amendment that the Committee of the Whole House on the State of the Union just adopted. The one which we are now considering is to establish cooperation between the Department of Agriculture and the Department of Health, Education, and Welfare.

Mr. EDMONDSON. Mr. Chairman, if the gentleman will yield further, I have just looked at some of the figures which indicate the failure of the school lunch program as presently administered in many States to reach many of the children whose need is really acute. And, I must say that it was an eye opener to me in the case of my own State as well as in a number of other States as to the condition which now exists.

Will the gentleman's amendment as offered substantially improve that situation?

Mr. STEIGER of Wisconsin. Only if it is coupled with companion bills now pending before the Committee on Education and Labor and the appropriation of funds in the administration's agricultural budget requests for fiscal year 1970.

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

(By unanimous consent, Mr. STEIGER of Wisconsin (at the request of Mr. HALL) was allowed to proceed for 1 additional minute.)

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. I simply have a question of information, Mr. Chairman.

I would like to ask the gentleman if his second amendment, or the so-called coordinating amendment would, if adopted, coordinate some of the projects and school lunch programs being operated by the OEO along with the Secretary of the Agriculture and the Secretary of HEW?

Mr. STEIGER of Wisconsin. No, sir; the amendment reflects my concern for the development of nutrition education programs. The Office of Economic Opportunity is outside the purview of the amendment.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, the gentleman stated awhile ago, however, in answer to a query during the colloquy on the floor that the intent of this vocational training was directed toward the purveyors of food to the children and not to the children themselves as to the manner in which the food is being conveyed to children at the various schools who do not have the OEO program.

I believe the amendment offered by the gentleman could well stand the in-

clusion of these vicarious operations of the OEO.

Mr. STEIGER of Wisconsin. The point raised by the gentleman from Missouri is well taken. I appreciate his contribution on that point.

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

The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ASPINALL) having assumed the chair, Mr. OLSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 515) 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, pursuant to House Resolution 330, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. ASPINALL). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 515) just passed.

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

There was no objection.

CONGRESSMAN LLOYD MEEDS AND 63 COSPONSORS PRESENT THE DRUG ABUSE EDUCATION ACT OF 1969

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

Mr. MEEDS. Mr. Speaker, I am today introducing major legislation to help parents, students, and community officials learn more about drugs and their abuse.

Joining with me as cosponsors of this bipartisan bill are the following Members of the House of Representatives:

Mr. PERKINS, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. BURTON of California, Mr. GAYDOS, Mr. AYRES, Mr. ASHBROOK, Mr. REID of New York, Mr. ERLENBORN, Mr. ESHLEMAN, Mr. RUTH, Mr. HANSEN of Idaho.

Mr. PELLY, Mrs. HANSEN of Washington, Mrs. MAY, Mr. FOLEY, Mr. HICKS, Mr. ADAMS, Mr. PRICE of Illinois, Mr. FULTON of Tennessee, Mr. KING, Mr. ST. ONGE, Mr. HOWARD, Mr. PRYOR of Arkansas, Mr. BOLAND, Mr. WYATT, Mr. ADDABBO, Mr. CORMAN, Mr. CHARLES H. WILSON, Mr. REES, Mr. KYROS, Mr. BROCK, Mr. HALPERN, Mr. ROSENTHAL, Mr. BURTON of Utah, Mr. POLLOCK.

Mr. WALDIE, Mr. BUCHANAN, Mr. THOMPSON of Georgia, Mr. MIKVA, Mr. SYMINGTON, Mr. BROWN of California, Mr. EDWARDS of California, Mr. RIEGLE, Mr. BINGHAM, Mr. CÓRDOVA, Mr. DON H. CLAUSEN, Mr. GUDE, Mr. PODELL, Mr. MATSUNAGA, Mr. MCCLURE, and Mr. FISHER.

DRUG ABUSE: A HUNDRED FLOWERS OF OPINION

Mr. Speaker, we humans react strangely to the unknown. Often we fear and attack it blindly. Sometimes we worship it irrationally.

American attitudes toward drugs reflect much of this myth and mystery. For those of us in the "over 30" group, drugs are drugs. Period. We easily conjure up images of dope addicts, pushers, criminals, psychopaths, and the Mafia.

But for many young people, drugs are a source of growing fascination. Certain drugs, they claim, are not only "safe" but desirable. This attitude is fostered partially by culture figures who identify drugs with love, truth, beauty, and peace. While adults have been going to work, paying taxes, and mowing their lawns, an entirely new subculture has developed around drugs.

Too often, I have found, both sides of the generation gap are reluctant to let facts interfere with opinions when it comes to discussing the effects of these drugs.

In 1962 the White House Conference on Narcotics and Drug Abuse stated that:

> The general public has not been informed of most of the important facts related to drug abuse and, therefore, has many misconceptions which are frightening and destructive. This situation is due to many causes, among which are the failure of the schools to recognize the problem and provide instruction of equal quantity and quality as that provided for other health hazards.

Misconceptions can interfere with sensible talks between parents and their children. A father may tell his son that marihuana is bad, and the youngster may ask how and why it is different from the alcohol or tobacco used by the parent.

How many parents can talk with their youngsters about "cannabis psychosis," the medical term describing the mental effects of marihuana smoking? How many young people know the relationship between LSD and birth defects? How does a police officer handle a person suspected of drugtaking?

LSD, marihuana, "speed," hashish, peyote, STP, DMT—these are just a few of the bewildering drugs circulating among more and more youngsters. They are generally classified into four categories: opiates, depressants, stimulants, and hallucinogens.

And they are all illegal.

DRUG ABUSE: THE LAW AND BEYOND

The Congress has approved several laws punishing those who sell, manufacture, and possess narcotics. The most familiar ones are the Harrison Act of 1914, the Marihuana Tax Act of 1937, and the 1965 and 1968 statutes punishing sale and possession of barbiturates, amphetamines, LSD, and similar compounds. Federal law is very tough, even for possession. The penalty for possessing marihuana is 2 to 10 years imprisonment, on the first offense.

Federal laws banning the importation of dangerous drugs have been on the books since 1909. Our Government officials have been very active in this area, as the statistics show. In 1963, for example, they seized 6,432 pounds of marihuana at the borders of the United States. In 1966, they confiscated 23,260 pounds of it. And the figures have been rising since then. In the United States itself, dozens and dozens of illegal laboratories have been raided.

Most of the States have enacted their own drug laws, nearly all of which are very stringent. In Washington State the penalty for the first offense of possessing narcotics is 5 to 10 years in the State penitentiary, plus a fine of $10,000. If you offer a marihuana cigarette to another person in Georgia, and that person accepts it, the State requires a mandatory death penalty for the second offense.

Our local police are working harder than ever to combat the drug traffic. As of October of 1968, for example, more than 25,000 persons in California had been arrested for selling marihuana.

All of us are anxious to crack down on what former President Johnson termed "the sale of slavery to the young." Justice must be dealt firmly and swiftly to those who manufacture and sell harmful drugs.

But despite the stringent laws and the vigilance by the Government, we must admit that drug usage is continuing to increase.

In early 1968 a Gallup poll taken at 426 college campuses revealed that 6 percent of the students had used marihuana on one or more occasions and that 1 percent had used LSD.

Dr. Stanley Yolles, Director of the National Institute of Mental Health, testified last year that 20 percent of the college youths polled in the NIMH surveys admitted experience with marihuana. Dr. Yolles cautioned that these surveys were made in areas of reported high use and added that there is a definite geographical pattern in drugtaking. States such as

California and Florida have abnormally high incidence of drug abuse.

It would be incorrect to assume that the laws have failed. Rather, we must assume that they need to be supplemented by widespread and comprehensive educational programs.

DRUG EDUCATION: WHERE WE STAND

Throughout the past several years there has been a proliferation of literature and films discussing drugs and their abuse. Some of these teaching materials are excellent, such as the FDA's film "The Mind Benders," "Drugs and the Nervous System," by Churchill Films, and "Drug Abuse: Escape to Nowhere," a book published by the National Education Association. Unfortunately, there have also been many publications containing factual inaccuracies, distortions, and ineffective sermonizing.

Responsible and constructive drug education has been hampered by at least three factors: First, lack of effective teacher training; second, uncertainty about and unavailability of the "right" teaching materials; and, third, community resistance to drug education, a reflection of fear and controversy I discussed earlier.

Expensive books, films, and pamphlets are of little use to an educator who is uncomfortable with the subject. Lacking sound preparation, many teachers will naturally avoid the delicate and controversial matter of drugs and their abuse.

Yet, the role of the educator is underlined again and again by the unfortunate atomization of the American family structure, and by the lack of parental expertise on drugs. Let us discuss briefly what the teacher must seek in effective drug education.

First, he must be prepared to correct misconceptions, distortions, and fallacies about the drugs.

Second, the teacher must know what is appropriate to say at a specific age and grade level.

Third, the educator must be competent in deploying the right curriculum, in developing a sensible unit outline, in using audiovisual techniques, in calling upon other community resources, and in devising class projects.

Fourth, the teacher should be able to detect possible student drug use through sound working knowledge of symptoms.

Fifth, the educator must stress the medical, sociological, and psychological aspects of drugtaking. To do this he must also be aware of community customs and mores.

At a time when all of us are concerned about the spiraling cost of education, it is natural that school districts should concentrate on the basics. Funds for drug education would probably be regarded as one of those "extras" that principals and superintendents must explain at meetings of concerned or irate taxpayers.

But as the specter of drug abuse begins to haunt "nice" kids living in "model" neighborhoods, many parents are demanding that something be done.

Panic is no substitute for factual data. Preaching and sermonizing to young people is notoriously ineffective, especially in this age of intellectual sophistication.

Dr. Randolph Edwards, professor of health, physical education, and recreation at Temple University in Philadelphia, observed last year that:

A vital ingredient to effective drug-abuse education is the establishment of authoritative teachable curriculum for all grade levels. There is voluminous material available (medical and law enforcement in particular) but it must be made useful and practical to the trained and knowledgeable teacher. They desperately need a structure for information and teaching, particularly for this new subject of narcotics and dangerous drugs.

Let me stress again that we must have authoritative curriculums which have been validated by experts. Young people want to learn more about drugs, but they want the facts, not the assumptions or the myths. And, the educators themselves must be prepared to answer delicate questions from students and be prepared to respond constructively to probes from the uncertain community.

To bridge the generation gap separating parents and youngsters and their attitudes toward drugs, many communities are conducting "drug alert" and similar programs. But many are not. Lack of funds and continuing uncertainty result in inaction. And parents and students succumb to further polarization in their beliefs.

"What can I do? How can I help?" These are sentiments expressed in letters I have received from concerned parents in the Seattle suburbs. Today we are presenting legislation intended to help the schools and the communities educate persons about drugs.

THE DRUG ABUSE EDUCATION ACT OF 1969

Shortly after the 91st Congress convened in January I began working with experts from the Department of Justice, Bureau of Narcotics and Dangerous Drugs, and from the Department of Health, Education, and Welfare, Office of Education and the National Institute of Mental Health. Spokesmen for private groups also participated.

All of us shared a common goal: to fashion a well-coordinated program in which funds and assistance would be available for effective and meaningful drug education.

The legislation introduced today establishes an Advisory Committee on Drug Abuse Education. The 21 members of the Committee, seven of whom will be nominated by the Attorney General, will review the administration of the act, will make recommendations concerning priorities and improvements in the act, and will evaluate programs and projects funded under the act.

The Commissioner of Education will approve applications for funds only after each application has been submitted for review and comment to the Bureau of Narcotics and Dangerous Drugs and to the National Institute of Mental Health. Likewise, the Commissioner may not approve an application unless he notifies the State educational agency and gives it time to submit comments or recommendations on the proposal.

The authorizations are as follows: $3 million for fiscal year 1970; $7 million for fiscal year 1971; $10 million for fiscal year 1972; and $12 million for fiscal years 1973 and 1974.

Funds administered under the act may be used to—

First, help educators, law enforcement officials, counselors, and community officials attend short-term or summer institutes on drug education;

Second, provide assistance and funds to school districts or local communities who wish to sponsor drug abuse seminars for parents and others in the community;

Third, make grants available to colleges, universities, and private groups to develop teaching materials about drugs;

Fourth, establish a program for evaluating existing drug abuse curriculums and educational projects;

Fifth, help local school districts set up demonstration projects in drug education; and

Sixth, allow the Commissioner of Education, upon request by the local and State educational agencies, to distribute curriculums and evaluation of curriculums.

The American educational system must throw light upon the intensifying and terrifying aspects of drug abuse in our country. For communities alarmed by increased drugtaking, there must be more cooperation and less combustion. Educators and public officials must pursue the subject openly, frankly, and practically.

New drug education programs in the schools and hard-hitting seminars for parents and other adults will furnish no overnight respite to the drug problem. But our schools and communities cannot afford to stand by idly and allow young people to experiment blindly with their own self-destruction. Yes, the lure of the unknown and the forbidden will remain fascinating. But knowledge tempered by restraint may serve to avoid many future tragedies which transform the sparkle of youth into a hideous nightmare.

PRESIDENT'S DECISION ON ABM

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

Mr. GILBERT. Mr. Speaker, I want to take this occasion to note how disappointed I am in the President's decision to deploy an anti-ballistic-missile system, however modified it is in conception from the system his predecessor proposed to us last year.

I do not want to dwell on the technical shortcomings of such a system. We have heard ample scientific testimony to convince us that the system may be of little or no worth to the Nation's security. I do not think it adds credibly to our deterrent capacity.

But I will say with conviction that we have set a grievously bad example to the world. We are currently asking our neighbors on this globe to desist from acquiring their own nuclear weaponry. We have heard from the Soviet Union that it is willing to discuss across-the-board nuclear disarmament. From Bucharest to Tokyo, we seem to be going into an era in which the old ideological animosities between East and West have

little meaning. Yet we have rejected the counsels of caution and, in my view, intensified the cold war.

Mr. Speaker, I had looked to our new President for statesmanship. Instead, I fear I see fresh evidence of submission by the Presidency to pressures from the military chiefs. I think the time has come when we must reject the prophesies of doom that come from the Pentagon. We have had enough of the military's mistakes. It is time to strike out for new high ground. I urge the President now to reserve the decision on the ABM, to reject the false sense of security it brings, and to launch an aggressive effort to bring real peace through mutual understanding and worldwide disarmament.

INTERAGENCY COMMITTEE ON MEXICAN-AMERICAN AFFAIRS

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

Mr. COHELAN. Mr. Speaker, I have today introduced a bill to establish, on a permanent basis, the Interagency Committee on Mexican-American Affairs.

You will remember that in June 1967 President Johnson, by Executive action, established such a committee. Serving on it were the Secretary of Commerce, Secretary of Labor, Secretary of Health, Education, and Welfare, Secretary of Agriculture, Secretary of Housing and Urban Development, Director of the Office of Economic Opportunity, and the Commissioner of the Equal Employment Opportunity Commission; the latter, Hon. Vicente Ximenes, served as chairman of the committee.

The purpose of this committee was to focus attention on the problems of the approximately 10 million Spanish-surnamed citizens in the United States. While the committee title refers to "Mexican Americans," its concern was with all Americans of Spanish surname, whether from Puerto Rico, Spain, Central America, or Latin America. These persons share a common language and tradition, and they face problems common to minority people whose customs, language, and training have not yet won them fair and equal advantages in our country.

One of the committee's most important efforts was a series of hearings in El Paso, Tex., in October 1967. These hearings were attended by committee members, high-ranking Federal Government officials, and some 1,500 Mexican Americans from all over the country. Launched by Vice President Humphrey, the meetings dramatized for the participants the extent of help that was needed by Spanish-speaking Americans and, in turn, made them aware of the diversity and breadth of Federal programs that could be of help in minority communities.

Chairman Ximenes, in summarizing the work of his committee, reports that:

The most vital—and somewhat intangible—function of the Inter-Agency Committee has been that of education. (It) has found a great lack of knowledge and understanding within the agencies in regard to the Spanish-surnamed American. It also found a great willingness among the Government and private sector officials to learn and to communicate with the Spanish-speaking people of our nation.

Much has been done—in job placement, in research, in dissemination of public information, in program and project assistance in bilingual education—but much more needs to be done to assure to all Mexican Americans the advantages and protections of full citizenship and participation in our society. For this reason, I urge approval of the effort to give statutory status to the Interagency Committee on Mexican-American Affairs.

SAN FRANCISCO BAY AND ESTUARY SYSTEM ENDANGERED BY CALIFORNIA DEPARTMENT OF WATER RESOURCES

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

Mr. WALDIE. Mr. Speaker, I had the occasion, at the invitation of the Commonwealth Club in San Francisco, to address the members of that distinguished body on the problems of water quality that confront the San Francisco Bay-San Joaquin Delta area.

In that address, I pointed out that the unwise planning involved in the California water plan will result in the export of desperately needed fresh water flow to southern California and that the decreased outflow from the Delta would have consequences to the ecological system of the Delta and San Francisco Bay that as yet, are not fully appreciated or understood.

I further pointed out that because of the commitment of the State of California Department of Water Resources to sell the resource that it is charged with conserving; namely, the water of our State, it is impossible for an area of the State which does not buy water from the Department of Water Resources to receive any consideration from that Department when its water needs conflict with the great customer of the State, the Metropolitan Water District of Los Angeles.

I include the text of those remarks:

THE RAPE OF NORTHERN WATERS

(Address by Congressman JEROME R. WALDIE)

I find the timing of this speech topic, The Rape of Northern Waters, to be somewhat ill-timed what with the recent record rains, the Sierra snowpack, their anticipated runoffs and the fact that some flooding has occurred here in the North.

It becomes quite apparent, in fact, that we in the northern part of the State have an abundant supply of water.

It is to the credit of this State's Water Resource Planners and Dam Builders that the facilities of the California Water Project and the Central Valley Project have prevented even more loss of life and dollar damage from flooding during this extremely wet winter.

However—I have not come before you today to praise the California Water Project. As a matter of fact I have no intention of even being kind to it.

I have come to bury the water project as it is today and to call on the State of California to make drastic changes in its outlook and its water export project so that the northern part of the State, and particularly the magnificent and varied waters of the San Francisco Bay-Delta Estuarine System, so blessed with a sufficiency of fresh water, will not become in fact a biological desert.

I fear that without more regard for—and some means of protection for—the Life Systems of the North—in particular the San Francisco Bay Estuarine System—the State will knowingly and by design sacrifice this unique and irreplaceable resource in order to meet its contractual and statutory water export requirements.

The most frustrating aspect of this entire problem is that there is no place to go in California, outside the courts, to get an even reasonably fair hearing on matters affecting the allocation of water resources. There is no administrative or quasi-judicial body, commission or agency in California that allocates water or adjudicates water controversies, that is not carefully contrived to arrive at predetermined judgments advancing the overall plan to export Delta water to the South.

I seek to prove to you today that if an area involved in a water controversy is not a customer purchasing water from the Department of Water Resources and the State Water Project—that area will not find relief or assistance from any State Agency or Board, when it is in conflict with a customer area.

I will show you how the role of the Department of Water Resources has changed from a conservation agency to a State-operated utility which is in the business of selling the State's Water Resources—a role which is unique in all the fifty states.

I also intend to show how every State project affecting the San Francisco Bay-Delta Estuarine System is designed solely to benefit the Southern users of the California Water Project—customers, if you will—of the Department of Water Resources—with only incidental benefits to the Bay-Delta area.

Let us first examine the most unusual and highly questionable role of the Department of Water Resources. Until empowered by the Burns-Porter Act of 1959 to do so—the Department never engaged in the act of marketing what it was constitutionally charged with protecting—the State's precious water resources.

With the passage of the Burns-Porter Act by the Legislature, and I was one who voted against it—the Department of Water Resources was mandated by the Legislature to *sell*—not protect—these resources. This change in mandate has resulted in the Department becoming totally customer-oriented. Thus we see the Department stooping to such indignities as suppressing reports of such agencies as the Department of Fish and Game if those reports in any way cast doubts on the means or plans designed to attain the Department's single goal of providing the contracted amount of high quality water to its customers in the San Joaquin Valley and Southern California.

The estrangement between the Department of Fish and Game and the Department of Water Resources began soon after the placing of all the natural resource agencies of the State under the all-encompassing Resources Agency.

It became apparent that the Resources Agency was aiding and assisting the Department of Water Resources in its export business when budget time came around.

Studies for fish and wildlife enhancement and preservation in the Delta were blue-penciled whereas State monies for unauthorized projects essential to the export business of the Department of Water Resources such as the proposed Peripheral Canal, were approved.

One budgetary axing in particular is indicative of how strongly the Department feels

about its obligation to export Delta water to its Southern customers even though adverse consequences may thereby ensue to the Bay-Delta area.

In October of last year a preliminary study by Fish and Game Department biologists discovered a sharp correlation between salinity and fresh water outflow and the mortality of young striped bass in the Delta area.

The study revealed that the number of striped bass young surviving in midsummer is directly linked with water outflow from the Sacramento and San Joaquin Rivers—and the relationship has a significant implication for water development programs in the Delta such as the Peripheral Canal.

In short, the Fish and Game Department concluded that the reduced outflow and resultant higher saline content of the waters would result in a drastic and intolerable reduction in the striped bass fishery.

Seeing the great significance of this finding, the biologists attempted to enter the preliminary report in the already prepared task report of the Bay-Delta Study—part of which was being written by the Department of Fish and Game.

However—this most important finding was not included in the preliminary report text—even though it was a new facet of the Bay-Delta ecology with dramatic new possibilities for further study.

Shortly afterwards the Department of Fish and Game learned that a further study of the effect of reduced outflow on the striped bass fishery was slashed from the Department's budget by the Resources Agency and the Department of Fish and Game was forced to apply for funds from a federal agency and a private foundation. It would appear, then, as if the State of California does not want to learn whether or not its water exportations via the Peripheral Canal will devastate a thriving sports fishery and recreational facility—despite indications that this could very well occur.

The Fish and Game Department was given a stunning rebuke by the Water Resources Director just recently when three fish and wildlife experts from the State of Washington were hired to conduct a study on how to operate the Peripheral Canal to protect the fishery—despite months of negotiations with the State Fish and Game officials on the same matter—negotiations which broke down after the Department of Water Resources refused to accept facts that would jeopardize its export plans.

It is my feeling that the Department of Water Resources and its Director, Mr. Gianelli, have stacked every major decision making Water Agency of importance in the State with persons having direct allegiance to water customers of the Department—especially the Metropolitan Water District of Los Angeles.

As an example of this contention, since the creation of the California Water Plan, the State Water Rights Board and the Water Quality Control Board were lumped together as the State Water Resources Control Board.

Thus the single most important agency for resolving disputes as to the allocation of the State's water resources is no longer impartial—and we have learned from repeated experiences before that Board that a noncustomer of the State cannot expect to get a fair shake before it if his dispute involves a water customer of the State.

In my opinion one only has to look at the background of the men who comprise this Board to see the built-in conflicts of interests that must result.

Let us first consider the Chairman, Kerry W. Mulligan. Mr. Mulligan, although admittedly a Northern Californian, was until January the Executive Officer of the Board. His complete allegiance to the water export policies of the Department are very well known.

Board Member, Edward F. Dibble, another appointee of Governor Reagan, was, at the time of his appointment, Manager of the San Gorgonia Pass Water Agency—a customer of the State—and Engineer and Manager of the San Bernadino Valley Water Conservation District—another area to receive northern waters. He has served as President of the California Water Resources Association—a leading agriculturally oriented organization supporting the shipment of good water at low prices to the undeveloped south.

Board member Norman B. Hume was another appointee of Governor Reagan with Southern California water user roots. At the time of his appointment, Mr. Hume was serving as Director of the Bureau of Sanitation of the City of Los Angeles.

William A. Alexander joined the newly-formed Water Resources Control Board at its inception in 1967, having formerly served on the State Water Rights Board since 1961. An Engineer, Mr. Alexander had been employed by the Department of Water Resources, the U.S. Bureau of Reclamation and the Corps of Army Engineers. He has served as Chief Engineer, Manager and Consultant to a number of lower San Joaquin Valley Water Districts.

Lastly we have George B. Maul, an appointee of Governor Reagan, who voluntarily stepped aside as Chairman of this important and powerful Board to make way for former staff member Kerry Mulligan after the only voice of the San Francisco Bay Area, Ralph J. McGill, was not reappointed to the Board. Maul, an Attorney has served as General Counsel for the El Dorado Irrigation District and has provided legal services for other irrigation and water service districts.

One can readily see the difficulty of arguing the cause of the non-customer Bay Area for retention of Bay-Delta waters when such a decision would limit the ability of the Department of Water Resources to export Delta water to its customers—or—would increase the cost of export waters to its customers.

Our problems here in the San Francisco Bay Estuarine System are further compounded by the fact that every facet of the California Water Plan affecting this system is designed not to protect the Bay-Delta system but to speed high quality Delta water to the South with the utmost efficiency at the cheapest cost and with little regard for the consequences of this policy on the Bay-Delta system.

Let us use, for example, the proposed Peripheral Canal—the Canal, a 43-mile long, unlined conveyance facility, will divert a major portion of the Sacramento River near Hood and transport water along the eastern periphery of the Delta, and terminate in the Clifton Court Forebay in the southeastern corner of Contra Costa County.

The menace of the Peripheral Canal, as far as we in Contra Costa County are concerned, lies with the fact that the Canal is a physical facility which gives virtual control of the entire flow of the Sacramento River and Delta to the U.S. Bureau of Reclamation, and/or worse, the State Department of Water Resources.

We have been assured by Mr. Gianelli and others that the Canal was principally designed to convey high quality water to the project pumps at Clifton Court, at the same time protecting the Delta fishery by reducing the pumping of free floating striped bass eggs and fingerlings directly from Delta channels during the spawning season.

This is what we have been told—but there are a growing number of persons who are understandably worried over the assurances of the Department on this or any other matter. In fact, there are those of us who believe the Canal has no benefit for the Delta but is solely for the benefit of Los Angeles.

You see, the fishery problem will not be solved by the Canal unless adequate releases are made out of the Canal westerly and into the Sacramento River.

To date the Canal is a nebulous thing without operational agreements with the Department of Fish and Game, without an assignment of responsibility as to whether the Bureau of Reclamation or the Department of Water Resources will operate it—and most importantly—without statutory provisions guaranteeing fresh water releases to meet an as yet unsettled water quality criteria—even though contractual commitments with downstream water users would have to be sacrificed in dry year cycles.

We fear that almost the entire flow of the Sacramento River will be diverted southward and that once the tap is turned on for Southern California, we in the Bay and Delta areas will not be able to turn it off—with tragic consequences to the Bay-Delta area.

The Federal Water Pollution Control Administration has evaluated the proposed Canal and concludes that it will materially downgrade the quality of Delta water.

The Federal Water Pollution Control Administration report warned that if the Canal were operated at water quality criteria proposed by the State and the Bureau of Reclamation it would have a very significant detriment to the Delta's agriculture and also its fishery. When we talk about water quality we *really* are talking Delta outflows.

There is great concern as to what effect the diversion of a tremendous amount of existing fresh water outflows will have on the life systems within the San Francisco Bay Estuarine System.

I am especially troubled because State Officials and Engineers preparing the Bay-Delta Study Report, with rare candor, admit that they themselves do not know what will happen to estuary ecology given decreased Delta fresh water outflow.

Certainly the wetlands of estuaries such as the San Francisco Bay-Delta system don't appear to be a great natural resource with their smelly and musky marshes. As one writer put it, "They have neither the majestic grace of towering pines nor the stark beauty of a desert."

This is one reason they are so readily squandered—nobody loves a swamp.

The dangers to estuaries such as our own Bay-Delta estuary, from activities such as filling and pollution with industrial and sewer wastes is well known, and the Bay Conservation and Development Commission has alerted the public to these dangers.

But there is a third and no less important threat to the bay and the estuarine system that supports it—that of the diminution of fresh water outflows caused by the state exports of Sacramento River water to the south.

This is especially dangerous as the intricate current system within estuaries is produced by the balance of river discharges and the contribution of the sea. With decreased river flow the current system can be so altered that shoaling and scouring can set up completely foreign physical conditions.

The most important hydrobiological parameter in an estuary is salinity—if river flow is restricted by upstream diversions, the salinity level in the receiving estuary may increase to the detriment of estuarine biological communities.

Marine life, much as freshwater life, lives precariously close to the doorstep of death. The slightest change in the environment often spells doom for an entire species; in estuaries the chemical content of the water has critical and narrow limits.

Important fluxes occur in the estuarine ecosystems during the high flows of spring and fall including flows of vitamins and other dissolved organic compounds, nutrients, lowered salinity by the addition of fresh water and flushing and mixing influences.

Looking at the proposed reductions of fresh water outflows planned by the State, we

can only deduce that the San Francisco Bay-Delta estuarine system is in for a drastic change.

The present flows into the bay are comprised of 70 per cent from the Sacramento River, 20 per cent from the San Joaquin River and 5 per cent from other tributaries—outflows now total some 17.8 million acre feet per year on an average.

Under the provisions of the State Water Plan this figure will be reduced to 9.4 million acre feet by 1990 and 7.2 million acre feet by the year 2020. These are Department of Water Resources figures.

Other statistics furnished by the Contra Costa Water Agency reveal that this outflow could be reduced to as little as 2.5 million acre feet in a dry year cycle.

Not only is this 60 to 70 percent cut in the quantity of fresh water entering the bay a factor in ecological change—but the manner by which the cut will be implemented should have a profound and probably adverse effect on the bay life systems.

Fresh water outflows will amount to a steady, regulated, unvarying meager 1,700 cubic feet per second nine months out of the year with only January, February and March seeing anything even remotely approaching the normal fluctuations that now characterize the estuary outflows.

The effect of this artificially induced regularity will have on marine life accustomed to the variance and diversity of present fresh water outflows can be assumed to be of considerable impact and mostly negative. Life in an estuarine system is wonderfully complex—to "Harness" that complex diversity is to risk its serious alteration, if not its extinction!

The reduction of outflows can also be expected to cut down the flushing action of the North Bay as well as allowing harmful saline water intrusion into the western Delta area.

The best flushing action presently in the bay is in the northern section where Delta outflows contribute necessary oxygen bearing waters to aid in the reduction of waste and hydraulic circulation.

The worst flushing is in the South Bay where the absence of inflows and circulation leaves waters rocking up and down as if in a tub with very little movement of pollutants. The result has been the occurrence of frequent eutrophication, or algae blooms, which absorb already scarce oxygen and results in death of fish and other marine life.

I have just made some assumptions on the effects of diminished fresh water inflows into the San Francisco Bay Estuarine System—assumptions based on available data that indicates such diminutions would have a detrimental effect on existing life systems.

May I point out the Department of Water Resources and its Director, Mr. William Gianelli, have also made some assumptions as to what will occur with a reduction in fresh water outflows. His assumptions—however—are that these drastic changes will not have detrimental effects.

I would suggest that if the full effects of such a change in the most important biological factor of a huge and diverse life system is unknown—then we should proceed with all due caution and restraint.

I suggest that we experiment on the side of caution and see if our experimentation results in detrimental effects. If so then we can proceed without destroying all present life.

To do the opposite—as I fear is the intent of the Department of Water Resources—would be a great error. And one that may not be reversible.

I am in favor of a moratorium on water development and the proposed shipment of water to the southern part of the State until we know through new research and study what effects this proposed export of northern water will have on the ecological system of the north—especially the San Francisco Bay Estuary.

I wholly concur with the results of the recent vote taken by this club where an overwhelming majority favored increased control over utilization of San Francisco Bay and also favored retention of the present boundaries of the Bay.

I propose that the State Legislature authorize a completely new water resource and development agency. An agency with statutory checks and balances to provide the ground work for workable development and careful protection of environments and ecology systems.

This agency would carefully inventory our water resources and determine where they would best be used. It would by law be charged with the responsibility of conserving and protecting our water resources—not exploiting and selling them. It would be above the political entanglements that have seen such agencies as the Metropolitan Water District stretch out over vast areas of the State and control the water resources of that area for the use of its customers.

I propose that the State Legislature also constitutionally create an independent agency formed along the lines of the Tennessee Valley Authority to act as the purveyor of state waters. I am convinced that the State should not be in the business of selling water. The evils of the present situation in Sacramento are apparent—they should not be permitted to continue.

I propose that the State Legislature amend the Burns-Porter Act so that the aforementioned changes in the structure of the Department of Water Resources can be implemented as soon as possible.

I propose that with a review of the California Water Project the state work to meet its contractual requirements to the south and its moral requirements to the north not by the further rape of North Coast waters—but by improved technology.

The use of reclaimed water is one method eyed as a substitute for the uneconomical and wasteful transmission of water over 500 miles for domestic use.

Workable desalinization of sea water is within our grasp. Costs will be high at first—but this is the way of the future. I have no doubt in my mind that this will be the cheapest way to provide fresh water for coastal urban centers before 1990.

Water-reclaimed from sewage in Southern California has been developed at a cost comparable to water of the California Water Project and of better quality than that shipped from the Colorado River.

Are we to ignore the technology of the present and the future for the plumbing of the past?

I think not.

We must act now to protect our own environment, our Bay, our Delta and our North Coast from the ruinous plans of the water hungry South and their minions in Sacramento.

I pledge to you here today that we in Contra Costa will continue our lonely fight to assure adequate water quality in the Bay-Delta System. I would hope others would join us.

We—the extremists as Mr. Gianelli refers to us—will do everything possible—including a massive suit that could tie up the water project for years—to make certain that our unique estuarine system does not turn into a black biological desert.

We will continue the struggle to protect the waterfowl, the wildlife and the fisheries of our Bay and Delta and of the marvelous wild rivers of the North Coast.

We have seen what an active and aware public can do for conservation. I refer to the outstanding work of the Bay Conservation and Development Commission and its efforts to alert the public to the threats of bay fill.

We need a similar agency to protect the environment of the entire Bay-Delta system—not just from fill and sewerage—but from all the ill effects of mankind upon his own environment.

We now see the people of the Santa Barbara Coast rightfully enraged over the spill of oil from approved off-shore drilling operations. Operations approved because the west coast allegedly needs more crude oil—but operations that were known to be taking place in an area of high seismic activity. The tragedy of that administrative act has yet to be fully calculated.

But it will be only miniscule as compared to the ultimate effects of the California Water Plan—quite possibly the most costly and dangerous environmental disaster occurring in our State.

Let us take stock and then proceed—but we must not blindly go on—we may not survive such a mistake.

ECONOMIC OPPORTUNITY ACT

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

Mr. PERKINS. Mr. Speaker, I hesitate to take to the floor on matters that are past and done. Members of the Committee on Education and Labor—like other Members of this House—have more than enough to keep them busy with the concerns of the present and the future. We need not harry the past for the raw materials of controversy.

There is, however, an item in the press today which I must clarify and correct. I do this because failure to speak out on it might be construed as agreement or consent.

I refer to the published report that suggests great disagreement between the chairman of the Committee on Education and Labor and the ranking majority Member, the distinguished gentlelady from Oregon (Mrs. GREEN).

For my part, there is nothing but the greatest respect and cordiality, and the greatest willingness to be cooperative with the gentlelady who makes such a valuable contribution to the Nation through her work on the Committee on Education and Labor. We have long been friends. When I am away from the committee, she carries my proxy. When she is away, I often carry hers.

Two years ago, the last time the Economic Opportunity Act was up for extension, Mrs. GREEN and I went right down the line together. I doubt she had a stronger ally than I in her own major effort to amend the act. That was the Green amendment to assure participation in the community action agencies by the local, elected, responsible public officials.

That cooperation continued last year, as we worked together to win passage of the landmark Higher Education Act of 1968. And I expect that cooperation to continue for years to come.

She has been most helpful to me. And I might say that the poor people of this country, those who have benefitted from the programs developed under OEO, owe a great debt to the intelligence, industry, courage, and leadership of EDITH GREEN.

Now, having disposed of that matter once and for all, I trust, I turn to an-

other press report containing the unfortunate inference that former President Lyndon Johnson and I were at cross-purposes during congressional action on the OEO amendments of 1967.

This is obviously a misunderstanding. Those of us charged with the responsibility for getting those amendments before the Congress know that the President and his staff battled shoulder to shoulder with us all the way.

We were in daily communication with the White House during the critical periods—just as I am sure my friends on the other side of the aisle will be in communication with the White House this year.

It is an idle exercise to assign gradations of credit for passage of legislation 2 years ago. It is enough to say that the bill was passed by a cooperative effort of all the people who believed in its objectives.

If we can be assured of the same kind of cooperation from the White House this year, the poor of this country need have no fear that their Government will abandon them.

On another point, I wish to make it perfectly clear that hearings beginning Monday on the Economic Opportunity Amendments of 1969 do not constitute an attempt to stampede or get the jump on anyone—in any branch of government.

If the Committee on Education and Labor did not move at this time, we would be derelict in our responsibility. I think any responsible chairman would move now, because the act expires June 30. We have no time to lose. These hearings will not be concluded before the first or second week in May. All Members will have an opportunity to come in and express their views.

I thought I should make this statement, Mr. Speaker, for clarification.

VALUE OF ELEMENTARY AND SECONDARY EDUCATION ACT

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

Mr. PERKINS. Mr. Speaker, I should like to bring to my colleagues' attention the following statements which indicate the value placed upon the legislation affecting our elementary and secondary schools by some of the local school officials who testified recently before the Committee on Education and Labor during hearings on H.R. 514.

EVALUATIONS OF THE EFFECTIVENESS OF ELEMENTARY AND SECONDARY EDUCATION LEGISLATION

Julian D. Prince, superintendent of schools for McComb, Miss., in his testimony on H.R. 514, proposing a 5-year extension of the Elementary and Secondary Education Act, said:

The Elementary and Secondary Education Act is the most exciting thing that has ever happened in education.

Mr. Prince's endorsement of and enthusiasm for the Elementary and Secondary Education Act was shared by other school officials appearing with him on the last day of hearings during which local school officials were invited to testify.

Archie F. Simmons of the Leflore County School District, Greenwood, Miss., said:

Passage and continuation of the Elementary and Secondary Education Act of 1965 has had a profound effect on education in our district.

Dr. Fred W. Kirby, assistant superintendent of schools for Columbus, Ga., said:

I think this whole program (ESEA) has been beautifully conceived.

And Julius Truelson, superintendent of schools of Fort Worth, Tex., indicated that he felt it was "imperative" that ESEA be extended for 5 years and commented further:

I wish there were some way I could adequately tell you what ESEA funds mean to the public schools, and more than that, to the future of countless children, their opportunities, their ability to compete, their responsible citizenship, and their success or failure in the American way of life. The ultimate value of ESEA funds in the lives of children is really beyond calculation.

For these extra funds, we in the public schools are eternally grateful. I submit that reductions or cutbacks simply cannot even be considered. The question is not, "Should these funds be increased?", but, "How much should these funds be increased?"

Education is not expensive, it's priceless.

Dr. Truelson stated:

We have learned so much, we are on the threshold of being able to wipe out some of the problems that have plagued this country throughout the years. We have found some of the most exciting things going on, it is almost unbelievable.

As I have indicated in previous statements, a great number of local school officials have presented testimony on H.R. 514, during the 22 days that the Committee on Education and Labor conducted hearings. With the appearance of the school officials listed above, approximately 120 local school officials presented testimony on the bill.

An earlier insertion in the CONGRESSIONAL RECORD—February 24, page 4180—contained some of the testimony of witnesses appearing during the first days of our committee's hearings. Today I should like to share with my colleagues portions of the testimony presented by the school officials from whom I have just quoted because I feel these are very eloquent and persuasive statements in support of a 5-year extension of the Elementary and Secondary Education Act and therefore merit a wide audience.

Julius Truelson, who is superintendent of schools of the Fort Worth Independent School District, Forth Worth, Tex., had the following comments to make:

We have about 5300 pupils involved in our Title I program alone—nearly 6 per cent of our total enrollment.

Fort Worth receives $1,915,099 in ESEA funds in Title I, II, and III. This amounts to just under 4 per cent of our total annual budget of $55 million.

We want and need ESEA funds.

I heartily recommend your approval of House Bill 514. The Elementary and Secondary Education Act through the years has furnished important monies to the local school districts but most especially those funds made available to assist the disadvantaged youngsters in every community who really need special help. As you well know, the larger cities have greater concentrations of children of the various minority groups—Negroes and Mexican-Americans especially in our section of the country—who are both culturally and educationally deprived.

Our experience with ESEA has been extremely rewarding thus far. The financial boost has helped us to bring innovation and better education to thousands of indigent youths in our area—the children who need it most. You know, although all American children are born "equal," they begin to get unequal rapidly, for a variety of reasons. This is why we in Fort Worth budget the majority of our ESEA funds in preschool programs to better prepare these children to meet the competition in the first grade.

In the secondary, the balance of our money goes, for the most part, into remedial reading, an after-school tutorial program, visiting (home-school) teachers, and a unique "Summer Club" program.

Our program is not perfect, far from it. But we have learned some things and really have had some outstanding successes:

A comparison of pre-test and post-test results on a group of 2454 students in our preschool program showed an average gain in mental age of nine months in a seven-month period.

I should point out that normally they show a three-month gain because of these lack of opportunities for enrichment expenses.

In a similar comparison of youngsters in our secondary remedial reading program, pupils showed a vocabulary growth of twelve months, an increase in comprehension ability of 13 months, and an increase in speed and accuracy of 14 months in a 9-month period. It is also interesting to note that these students' average educational growth previously was only eight months a year.

In the five-week summer club program this past summer, the participants had an average reading growth of six months and an increased math proficiency of four months.

We think this is one of our most outstanding programs.

Our fourteen visiting teachers, through home visitation and personal counseling, were able to readmit 30 per cent of our hard-core Title I dropouts.

And, although every dime we have received in federal money has gone into a supplementary and/or enriched program, these new monies are "pump-priming" in their side benefits to the entire school program.

By that I mean we have learned so many things that we can encompass in our regular program with our own local funds.

Good ideas, inspired by the injection of federal funds, have a lot of "carryover" value; and we already see many improvements in our overall school program, in terms of a modified curriculum, staff development, student motivation, and parental involvement in the educational process, to name but a few.

I can only say that there is much good in this Act. I particularly like the language of this legislation, which allows wide latitude on the part of local educational agencies to meet the particular needs of their individual communities and which gives educators unique opportunities to solve their own educational problems through locally designed programs and projects.

The problems of education in this country today are extremely complex. The extension and expansion of ESEA will not solve all these problems, but ESEA will most certainly aid in their solution. Money isn't everything in education these days; but, gentlemen, it's way ahead of whatever is in second place.

Dr. Fred W. Kirby, assistant superintendent of schools for Columbus, Ga., testified as follows:

The purpose of the following remarks is to request your support of H.R. 514 providing for a 5-year extension of the Elementary and Secondary Education Act. Let me tell you how it has helped in Muscogee County, Columbus, Ga., a school district which contains 42,000 pupils and over 1,700 teachers and principals.

For many years, in the southeastern region, Columbus, Ga., has been reputed to have a good school system. As an earmark of that reputation the Columbus schools have contained free public kindergartens since 1905. Despite such a reputation and despite such a history, local and State financial efforts were simply inadequate to support the compensatory education programs which were needed. This was true in a school system that provided pupils with all the normal materials they needed even to the point of furnishing paper and pencils.

There was a group of children for whom the schools were unable to afford the type of education they required. These were the pupils who entered school with severe handicaps—limited vocabularies, restricted cultural background, poor self concepts. This type of pupil is expensive to educate. Oral presentations mean relatively little to this child. His environmental horizon has been so limited that he is unable to visualize or conceptualize. Titles I and III of the Elementary and Secondary Education Act have allowed us to begin to help these children.

With an awareness of the inadequacy of mere spoken words to carry the desirable depth of meaning to these children, the schools sought ways of reinforcement for those words. Seeking a multi-sensory aid, the idea of an instructional materials center containing such aids was conceived.

Combining local, state, and federal funds, the District established an Instructional Materials Center. From this center, teachers may request the supplementary materials they need from a collection of six thousand educational films, ten thousand filmstrips, several thousand slides, maps, globes, media kits, tape recordings, records, transparencies, and any of a myriad of other such materials. The requested material will be delivered to the teacher at her school within a few hours.

This Center has strengthened our program for the disadvantaged child. Had it not been for Title I, ESEA, it would not exist.

The Muscogee County School District recognized that many of the disadvantaged pupils were handicapped by reading disabilities. It presently operates a Diagnostic Reading Center to which pupils with reading disabilites are referred.

The staff at the Center diagnoses the difficulty and seeks to provide therapy. Pupils are transported from school to Center and return by small station-wagon type buses. The capacity of the Center is 500 pupils. Attendance is either two times weekly or three times weekly for one hour per visit.

This Center is well-equipped and well-staffed. Material and equipment run the gamut from a small children's book given to the child when he reads it (cost eight cents) to a sophisticated machine commonly referred to as a "Talking Typewriter" (cost $40,000). This program is supported entirely by Title I, ESEA.

The third major facet of our compensatory program is a summer tutoring program. Under this program eligible children who are having difficulty in reading, mathematics, English, science, or social science are recommended for tutoring.

For 30 days during the summer each of the pupils will be tutored individually for one hour daily by a teacher who has exhibited unusual ability to teach the subject. The teacher is requested to ignore the grade level of the child but to find the level at which he is capable of functioning. Once this level has been located, she is to begin there and carry the child as far as he is able to go.

This has proved to be a highly successful program. It is quite expensive. Title I, ESEA funds make it possible. The three programs you have just heard described are not particularly glamorous nor are they highly innovative. There are school systems in this nation who were operating similar programs prior to the advent of the Elementary and Secondary Act, but such programs were beyond our financial reach until federal funds became available.

We have found Title III of the Elementary and Secondary Act quite helpful. Our project is entitled "Fine Arts and Archeology." Briefly it is a cooperative effort between the school system, the local museum, and the local symphony orchestra.

It has resulted in the preparation of a mobile unit travelling to our 67 schools displaying the results of geological and archeological discoveries in the region with printed and taped descriptions.

Experiences in both sciences and in music were new to many pupils. As evidence of the success of the Title III project, we have noticed a heightening of interest in both geology and archeology, and we have been required to increase our instructional staff teaching stringed instruments. We have two new Title III proposals in the hands of state department personnel at the present. One proposal is for a new program for educable mentally retarded pupils; the other is for a new method of teaching nineteenth century sociological history.

Both Titles I and III of the Elementary and Secondary Education Act are having significant impact on public education. Title I has enabled us to provide the type of services we have long known children needed but have been unable to afford; Title III has required us to innovate, to look for new methods to solve our educational problems.

There are recommendations with respect to Title I, ESEA which need to be considered. They are as follows:

1. Fund this program to the fullest extent the economy will permit. We are presently unable to reach but approximately 25 per cent of the children who need specialized services with the amount of funds presently available.

2. Project the program by a commitment for a longer period of time such as the five-year period contemplated in H.R. 514 in order that planning may be for a longer period of time than has been possible in the past.

With respect to Title III, our sole request is that the amount of funding be increased. This would prevent many excellent ideas from going untried and untested for lack of funds.

Dr. Kirby stated that his school district could "most readily" utilize twice as much money as he is now receiving under title I and put it to good advantage. With funding at the present level, he indicated that they are only able to reach 25 percent of the children who need specialized services, but with full funding, they could reach all of these children.

In response to the question, "Have you in the course of your test and measurement of the progress developed any results that can point to some objective means of measuring the advancement that these children have made under these programs?" Dr. Kirby replied:

We have used objective tests in all of our programs. On our tutoring program we could show you some phenomenal results. . . .

On the change in the diagnostic reading program we could show you some substantial results but not as starting results as the tutoring program, and we could show you some less substantial objective measurement on the instructional materials center. It is difficult to measure cultural environment, I mean enhancement of cultural environment. I can measure when a child performs better in mathematics. I can measure when he performs in a subject area. This is easier for me to measure.

I think for these children perhaps the most important thing may not be in academic performance, I think for most of these children it is developing a wholesome self-concept and a belief that somebody does care. I think maybe this is more important than any academic gains because I think the academic gain grows out of this, once you have developed this.

Archie F. Simmons, administrative assistant and coordinator of Federal programs of the Leflore County School District in Greenwood, Miss., testified in the following way:

The passage and continuation of the Elementary and Secondary Education Act of 1965 has had a profound effect upon education in our district. Education has been stimulated by Title I and has become an exciting challenge for innovative and exemplary programs. Like all rural school districts, the educational problems in Leflore County have been great and financing inadequate, but with the continuing assistance of Title I, we visualize the day that our educational system will succeed in the primary goal of providing a rewarding and successful educational experience for all of the children of our district.

Gentlemen, to be brutally frank, prior to the time of Title I, Leflore County was operating a school system where we had some rundown buildings and a classroom with a teacher with 40 to 45 children and a textbook.

I am happy to report that that is no longer true as a result of Title I of ESEA.

I have no equivocation whatsoever in stating that we would still be in the same position, if not worse, had it not been for Title I.

Now we receive a large allocation from Title I as a result of the number of children that we have. Of the 6449 children, I believe it is, over 5800 of these children are qualified for participation in Title I, indicating the degree of poverty in our school district.

Now we have taken our Federal funds that have been allocated to our district and we have approached our problem, the problem that we knew existed, we recognized it but we could not do anything about it. Standardized testing revealed to us that out of approximately 5000 children in our district (Grade 1 to 6), 72 per cent of them read on either the first or second grade reading level. Out of the 5000 or so that were tested, 43 children read on the 6th grade reading level. After we had completed our testing program we saw that whatever we had been doing in the past had failed.

With Title I we were able at last to employ some expertise in helping us with our problems. We employed supervisory personnel, people who held certain skills in certain areas to assist us in upgrading our program. We commenced almost immediately with the agreement and enthusiasm of our teachers, and we started working with new programs, we started piloting new approaches to this problem of reading that we had.

Last year we piloted nine different approaches to reading, trying to find a system that would help our children in their reading, trying to close the gap between our norms and the national norms. After a child started to school without this background of help from parents or anyone else, they quickly

fell at least a year behind and as much as two and a half or three years behind by the time they approached the 6th grade.

As a result of that we found one program to be highly successful in teaching these children from the economically and socially deprived homes, and we are using that program.

Now, because of our situation in Leflore County we have so many children, and especially our Negro children, who have a tendency to drop out of school. We do not have a compulsory school law there and the dropout rate is high. We have tried to provide activities within our school that would help to keep these children in school and to encourage some of the dropouts to come back. We have vocationally geared our program. We have developed and we now have in operation an industrial arts vocational type program that extends from the first grade through the 12th grade. We have developed complete programs in this.

We are working with the first six grades on a very simple industrial arts program where we teach tool technology, the use of simple tools, arts and crafts, and we are doing this for a purpose, not to give these children something there particularly but trying to build up an interest there that will carry forward when they reach the 7th, 8th, 9th grades to where we can go into an exploratory type program under industrial arts, trying to single out an area of interest in here so that by the time the child reaches the 10th or 11th, or 12th grade we are then prepared to give him a comprehensive vocational education to prepare him for a skill trade that he might use when he leaves our school. If he is not going on to college we will have provided him a means for making a living. We have been most pleased with our program in the industrial arts and the vocational education.

We have received quite a bit of publicity on it and school districts all over the nation are requesting information on this program, and they are placing it into their schools.

If you will extend this thing five years and give us some more money we want to go back and put it in the pre-school program.

Asked his opinion regarding the length of extension which should be given the Elementary and Secondary Education Act, Mr. Simmons said:

If you will extend this thing five years and give us some more money, we want to go back and put it in the pre-school program. I can see where, if you drop ESEA, Leflore County is right back where we started, and we won't have anything. And we are doing something now.

Mr. Simmons commented further regarding the results they are achieving under the ESEA legislation:

This is the grandest thing that has ever happened to Leflore County, and we want to stay in it.

One of the most satisfying results that we have obtained from Title I is our in-service training program. Now that may look a little strange in that it is not directed toward the children, but indirectly they are receiving the greatest benefits that can be offered to a child.

Julian D. Price, Sr., superintendent of schools for McComb, Miss., said, in his statement:

My school district has profited under all of the titles of this Act, more under Title III of the Elementary and Secondary Education Act than any other area. Because we realize that our education in the past had not been adequate and under testing as Mr. Simmons described, we found not in all of our schools, but particularly at that time they were all Negro schools, we found some very severe educational problems and the same problems were true in those schools where the white children who came in from the rural areas.

We found this same type of deprivation there, severe, regardless of race. Since this time we have tried to find ways of measuring the educational progress of our children. This led us in an extensive counseling program, computer oriented technology under Title III, and then what we found out distressed us and that led us into an instructional enforcement program in an attempt to help administrators in other school districts in our area discover the nature of their own educational program in the hopes that they too would get excited from improving education.

From that that led us into computed assisted technology with the idea that a computer can do in instruction what the very best school teacher who writes the program for that thing can do, and so as a result we have become quite highly oriented towards computer technology in the classroom, in mathematics, and in the area of reading we are going into in another year.

The reasons that I do favor the present approach instead of the so-called block grant approach is that the initial development of the bill, rather than being a broadbrush approach, was pointed towards apparently some of the worst, or the most severe problems that we have had in education, and there was an effort on the part of the Federal Government to direct the development of these programs constructively in the various school districts.

I think it has been beneficial to us because maybe some minds better than ours have helped us develop some portions of our program, whereas we might not have had this help had there not been some string attached to the proper development of the program in the way that the legislation was written.

I definitely feel that the funds which are being distributed to us under the present formula here are being utilized by our school district to meet the most pressing educational needs. I feel if we did not have these funds, the quality of the education program in our school district would be materially lowered.

Mr. Prince went on further to stress the tremendous impact which Federal assistance to elementary and secondary school systems has had in nearby Leflore County, Miss., as follows:

The Leflore County schools represents the most exciting impact of Title I of anywhere I know in the Nation. I don't know any other school district as well as I know them, because we serve them with our regional data processing center. They are nearly 200 miles from us and yet we are in contact with them educationally every day that the sun rises. What they have been able to do in that school district is more than just sound, it is exciting. They are taking youngsters who have absolutely no opportunity to go anywhere or to do anything other than migrate, and given them a chance to become a real productive part of our society. I just can't say enough about what they are trying to do with their Title I money.

I would say Title I has materially slowed the out-migration from Leflore County because the parents there are beginning to get the idea that their children can get a good education there in Leflore County. We have seen the drop in their pupil enrollment slow down in the last year.

Not all of the school officials who were anxious to appear before the committee were able to do so. A good number did supply statements for the hearing record, however. I should like, Mr. Speaker, at this point to include a number of these statements.

CHARLESTON, S.C.

DEAR MR. PERKINS: This letter is in reference to your Committee's hearings on H.R. 514, a bill which would extend the provisions of the Elementary and Secondary Education Act for a period of five years. As you are well aware, this legislation is of critical importance in order to make workable future funding.

It is a pleasure for me to take this opportunity to inform you concerning our attitude toward the Elementary and Secondary Education Act. The Elementary and Secondary Education Act, along with the Impacted Funds program, has been the most important factor in the School District's operation in my memory. Both programs bring in a total of approximately $5 million to this school system out of a budget of about $20 million. Hence you can see their importance to us.

Title I of the Elementary and Secondary Education Act has given us the opportunity of providing the services to disadvantaged children that would otherwise have been impossible. For those school districts which do not participate in the Impacted Areas program, the Elementary and Secondary Education Act is the most important piece of legislation concerning their operation. In our District, both programs are of equal importance.

Under Title I, ESEA, some children have gotten lunches for the first time. Many have had physical examinations for the first time. Class size has been reduced in order to make education a more personal process for these children. We have been enabled to institute preschool preparation for the first grade and compensatory programs in basic reading for the first time. Although this District is striving to use its local and state funds on an equitable basis for all children, equitable funds will not solve the severe academic problems of disadvantaged children, and Title I funding is imperative. Unless this District receives these funds for disadvantaged children, their future will be dark indeed. Excluding ESEA programs, we spent an average of $345 per child this year, and approximately 21% of our 60,000 students are disadvantaged.

This District received quite a blow from the United States Congress this year when Title II, ESEA, programs were funded at approximately 50% of their previous level. Our State Accreditation Standards specify that elementary schools in the State should have a minimum of 10 volumes per pupil. We have many schools in our District which are individually short 5,000 volumes. Our only hope of providing library books for our students is through the continued funding of Title II, ESEA.

Title III, ESEA, has brought many innovations in education to our South Carolina schools. The school districts of South Carolina voluntarily organized themselves into six regions for the purpose of operating Title III, ESEA, programs. As a result of the regional leadership under Title III, ESEA, we have seen a new climate for educational improvement established for South Carolina, and now local citizens are beginning to become concerned with handicapped students, students who will not go to college, and others which they have typically ignored.

In South Carolina, the other Titles of ESEA are typically run by the South Carolina State Board of Education and are basically State operations. I am not involved in these programs closely enough to comment.

Aside from the funding levels of the programs, our basic problem in their operation is the delay of funding of these programs. In the past we have found that after school opened we were funded large sums of money, and of course it was too late to hire person-

nel, etc. I do hope that Congress sees fit to give advanced funding of these programs so that our programs can become more efficient and effective. The funding patterns of Congress over the previous years have made efficiency almost impossible.

Mr. Perkins, it is my opinion that any cessation or reduction in ESEA or the Impacted programs would constitute a crisis for this School District. The people of my District want quality schools for their children. We are increasing our local effort by a tremendous amount this year (from 43 to 80 mills). However, their children's future depends as much on what Congress does with these programs as it does on their own efforts, because we are a relatively poor geographical area.

Thank you for your time in hearing our views on the Elementary and Secondary Education Act, and for your untiring efforts to improve the future of our boys and girls.

Sincerely,

GORDON H. GARRETT,
County Superintendent of Education, Charleston County School District.

TAYLOR, TEX.

DEAR SIR: I welcome the opportunity to express to you my views on H.R. 514, a bill, as I understand, on which hearings are presently being conducted that will extend and expand the provisions of the Elementary and Secondary Education Act of 1965.

There is widespread agreement in our community that the Elementary and Secondary Education Act of 1965 has made a valuable contribution to education in both the funds it provides and in the sound educational principles and procedures suggested in the accompanying guidelines. Without this financial assistance we would be unable to expand and improve educational programs designed to meet the special needs of the educationally deprived children of the low-income families of this school district. We feel that the benefits derived from this program far outweigh the problems encountered from the late funding and the short time permitted for program planning.

However, as you are presently conducting hearings on H.R. 514, I would heartily recommend to you that the provisions of the Elementary and Secondary Education Act of 1965 be extended for a period of five years, and that appropriations and actual allocation of Federal funds be made at least one year in advance. I feel that forward funding will help the program planners of the local school districts devise a more effective, workable educational program for the educationally deprived. We feel our inadequacies when we play the role of "instant" planners.

May I add that we have not experienced an undue amount of discomfort in administering the federal program as directed by the present guidelines. We realize that this program, though categorical in nature and directed at particular needs, is nevertheless extremely flexible in application and allows state and local authorities wide discretion. At no time have we felt any unreasonable attempt by personnel of the Texas Education Agency to control our program.

I earnestly solicit your careful consideration of the views that I have submitted.

Respectfully yours,

J. F. TOWNLEY,
Superintendent of Schools, Taylor Independent School District.

OCALA, FLA.

MY DEAR MR. PERKINS: It is my understanding that your Committee on Education and Labor is now working on bill H.R. 514 pertaining to extension of the Elementary and Secondary Education Act.

The Elementary and Secondary Education Act of 1965 has meant a great deal to education in Marion County, Florida, and without it we would have had serious problems in our task of educating boys and girls. We urge you and your committee to continue its efforts in supporting this very worthy and basic program for education for an extended five years.

In order to make the use of federal funds more effective we would urge that appropriating and allocating of federal monies be made one year in advance to eliminate confusion and make for continuity in project operation. We would also like to go on record that there should be a simplification in guidelines with a corresponding reduction in paperwork.

It is a pleasure for us to add our support to bill H.R. 514 extending the Elementary and Secondary Education Act for a period of five years.

Sincerely,

ROBERT M. DUNWOODY,
Superintendent.
DONALD J. KEARSLEY,
Coordinator of Federal Programs, Board of Public Instruction, Marion County.

COLUMBUS, GA.

DEAR SIR: As the House Education and Labor Committee conducts hearings on H.R. 514, I would like to comment on the extension of the Elementary and Secondary Education Act for another five years.

The appropriations which have been allocated to the Muscogee County School District have been invaluable in upgrading the educational, cultural, and health of the large segment of underprivileged pupils in our school district.

It is my prediction that the worth so far accruing to the three aspects mentioned above will pay large dividends in the years to come.

Do all you can to continue this far reaching legislation.

Sincerely,

G. NATHAN HUNTER,
Treasurer, Muscogee County School District.

LUBBOCK, TEX.

To the Honorable CARL PERKINS:

May I make some comments concerning H.R. 514 Bill which is to come before your Committee on Education and Labor?

This school district is a rural district bordering the Lubbock (population 175,000) City School District. For the past several years, there has been an overflow of families in the Lubbock District moving out into this district. Also, we have the Childrens Home of Lubbock with some ninety school children which is a church supported, non-tax paying institution for delinquent children. We are located on the East side of Lubbock which happens to be settled largely by Negroes, Mexicans, and low-income Whites. Our present school enrollment shows the following percentages of ethnic groups: Negroes 15%, Mexicans 21%, Students from Childrens Home of Lubbock 8.5%, and other Whites 55.5%.

From the above facts, you can readily see that we are overly burdened with educational disadvantaged pupils in our school. Also, the above type pupils do not come from parents who pay their share of the taxes, leaving this burden largely to the farmers. Without Head Start, ESEA Titles I, II and III, NDEA Titles III and V, and similar Programs, we just could not do justice toward educating so large a number of disadvantaged children. At present, through these Federal Programs, we are helping them so very much through pre-school training, remedial teaching, lunches, medical care, Vocational training, and above all we are reaching many of the parents by making them feel that someone does really care about their children's education. The school attendance for these disadvantaged children have increased immensely.

To operate these Programs to their fullest potential, we need to know that the funds will be available at least one year in advance. I believe that the greatest weakness in our Federal Programs has been the uncertainty of funds from year to year.

I ask you to please help the disadvantaged children by supporting H.R. 514.

Very truly yours,

MARVIN WILLIAMS,
Superintendent, Roosevelt Public Schools.

WALHALLA, S.C.

DEAR MR. PERKINS: It is my understanding that the House Education and Labor Committee is conducting hearings on H.R. 514. It is my hope that Congress will extend the Elementary and Secondary Education Act for a period of five years. The benefits of this act have been great but could have been greater if we in our school district had more time to plan. It has been difficult for us to employ personnel because of not knowing in sufficient time the amount of funds that would be available to us.

I have noted, with interest, your dedication and interest in the field of education. I want to express my appreciation to you and the Committee, of which you are Chairman, for this work you are doing. I think I realize the problems your committee is confronted with, but I hope you are successful in getting the desired monies for school programs at least one year in advance of the time they will be needed.

Please call on us at any time that we can be of assistance to you.

Sincerely,

FRED P. HAMILTON,
Superintendent, Oconee County Schools.

EL CAMPO, TEX.

DEAR CHAIRMAN PERKINS: It is my understanding that at the moment the House Education and Labor Committee is conducting hearings on H.R. 514, which, if passed, will extend the provisions of the Elementary and Secondary Education Act for a period of five (5) years.

While it is impossible to adequately communicate the full impact of ESEA programs upon the school children of the El Campo Independent School District of El Campo, Texas, I feel that the ESEA of 1965 is one of the best happenings to public school education in this century. We have concrete evidence of (1) Improved school attendance, (2) Improved general health of low-income students, (3) More individual instruction for students due to use of teacher aides, lower pupil-teacher ratio, and use of materials commensurate with the abilities of slow learners and (4) Successful implementation of school desegregation.

The above mentioned progress has been greatly enhanced by many provisions of the ESEA and we strongly urge the continuance of the ESEA for a minimum period of five (5) years. We are also very much in favor of legislation that would permit *forward funding*. If we are to have time to adequately plan for effective programs it is mandatory that we know how much money we will have available at least one year in advance.

We appreciate the excellent work that your committee has done in the past and we are confident that you will continue to act in the best interest of the school children of our land.

Sincerely,

GEO. E. THIGPEN,
Superintendent, El Campo Independent School District.

FORT PAYNE, ALA.

DEAR CONGRESSMAN PERKINS: May I take a minute of your time to tell you how valuable I feel the Elementary and Secondary Education Act has been to Fort Payne City Schools.

We have profited greatly from Title I and

Title II funds. These moneys have given us an opportunity to put into our program remedial and enrichment courses that we feel have been of tremendous help, especially to those of the lower economic groups.

By actual test scores we have been able to improve the achievement level of many students. For example, in our reading program we have been able to reach students who otherwise would have been lost, as far as reading was concerned, without these Federal funds.

Your continued support of these programs would be deeply appreciated and I trust that your committee will be able to work out the program of appropriating and allocating Federal moneys at least one year in advance of the time that they would normally be available. This is most important in order to properly plan. Planning is the key to getting the most from your money, whether it be Federal, State, or local.

Those of us, who work daily toward giving every student a better opportunity, appreciates the efforts of men such as you at the national level.

Sincerely yours,

W. A. ISRAEL,
Superintendent of Education.

SANDERSVILLE, GA.

DEAR MR. PERKINS: We very definitely need a five-year extension of the Federal funds used in the elementary and secondary education programs. It would be impossible for us to offer the type of educational advantages we now offer without these funds.

With the approximately $500,000 received in Federal funds annually we are able to provide some excellent programs including:

1. An unexcelled reading program.
2. Vocational programs:
(a) Industrial Arts.
(b) Auto Mechanics.
(c) Auto Body Repair.
(d) Brick Masonry.
(e) Electrical Construction.
(f) Distributive Education.
(g) Home Economics.
(h) Vocational Agriculture.
3. Music.
4. Art.
5. Kindergarten and Reading Program in the summer for about 600 children.
6. Free and reduced price lunches for low-income children.
7. A Basic Adult Education Program.

The continuance of these funds is a MUST for Washington County to continue the quality of education for all its citizens we now have.

Sincerely,

W. B. OUZTS, Jr.,
Superintendent of Education,
Washington County.

WASHINGTON, N.C.

DEAR MR. PERKINS: Elementary and Secondary Education Act funds have served useful and needed purposes in the Beaufort County Schools. Improvements have been made in the quality of instruction and the services of the schools that otherwise would not have been available without the ESEA funds. Some of the improvements are listed below:

1. A program to strengthen learning in the language arts with emphasis on reading in grades kindergarten through eight has been instituted. Over 80% of the children who qualify for participation in the ESEA program had reading levels below the national norms.

2. Some innovations and supplements that the ESEA funds have made available are:

a. The employment of teacher aides. They render valuable assistance to the teachers.

b. The acquisition of audio visual equipment and materials.

c. Purchase of library and supplementary instructional materials.

d. The institution of a kindergarten program.

e. The institution of an in-service training program to upgrade the professional qualifications of teachers.

3. The incorporation of supportive services for economically deprived children with ESEA funds to compliment the language arts program includes:

a. Food and clothing.
b. Medical and dental services.
c. Guidance services.
d. Speech therapy.

e. Free lunches (The free lunch program has been an immense amount of help in relieving many of the children of malnutrition.)

I wish to strongly urge the appropriation of funds to continue the ESEA program. With these funds we have made great improvements in the instructional services for the children who have the greatest deficiencies in their cultural achievements.

Yours very sincerely,

W. F. VEASEY,
Superintendent, Beaufort County Schools.

MOUNT PLEASANT, TEX.

MY DEAR MR. PERKINS: We are writing to express our support for H.R. 514, the bill which would extend the provisions of the Elementary and Secondary Education Act for a period of five years, and which would also make possible the appropriating and allocating Federal monies for school programs one year in advance of the time that they would normally be available.

As you well know, funds made available to public schools through the Elementary and Secondary Education Act make it possible for us to provide for a segment of youth that would otherwise be neglected. These programs are all educationally oriented; however, some segments such as health, nutrition and culture development programs are auxiliary, but are all developed with the accomplishment of educational objectives foremost in our minds.

Annual evaluations have proven the value of these programs to the economically and educably deprived youth of our district. This is evidenced by the fact that we are able to raise the achievement level one or more years beyond grade placement.

Further, it would be most advantageous to local educational agencies if monies were appropriated and allocated a year in advance, as it would allow for a much more systematic procedure in planning, both from the standpoint of programs to be offered as well as obtaining superior staff to carry through with the programs in terms of meeting overall and specific educational objectives.

You can rest assured that any help you might be able to give in assuring the continuation of this act, as well as securing advanced funding, will be appreciated.

Sincerely,

TERRELL W. OGG,
Superintendent of Schools.

Mr. Speaker, as is obvious from the above statements, local school officials clearly support the 5-year extension of education programs proposed in the committee-reported bill, H.R. 514. Many more of the school officials from the Southern and Southwestern States have communicated their enthusiasm for recent Federal education enactments in their responses to the school superintendents questionnaire circulated by the committee last fall.

In another statement which I plan to insert in the CONGRESSIONAL RECORD next week, I will share with my colleagues some of the specific comments of these school officials.

TRIBUTE TO THE HONORABLE GEORGE W. ANDREWS, DISTINGUISHED DEAN OF THE ALABAMA DELEGATION

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

Mr. BEVILL. Mr. Speaker, March 21, 1969, marks a significant milestone in the distinguished career of the dean of our Alabama delegation, the Honorable GEORGE WILLIAM ANDREWS. On this date, Congressman ANDREWS records his 25th year of service to his country.

Since his election on March 21, 1944, the voters of Alabama's Third Congressional District have returned Congressman ANDREWS to Washington to represent them in the U.S. House of Representatives.

Congressman ANDREWS is the third ranking member of the powerful Appropriations Committee of the House of Representatives, and serves on its subcommittee which appropriates funds for defense. He is chairman of the Subcommittee on Legislative Appropriations and was recently appointed to serve on the Public Works Subcommittee on Appropriations.

While my distinguished colleague from Union Springs, Ala., is, without question, one of the most powerful and influential men now serving in the Congress, he has consistently placed the needs and well-being of his country far above any personal ambition or recognition.

It has been my good fortune to receive the advice and counsel of Congressman ANDREWS for many years now, and I consider it a distinct honor and privilege to call him my friend.

During my service in the Alabama State Legislature, I was privileged to serve with Congressman ANDREWS' late brother, the Honorable L. K. "Snag" Andrews, who was also a highly skilled dedicated public servant.

Congressman ANDREWS—by his dedication to the principles which have made this Nation great and his determination to look out for the welfare of every American—has become known as one of the most hard-working and knowledgeable Members ever elected to this body. Throughout these years of service, he has been strengthened and supported by his lovely wife, Elizabeth, and his son, George, and daughter, Jane Andrews Hinds.

An attorney by profession, Congressman GEORGE ANDREWS served as district attorney in the Third Judicial Circuit of Alabama for 12 years until he joined the Navy in 1943. He was at Pearl Harbor when the voters of the Third Congressional District elected him to Congress to fill the vacancy created by the death of the Honorable Henry B. Steagall.

Mr. Speaker, it is with a great deal of pride that I join with my colleagues in the House in recognizing the lasting contributions Congressman ANDREWS has made to his district, State, and Nation.

As he completes his first quarter century of service, we pause to recognize his many accomplishments, then we look to the future and the continued outstanding service of this great American.

Mr. NICHOLS. Mr. Speaker, on March 21, 1944, 25 years ago, the Honorable GEORGE WILLIAM ANDREWS, beloved dean of our Alabama delegation took the solemn oath of office as a new Member of the U.S. Congress from Alabama.

He was elected to fill the vacancy caused by the death of the Honorable Henry B. Steagall. At the time of his election to Congress, he was serving as a lieutenant, junior grade, in the U.S. Navy. Lieutenant ANDREWS was stationed at Pearl Harbor, and had been in active duty in the Navy for some 14 months. He was released from active duty by the Navy Department to serve in the Congress.

For 14 consecutive terms, the voters of Alabama's Third Congressional District have returned Congressman ANDREWS to represent them in these hallowed Halls of Congress. Representative ANDREWS is many things to many people—to his lovely wife, Elizabeth Bullock Andrews, and to his son, George, and daughter, Jane Andrews Hinds, he is a devoted father; to every member of the armed services stationed throughout the world he is a stanch friend and a strong supporter in his dedication to strengthen the military posture in behalf of a free America; to his many constituents throughout his district and among friends who know him and respect him throughout the State of Alabama, he is the proverbial watchdog of the Treasury—a recognized conservative and a sturdy defender of preserving the rights of individual States as granted in the Constitution.

But whatever else he may be, Congressman GEORGE ANDREWS is indeed a remarkable Member of this body. As chairman of the Legislative Subcommittee of Appropriations and as a member of the subcommittee acting on all appropriations related to the Department of Defense and public works throughout the country, he is one of the most powerful men in the House of Representatives. In fact, one of the national magazines recently listed him among the most 10 influential Members of the entire Congress.

Despite his strong posture in shaping the affairs of this country, our dean has no desire to become a nationally known political figure nor does he have a great host of press agents pouring out copy about him. The Congressman is willing to do his job as a member of the House Appropriations Committee without fanfare or blaring of trumpets, though he is indeed, in seniority, now the third ranking member of this powerful committee.

During his first few years in the House, the Congressman was assigned to a series of committees, including the Veterans' Committee. But he was quickly selected for the Appropriations Committee, where he has chaired the Legislative Subcommittee. Most of his work, in a 10- to 14-hour workday, is as a member of the vital Defense Subcommittee. This is the committee which is charged with spending most of our budget for the protection of the American people.

As a member of this subcommittee, GEORGE ANDREWS becomes a party to the Nation's top military secrets. Some of the greatest American scientists are not privy to what is discussed in front of Congressman ANDREWS' subcommittee.

Mr. Speaker, as a junior Member of this Congress, I shall always remain grateful for the counsel and good advice Congressman ANDREWS gave me when I was a newly elected Member and I visited him in his lovely home in Union Springs, Ala. He is a tireless worker, getting to his office early and staying late. We are indeed proud of him as the dean of our delegation and wish to extend our personal congratulations on the completion of his first quarter century in the U.S. Congress.

GENERAL LEAVE TO EXTEND

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that all Members may be granted 5 legislative days in which to extend their remarks on the 25th anniversary of service of my colleague, Congressman ANDREWS of Alabama.

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

There was no objection.

RAMON ROSALES, STOREKEEPER THIRD CLASS

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

Mr. DE LA GARZA. Mr. Speaker, I respectfully ask your indulgence, and that of my colleagues, for just a few moments to speak about a young man who, in my opinion, is a great American. I single him out from his buddies for no other reason except that he is a Texan from the border country where I come from—a product of the heritage and culture peculiar to this little corner of our great country.

Mr. Speaker, I do not know when we will have a complete and thorough report on the U.S.S. *Pueblo,* or whether we will ever be able to make an intelligent decision on the right or the wrong of that operation, but we do know of the individual acts of courage and great valor of many of the survivors. This is one of them. Mr. Speaker, I speak of Ramon Rosales, storekeeper third class, of El Paso, Tex.

Allow me to quote from some of the testimony given by Storekeeper Rosales to the Navy Board of Inquiry:

> We had lectures with a guy we called "Specs" on decaying American democracy and religion. He'd always get mad at me. He'd always say there was no God and I would stand up and tell him there was a God.

What a beautiful statement, Mr. Speaker, from one who was under threat of death at any minute. And just listen to this young man from the border of Texas explain the presence of God:

> He asked me if I saw Him. I told him I saw Him every day in the flowers and trees. I told him that God was life.

What an eloquent statement in its simplicity. Can you not, Mr. Speaker and my colleagues, imagine just for a moment the scene—a rough, arrogant Communist, indoctrinated perhaps all his life with the theory of a godless world, being confronted by a 20-year-old young man from our border country of Texas, a young man who perhaps did not have all the advantages which other Americans had and he stood there, looking the whole Communist world in the face, saying to them: "There is a God." What a simple and yet so moving confrontation. No wonder the Communist, in the words of Storekeeper Rosales, "got kind of shook up."

Again, Mr. Speaker, and my colleagues, listen with me to the genuine eloquence, to the inherent faith of this young man when asked what most helped him survive those 11 months of hell. He said:

> I think it was my faith in God and my country and the decisions of my commanding officer.

Indeed, we have here the expressions of a true child of God, of a patriot and a sailor, worthy of his uniform. As a further example of his explicit faith in his country, Mr. Speaker, when asked if he were a South Korean or a Filipino, he answered them, "I am an American." He used no prefix, no suffix, just pure and simple, he said, "I am an American," and then not being able to convince them, he spoke in Spanish to them and eventually convinced them so that they called him "Mexico."

Storekeeper Rosales was severely ill during the time he was imprisoned and was denied medical attention according to some of the testimony, and yet through all of this he withstood the attempts of the Communists to break his will. All Americans should be extremely proud of this young man, of his family who instilled in him such faith in God and such devotion to this country. I hope that throughout our border country of Texas of which he is a product, all Americans join in paying tribute to this young man in appropriate visits and ceremonies.

I respectfully ask you, Mr. Speaker, and all my colleagues, to join with me in extending to Ramon Rosales, storekeeper third class, U.S. Navy, our best wishes and our commendation for his behavior in the face of the enemy, and our strong support of the faith and devotion which he professed for God and country and in extending to his family and his friends our felicitations for having given our country and the world what we should proudly call "a man."

NEWSPAPER PRESERVATION ACT OF 1969

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

Mr. FEIGHAN. Mr. Speaker, the recent Supreme Court decision prohibiting a joint operating venture by two Tuscon newspapers demands immediate attention and action by the Congress. The 20th century has witnessed not the

growth, but the gradual demise of the newspaper industry, as many of our Nation's papers have been unable to cope with rising production costs and the competition with other media for advertising revenue.

In an attempt to resolve these economic factors, newspapers in 22 cities across the country have entered into joint operating arrangements, whereby only the commercial functions are merged but competing news and editorial voices are maintained.

The role of the press has become increasingly important in our society. Newspapers have continually demonstrated their ability to affect policy decisions at the local, State, and Federal levels. We have been fortunate in this country to foster and maintain differing editorial opinions and I believe there is untold advantage in continuing to make all views available to the public. Our democracy was founded on the precept that every man should have a voice in determining the direction his country progresses. As the United States has continued to grow to a nation of 200 million people, the press has performed valuably in reporting and commenting on the news of the day for the benefit of the American citizenry. The opportunity to read and hear diverse opinion on current issues of importance is vital to every American. What I fear is that such an opportunity will be lost to the people in the 22 cities across this Nation who presently benefit from two newspaper voices operating under a joint arrangement. Thomas Jefferson once said:

> The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left for me to decide whether we should have government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.

While I do not feel it was the intention of our former President to advocate either course of action, the poignancy of his remarks is not unrelated to the situation facing us today as a result of the Supreme Court's decision.

Every citizen should have access to all shades of news and if this decision is sustained, thousands of people will be limited to one newspaper voice in their cities. The divergent reportorial efforts and subsequent commentaries of two newspapers in a community must not be allowed to die.

In Cleveland we are privileged to have the outstanding services of the Cleveland Press, a Scripps-Howard publication, and the Cleveland Plain Dealer published by Newhouse. In their efforts to promote social causes, both papers are invaluable not only to me but to our mutual constituencies. It would be a disaster for Cleveland if we were faced with the loss of one of these voices.

I believe we in the Congress have a duty not only to support but to encourage the participation by the press in forming public opinion and in determining governmental policy decisions. Accordingly, I have joined several Members of the House in introducing the Newspaper Preservation Act of 1969 to allow two newspapers which have entered into a "joint newspaper operating arrangement" to be treated as a single entity under the antitrust laws. I am convinced of the need to act promptly to preserve competition in news and editorial policies of papers that, affected by the Supreme Court decision, may be forced to merge or fold.

THE HIGH PRICE OF LUMBER AND PLYWOOD

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

Mr. WYATT. Mr. Speaker, I need not define for the House here today the nature of the tremendous crisis facing the Nation's housing program.

This House Committee on Banking and Currency has already announced hearings to look into that matter. Our concern is known.

But I would today like to ask this House to consider the opportunities inherent in this crisis, not only for solutions to the problems immediately at hand, but for initiating one of the most dynamic conservation programs of all times.

You are familiar with the housing goals we have already established. In the Housing Act of 1968 we set our national goal at 26 million housing units in the next 10 years—or an average of 2.6 million new homes every year, with 6 million of the total to be built for our disadvantaged citizens.

Other nations who look to us for part of their raw materials have set similar goals. Japan hopes to build nearly 2 million housing units this year, more than it has ever built in any 1 year any time in its history.

Tragically, though, as far as this country is concerned, these goals will not be met. Economists had forecast 1.6 million new home starts in the Nation this year, a whole million less than we had hoped for. But now—as a result of the price crunch that alarms us all—the experts predict we will fall 200,000 units short of that.

It is clear we cannot permit the program to properly house Americans to become stalled. The urban unrest we feel in this country is real. We must provide the means and the material to meet our housing goals. We must have good housing. And we must have it soon.

All building material prices are certainly an important part of the problem we face, but they are only part.

Mortgage rates also have gone up. Land costs have increased. Labor costs have climbed. And combined, they have imposed a serious burden on the Nation's homebuyer in every income bracket, but most particularly in the low- and middle-income groups.

I am not now going to attempt to discuss all the factors behind the increases except to say that we need to be concerned with each of them. But I can tell you that the reason behind the material price increase, particularly as it applies to lumber and plywood products, can be linked to the very basic functions of supply and demand.

The soaring costs, quite simply, can be traced directly to a shortage of raw material and, therefore, can be eliminated only if we remove the problems causing the shortage.

The forest products industry has been doing its utmost to meet material demands from uncommitted log supplies, that is, log available for domestic processing into lumber and plywood.

Last year the industry produced a record 14 billion square feet of plywood, and more than 30 billion board feet of softwood lumber, with a large percentage of both consumed by residential construction.

This year, both industries expect to produce more, but not as much as the market will require.

The plywood industry, for example, estimates it will produce 15.9 billion feet this year, while the demand will exceed 16.2 billion feet at February price levels.

It would take an estimated 8 billion board feet of additional lumber and plywood just to fill the gap between what the homebuilding industry expects to build at 1.6 million units, and the ideal goal of 2.6 million set in the 1968 Housing Act. The impact of the shortage on the price of raw material has been most severe.

Log prices in the woods of Oregon have soared to frightening heights.

From 1962 to early 1968, stumpage prices roughly quadrupled. In the 12 months between the last quarter of 1967 and the last quarter of 1968 the stumpage prices for west coast Douglas-fir rose from $42.70 to $92.90 a thousand board feet.

An excellent example of the intense competition to obtain scarce softwood lumber for processing occurred this week in my district. The timber was 70 to 80 years old and of a type found in the BLM's "Tillmook Intensive Young Growth Project." It was a thinning sale being offered by the BLM on Bell Mountain. The BLM cruisers had estimated the thinning to contain 1.3 million board feet of timber. Industry's estimate was 1.1 million. The appraisal price of $58 per thousand on BLM's volume estimate was the minimum acceptable in this Government timber sale. After intense competition, this sale finally sold for approximately $120 per thousand. Additional road costs, harvesting, and so forth, will make this thinning material delivered to the mill cost $170 to $180 per thousand before it ever is manufactured into lumber or plywood. And this from thinnings that do not produce the quality veneers needed for our best grades of sanded plywood.

I find this—as my State finds it—one of the most alarming aspects of the entire situation. Mills face the frightening possibility that should market prices fall they will be unable to use the high-cost material they have already agreed to purchase.

But what of the challenges and the opportunities I spoke about?

It is obvious, I think, that if we are to relieve the shortage, we must in some way find additional raw material, for added raw materials would not only relieve the pressure on prices bid for new

materials but permit the industry to supply all of the building material necessary to house Americans.

We in Congress have talked in terms of short-range solutions for many, many years. And there is a need to talk about them today. Such Federal timber selling programs as high-cost, low-return salvage and thinning sales, made possible by the extreme shortage of timber for processing and the usually high product market for sales and in currently underdeveloped Rocky Mountain forests, are needed and welcomed. But they beg the solution to the total problem. It is a Band-aid approach to a deep gash.

Most desperately needed is a long-term solution to the problem. One, that, as I said, could become the most dynamic conservation program of all time.

In reality, I suggest nothing new. What I propose here has been tested and proven by private industry and Government in the timber producing Pacific Northwest.

I speak, of course, about the introduction of the most modern forest management techniques into the operation of our national forests. I speak of high intensity forest management known by some as the management of the high yield forest, by others as the management of the dynamic forest and by all, as a means of producing more timber within a shorter span of time.

It is modern forestry, involving precommercial and commercial thinnings—reforestation with super trees, genetics, and fertilization—using every known method of making trees grow more rapidly.

The concept is not new. We pioneered such developments in agriculture years ago. And, as a result, we have new varieties of corn and wheat and new breeds of pork and beef which attest to the validity of the effort.

The increases in production that we could get in timber from our national forests by adopting such a program could be enormous. They could be more spectacular than anything of this kind ventured by Government before.

Edward P. Cliff, Chief of the Forest Service, told the Senate Small Business Committee last November that allowable cuts could in time be increased about at least two-thirds by such practices on the more productive portions of the national forests.

Some foresters in my home State of Oregon have predicted even more substantial gains.

Oregon, as I have told all of you many times, is the Nation's No. 1 forest State. Forest products bring $1.5 billion into the State's economy every year. The State's forest industry has an annual payroll of $600 million and provides more than 85,000 jobs.

And we produce a quarter of all the softwood lumber and half of the softwood plywood in the entire Nation.

And in Oregon, we must rely for most of our timber supply on Federal lands. Federal agencies control 57.8 percent of the 26.6 million acres of forests and almost 65 percent of the softwood timber volume in our State.

It should be obvious, then, that Oregon's ability to help the Nation meet its housing needs will depend, in large part, on just how the Federal Government manages the lands its controls.

At the Senate Small Business hearings, Mr. Wesley Rickard, an independent forest consultant and economist, said that the annual allowable cut in the national forests of the region, in his opinion, could be increased anywhere from 60 to 136 percent by the adoption of the high-yield program.

He estimated we could harvest 340 million board feet of timber more than is being harvested now on one of our Oregon national forests and as high as an additional 320 million board feet on another.

The State of Washington's Department of Natural Resources originated several years ago as a result of Washington State legislative action during the time one of our colleagues, then a member of that body, ably guided its creation. That department of natural resources now under the direction of Lands Commissioner Bert Cole also has been able to increase its harvest from 469 million board feet in 1959 to 774 million board feet for the 1970 decade, with the adoption of similar sound forestry practices.

And the Weyerhaeuser Co., which is intensifying forest management on its lands through a high yield forestry program, expects to increase growth by more than one-third.

It seems to me that we have no alternative but to adopt the same type programs on our Federal lands. Needs of the Nation and the conditions of the raw material pressures on our forests make such a program imperative.

The effort, of course, will require adequate funding. It will require a business-like management approach. But it will not call for a big spending program. In fact, it will involve, in most instances, simply a compression of expenditures that would have been necessary even if such a program were not adopted.

We would simply require immediate funds for reforestation, for low-cost, minimum-standard access roads, for concentrated fertilization, thinning, all of the techniques that modern forestry practice should require anyway.

I do not mean to infer here that adoption of a high-yield program for a national forest will solve every ill immediately. We need to review the present timber sale policies of the Forest Service to make sure that timber ready for sale and available for sale is, in fact, put up for auction.

We must remedy any manpower shortages which may hamper sales efforts. At the same time new and better efficiencies in manpower utilization in Federal timber management agencies might be devised. We must help where we can in making certain that railcars are available for shipping products produced, listing only a few of the immediate problems that will also need our consideration. The recent ICC order is an important step in alleviating the perennial boxcar/flatcar shortage and the ICC should be commended for finally having acted to resolve this year's shortage.

I have not yet touched on changes in log export regulations for I feel that first we must look at and resolve the biggest problem in our timber supply question—that of achieving a high level of forest management on our public forest lands and a high level of harvest commensurate with management. Certainly with Americans investing greater sums in high intensity forest management in their public forests they have a right to expect the higher returns in wood products suitable for American homes.

It, therefore, becomes increasingly evident that some further accommodations must be achieved with the overseas users of our softwood logs. Further joint clarification and effort is needed to determine the quantity of softwood products available for export but certainly the volume should not be at the expense of our Americans in need of proper housing. I believe the present high softwood log price situation may temporarily have relieved export pressures.

Today's high priced logs are probably less attractive to export buyers than they were in months past. However, we will find the big crunch occurring this summer when the log export buying interests again enter the timber buying market in the West and this time possibly in the southeastern pine forests of the United States.

I would like to close my plea today for the establishment of high-yield forests on national forest lands, with an additional plea to conservationists to join the fight. The youth and his family in the ghetto to whom we have been promising adequate housing has every bit as much a vested interest in our national forests and its products as a naturalist and recreationist who wants the pristine wilderness of that forest all for his own personal enjoyment. The great national forests belong to every person and every segment of our country.

I am proud of my record as a conservationist and for my support in obtaining wilderness and recreation areas for the use of the many who find the Nation's forests and its wilderness their particular type of enjoyment. I am not advocating nor have I ever advocated a policy of cut and run. Those days are gone forever. What I am advocating is that some of the income derived from the sale of timber products from our national forests be applied to paying for the intensified forest management on the Federal lands. Private industry is doing this most profitably and successfully—the State of Washington is doing this profitably and successfully. The U.S. Department of Defense is doing this profitably and successfully. While this will require some more Federal dollars now, it is an established fact also that for every dollar spent today in high-level intensified forest management several additional dollars are returned to the Federal Treasury.

The result of each increased investment in our Federal forest management during the past several years has been a substantial increase in wood production and a substantial profit in dollars plus the wise use, not the wasteful disuse, of a renewable resource.

In the outgoing administration's budget it was estimated that the cash receipts from our national forests would be $237.6 million. Largely because of the increased price of stumpage, the Forest Service now testifies that there will be an additional $100 million of revenues received by the Government over and above the estimate previously made and contained in the Johnson budget. Even a small portion of this additional money plowed back into intensive management with assurances for necessary additional regular financing in the future would permit very substantial increases in our Forest Service timber harvest. The program announced by the White House yesterday for a small supplemental request for the Forest Service, plus a very few million dollars additional moneys for fiscal 1970 is encouraging evidence of the concern over the supply of raw material. It is, however, totally inadequate to have any meaningful effect on the current high prices of lumber and plywood and I would like to be confident that this is only the first short step toward really resolving this problem.

It is about time the Federal forests are managed in a real businesslike basis and that the public agencies we are charging with this management are not subjected to the almost impossible handicaps inherent in the present Bureau of the Budget and appropriation policies and procedures.

Again, I emphasize for each of my colleagues that this program can be adopted easily within the framework of the sustained yield concept. In other words, our forests can be maintained profitably under this program without a reduction in the number or the size of our forests. My friends in the conservation movement should realistically be aware of the fact that the intelligent promotion of this plan will provide more recreation areas, more wildlife, and more access to those wishing to use our forests for recreation—national forests belonging to every citizen in our country.

OUTLOOK FOR OUR AVIATION AND AVIATION INDUSTRIES

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

Mr. PICKLE. Mr. Speaker, one of the toughest problems we face in the continued growth of our country concerns the outlook for our aviation and aviation industries.

The day used to be that aviation was the dedicated hobby of only a few venturesome souls, but this is now far from the situation. Aviation has become one of the most dynamic moving forces in keeping our country on the move, and this growth, while it has been good, has also presented us with many problems.

Probably the single greatest need in development of our airports and air systems is that of reconciling the need for tremendously expanded technical development, with the desirability for keeping aviation open to as many enthusiasts as possible. This problem comes to us at a time which is critical and important, because of the tremendous demands and congestion recently being seen at many of our leading airports.

These problems of congestion are not important simply because they cause greatly lengthened delays to the passenger and wasted utilization of our air equipment. They are also important because of the very serious and critical challenges they make to aviation safety.

As we have heard the term so ominously expressed before, many of our major airports already have reached the point of saturation. This is an apt and telling description of the probable consequences of letting the problem go unchecked. Because if we allow the manner of handling air traffic in and out of our major population centers to progress as we have done in the past, then we will go beyond the point of saturation and will literally see a flood of devastation and disaster fall upon us.

Already we have reached the point at which control requires upward of a dozen tiers of circling traffic patterns. It does not take much imagination to realize the danger inherent in such a situation and sadly enough, we have a grim history of the type of failures I mention. Perhaps the single most shocking crash was the collision several years ago between two airliners over Metropolitan New York City.

We simply must get started on ways to provide broad-based planning and action to get the airports we need, and to get them in convenient but safe locations. We must work to improve safety procedures in the use of airways and air systems. And we must do this in such a way to promote fair and equitable access by all users.

The problem is going to get worse before it gets better. One regrettable fact in the development of airport and air systems is that a 2- or 3-year leadtime is required to bring about remedies to the needs which already exist.

To attack the problem on the scale necessary to get us back on top of our advance in technology will require the efforts of the Federal Government and of all aviation users.

It is against the backdrop of this critical series of problems that I am introducing today and in behalf of my colleague, the gentleman from California (Mr. DON H. CLAUSEN), a package of legislative remedies, designed to find the approaches which will provide the greatest possible measure of self-help in the field of aviation.

I am introducing a package of bills—one to create and levy a reasonable number of taxes on most segments of the aviation industry; and the other to utilize these taxes in a newly created aviation trust fund. It is my goal in sponsoring this legislation to tap all possible sources of aviation use, in order that each segment bear some portion of the tremendous cost needed for aviation development over the coming years.

It is my feeling that each part of the industry will have to pay its fair share, and I am hopeful that this approach will meet with the approval of the groups and individuals involved in this complex and interwoven field.

At this point, I would like to go over the first of the two bills I am introducing, the tax measure. This bill calls for revenues from the following sources:

First, a tax of 2 cents a gallon on fuel and gasoline used in commercial flights, with the provision that half of this amount shall be granted back to the airports served by the scheduled carriers to be applied toward the operation and maintenance expenses of those airports;

Second, a tax of 8 cents a gallon on fuel and gasoline used in other types of flights—another provision in the second bill allows a refund of 4 cents a gallon to the State in which the retail sale occurred in order that the State might improve its own general aviation programs and services;

Third, an increased passenger tax on commercial flights from 5 to 8 percent; and,

Fourth, a new tax of 3 percent on airfreight.

Mr. Speaker, another source which probably should be tapped is in international air travel. We have heard a lot about a passenger tax and in all probability, I will offer an amendment to these bills calling for a tax of $1 or $2 per person on all international air travelers departing or coming into the United States. I understand that $1 tax probably would raise about $45 million annually, and this might be one of the areas to be considered in our committee deliberations on a fair allocation of the costs.

Fifth. At this point, I would also like to note that the second bill provides for an authorization of U.S. Treasury appropriations of up to $300 million annually into the airport and airways trust fund.

You can see this approach calls on all parties to make a contribution to improvement of the system: general aviation; commercial aviation; airline passengers; air shippers; and the Federal Government.

All of the revenues and appropriations marked from the above sources are, pursuant to the second bill, pooled into the airport and airways trust fund.

In setting these proposals out, however, I wish strongly to note that I am not, in suggesting tax levels and percentages, attempting to make a hard and fast judgment about the relative level of contributions to be obtained from each of the sources mentioned. Instead, I am simply trying to draw a rough approximation as to what would be a fair distribution of the cost, and I would hope that hearings on this measure would provide clearer evidence as to how many dollars of revenue we are speaking of when we mention, say, a tax of 8 cents a gallon.

In contemplating the intricate forces at work in aviation, I came to the conclusion that the Commerce Committee or the Ways and Means Committee would have difficulty in making a final judgment about how to allocate the costs without the benefit of some kind of history under taxes and revenues at various levels. It is for this reason that the second bill contains a provision under which the Secretary of Transportation shall undertake a 2-year study "respecting the appropriate method for allocat-

ing the cost of the airport and airway system among the various users and shall identify the costs for the Federal Government."

In commenting on this second bill, Mr. Speaker, I would like to proceed to a more detailed explanation of its provisions.

As indicated earlier, the bill creates a trust fund, much like the Federal highway trust fund. The name of this fund is to be the airport and airways trust fund, and it will be administered under the Department of Transportation. All of the taxes specified in the tax measure will be earmarked for this fund. Moreover, there is a provision for allowing contributions by the Federal Government.

Moneys from the trust fund shall be available for expenditure of grants authorized to be made by the provisions of the Federal Airport Act.

Also, the bill authorizes trust fund expenditures to acquire, establish and improve air navigation facilities and for a number of other activities, including the operation and maintenance of air navigation facilities and research and development activities as they relate to safety.

In addition to the authorized expenditures, the Secretary of Transportation, as manager of the trust fund, is empowered to guarantee airport development loans. The type of loan covered by this provision is a "hard" loan which affords a reasonable assurance of redemption or repayment.

Moreover, the loans must be made under such terms as the Secretary deems are necessary to assure that the airport development made pursuant to such loans does have adequate financial backing for its completion.

The maturity of loans which may be guaranteed under this portion of the bill is a maximum of 30 years, and the total amount of loans outstanding at any one time may not exceed $1 billion.

Mr. Speaker, as I mentioned earlier, the new tax of 8 cents a gallon imposed on all flights other than scheduled and supplemental carriers is subject to a refund of 50 percent to the State in which the retail sale occurred in order that such State might improve its general aviation programs.

Once the State has qualified and received this refund, it shall be used only to carry out a comprehensive State aviation program which is designed to promote, encourage and develop civil aeronautics in that State, "properly adapted to the present and future needs of such State for an air-transportation system, and not inconsistent with the promotion, encouragement, and development of a national air-transportation system."

Mr. Speaker, as I mentioned briefly earlier, the revenue provision calling for a 2 cents a gallon levy on commercial aviation fuel and gasoline is also subject to a provision whereby half is earmarked for a specific use.

In order to assure that there is a balanced approach on the issue of providing services back to the various aviation users, my bill includes a provision for airport operations grants to those airports served by commercial carriers. Specifically, the Secretary of Transportation is directed to grant half of the 2-cent commercial fuel tax to the "sponsors of public airports and [such funds] shall be available for expenditure solely for expenses (not otherwise eligible for Federal financial assistance) directly related to the operation or maintenance of a public airport providing services to air carriers engaged in air transportation."

In establishing a formula for making such operations grants, the Secretary shall take into consideration the number of air carriers serving the airport concerned, including the equipment, accommodations, facilities and services provided the public by the carriers at such airport. Also, he shall consider the immediate and future needs for airport services at such airport, and the geographic distribution of operational grants as they will promote the development of a national airport system.

Mr. Speaker, the final major portion of the Airport and Airways Development Act deals with an extension of the Federal Airport Act, to authorize appropriations totaling $665 million over a 5-year period. This extension is of those grant provisions which have already provided a greatly improved standard of service at airports all across the country. Moreover, there is an authorization of $15 million over a 5-year period for carrying out the Federal Airport Act in Hawaii, Puerto Rico, and the Virgin Islands. There is also a specific section calling for an authorization of $70 million over a 5-year period for the purpose of developing "airports, the primary purpose of which is to serve general aviation and to relieve congestion of airports having high-density traffic serving other segments of aviation."

Mr. Speaker, at this point, I believe the main thrust of these bills should be clear. The message is that if we are going to continue to have an air system which can respond to the demands of all users, then we should create a system by which each user bears his pro rata share of the cost.

I have attempted in this bill to reach out as far as possible to tap those sources of revenue which legitimately should bear a portion of the cost. I have attempted to create a permanent system which has the flexibility to grow in the same way we all know that aviation will grow in this country.

In the long run, I believe we cannot ignore this problem a moment longer. Already, we are seeing evidence that the system is saturated to the point at which some of the users are being relegated to different roles—not by conscious choice, but simply because there is now no other alternative safely to handle the situation.

I say this situation cannot last much longer, and I am hopeful that we can obtain quick hearings on these measures, and on others to achieve this same goal.

OUTLOOK FOR AVIATION AND AVIATION INDUSTRIES

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

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Texas (Mr. PICKLE) and join in coauthoring the legislation that he just explained to the House.

I am pleased to join my distinguished colleague, J. J. PICKLE, in cosponsoring legislation today to create a national airport and airways trust fund and to advance the "coordinated national plan of airport and airways systems."

Many here will recall that in August of 1967, I addressed this chamber on the subject of "The Growing Crisis of the Lack of Airports," under a 1-hour special order.

In those remarks, I outlined my general impressions of the aviation situation in America as follows:

First. The United States is facing an airport crisis of immense proportions.

Second. There is no concentrated and coordinated comprehensive program of airport improvement in this country.

Third. It is my strong and carefully considered opinion that the present national airport plan is out of date even before it is completed.

Fourth. The economic growth of this country can never reach its full potential unless and until we update our airport and transportation systems.

Fifth. The political leadership in this country must immediately embark on a program to establish a coordinated national plan of integrated airport systems.

In addition, I said that two basic requirements were needed—adoption of a "coordinated national plan of airport and airways systems," and a recommended method of financing such a plan.

In regard to financing, I have long advocated establishment of an airport and airways trust fund similar to our trust fund for highways so as to permit each of these modes of transportation to go forward together in the most efficient, coordinated, and integrated manner.

The legislative package which Mr. PICKLE and I have coauthored and are introducing today is designed to indicate and suggest ways and means the necessary funds can be acquired to carry out the creation and development of a "coordinated national plan of airport and airway systems."

This legislative "package" contains two bills.

The first creates revenues from various aspects of the aviation industry, as follows:

First. A 2-cent tax per gallon on fuel and gasoline used for commercial air flights,

Second. An 8-cent tax per gallon on fuel and gasoline used in other types of flights,

Third. An increased passenger tax on commercial flights from 5 to 8 percent, and

Fourth. A new tax of 3 percent on air freight.

The second bill provides for a U.S. Treasury authorization of up to $300 million annually into the newly created airport and airways trust fund.

Mr. PICKLE has already outlined the details and intricacies of each of these bills so I will not duplicate what he has said.

Mr. Speaker, I am fully aware that there are many diverse views on how best we can and should finance an airport and airway system and I am certain that many aviation groups and interests will not fully agree on every aspect of this proposed legislation.

However, time is running out. Perhaps the only way we can expect to arrive at a successful conclusion, will be through the deliberative process and one of primary objectives of this legislation is to get us pointed in that direction without any further delay.

Quite frankly, I believe hearings should be scheduled soon to consider this and other legislative proposals that have been advanced to help resolve the serious airport and airway crisis that is worsening with each passing day. In this regard, I am hopeful that the Aeronautics and Transportation Subcommittee of the House Interstate and Foreign Commerce Committee will also consider some of the excellent recommendations recently made by the aviation industry itself.

One of the most recent proposals to evolve comes from a group of leading general-aviation airplane, engine, and avionics manufacturers, as follows:

First. Airways user charges: For general aviation, an avgas and jet fuel tax of 8 cents per gallon for the first year, 9 cents for the second year and 10 cents for the third. For the airlines, 6 percent on domestic and overseas passenger tickets; 2 percent on international tickets; 3 percent on domestic and international freight.

Second. Pro rata shares of total charge for airways use: Airlines, 50 percent; general aviation, 20 percent; and Government, 30 percent.

Third: Airports: Trust fund, would be set up with its source an additional 2-percent tax on airline domestic passenger tickets and $2 per head on international passengers. Federal aid to airports, would be continued on same 50–50 basis. Its funds would go principally to small hubs, general aviation airports and V–STOL facilities and would include ILS.

I further believe the airlines transportation industry has some excellent improvement recommendations to make. They are concerned over the fuel and gasoline tax but tend to support the "ticket tax" approach. The committees should carefully evaluate each of these "alternative" proposals.

The Aircraft Owners & Pilots Association and the American Association of Airport Executives have both advanced very intriguing and exciting proposals for airport development that merit close consideration. The AOPA has recommended formulating a public corporate entity similar to the telephone and Comsat approach.

In addition, I urge Congress and the Interstate and Foreign Commerce Committee to carefully review the recent paper prepared and distributed by the AOPA regarding the development of an integrated airport and airway system similar to that which I have advanced.

Mr. Speaker, in this legislative package, Mr. PICKLE and I have attempted to make one message crystal clear, and this is the message—if the United States is to have a truly effective and visionary airport and airways system that is responsive to the needs of all users, then each user should bear a pro rata share of the cost. But there is one other very definite fact of life—the general public will benefit tremendously by the implementation of this airport system. Therefore, they should pay an equitable portion of the airway system operating and maintenance costs.

While we can and should study, debate, and if necessary modify the formula that is ultimately conceived—the overwhelming need for such a fund is abundantly clear and totally justified.

In conclusion, Mr. Speaker, I submit that we in the Congress must now attack the airport and airway crisis problem in America on a scale that will permit our knowledge and expertise to catch up with the lag that now exists. The safety of our skies and the full economic growth potential of our Nation is at stake.

This legislative package, in my judgment, is a giant step forward in that direction. I hope that all Members will join in taking the initiative—we need everyone's ideas and recommendations.

Frankly, the name calling and bickering that exists in the entire aviation community must come to a halt. I have a favorite expression that I would like to share with my colleagues, "progress is born as a result of a clash of ideas mutually dedicated to a common goal."

Today, we have submitted an idea, legislatively, toward a common goal—the best balanced, coordinated, and integrated airport system in the world.

Far reaching? You bet. But, not too big for a great nation made up of big men.

LEGISLATIVE REORGANIZATION

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

Mr. RUMSFELD. Mr. Speaker, today I am introducing another copy of the Legislative Reorganization Act of 1969, which carries the names of 17 additional cosponsors. This brings the total of cosponsors of this legislation to 92, testifying to the broad support in Congress for self-reform.

Change and self-renewal have become a theme of our times, and the need to update, modernize, and adapt is as pressing a problem for the National Legislature as for other institutions. The case for congressional reorganization is particularly pressing in that it has been more than two decades since we last retooled our legislative machinery. The 92 cosponsors of this legislation are committed to legislative reform in this session of the 91st Congress.

It is my hope that a majority of the Members of the House of Representatives, members of both parties, will commit themselves to the reform movement by cosponsoring bills providing for legislative reorganization.

The following statement of March 4 by the House Republican policy committee clearly reiterates our party's commitment to bring the rules and procedures of the Congress into the 20th century:

CONGRESSIONAL REORGANIZATION

"Congress itself must be reorganized and modernized as a co-equal branch of government." (Republican platform, Aug. 7, 1968.)

"The awesome problems of today and the challenges of the 70's demand an efficient and effective Congress. Unless Congress is strengthened and new procedures and techniques developed, there is grave danger that the historic role of Congress as an essential check on the massive power of the Executive may be dangerously diluted. Legislation is needed to update and modernize Congress." (Republican policy committee statement, May 10, 1967.)

The Republican Members of the House of Representatives are determined to bring the rules and procedures of Congress into the 20th Century. Only by accomplishing legislative reorganization, only by equipping itself with the machinery fitted to the times, can Congress succeed in shaping laws that cope with the complex problems of modern society.

The bipartisan Joint Committee on the Organization of Congress, established by unanimous vote of both the House and the Senate in the 89th Congress, has thoroughly studied the organization of the Legislative Branch. Its report sets forth numerous recommendations for improved structural changes and operational procedures of the Congress. In light of these recommendations, legislation has been introduced which proposes the following major improvements:

1. The establishment of a permanent Joint Committee on Congressional Operations with continuing authority to study the structure and procedures of Congress and to recommend additional reforms and changes.

2. The protection of the rights of the minority through the provision of additional committee staff, the right to file minority views in committee reports, the provision of equal time on conference reports, and the right to schedule witnesses during at least one day of committee hearings.

3. The authorization of measures designed to assist Members of Congress in the performance of their Congressional duties. Such measures would include enlarging committee staffs, strengthening and improving the Legislative Reference Service, and authorizing committees to employ consultants on an interim basis in order to take advantage of expertise in various fields of knowledge.

4. The implementation of fiscal controls and budgetary reforms that would include (1) a greater utilization of the General Accounting Office, (2) a multiple-year financial projection of programs, (3) the updating of the budget on June 1 of each year, and (4) the requirement that responsible Executive Department officials testify before the Appropriations Committee of each House within 30 days after the budget is presented to Congress.

5. The requirement that each standing committee upgrade its oversight function by the review and study, on a continuing basis, of the regulations, procedures, practices and policies of the Government, pertaining to the application, operation, administration and execution of the laws which are within the jurisdiction of the committee.

6. The more thorough supervision of lobbying activities.

7. The establishment of a Bill of Rights for committees that would require announcement of record votes, permit a majority to compel the filing of a report or a bill, prohibit the use of proxies, and require the printing of committee rules at the beginning of each session.

Republicans have long urged Congres-

sional reform. Their dedication to the improvement of the legislative branch is reflected in: (1) the establishment of the Republican Task Force on Congressional Reform and Minority Staffing during the 89th and 90th Congresses, (2) the House Republican Policy Committee Statement of May 10, 1967, cited above, (3) the Policy Committee Statement of October 10, 1966, (4) the resolution passed by a unanimous vote of the House Republican Conference on October 11, 1967, and (5) the Congressional reform plank in the National Republican Platform of 1968.

The need for a modernized Congress has never been more urgent than today.

The House Republican Policy Committee reendorses the recommendations of its May 10, 1967 statement and urges the prompt enactment of legislation to modernize and improve the Legislative Branch of the Government.

Mr. Speaker, the list of cosponsors of this legislation demonstrates that the Republican commitment to legislative reorganization is broad in terms of both geography and seniority. Sponsors of this legislative reorganization legislation as of this date number 92 and include:

JOHN B. ANDERSON, of Illinois;
J. GLENN BEALL, JR., of Maryland;
EDWARD G. BIESTER, JR., of Pennsylvania;
BENJAMIN B. BLACKBURN, of Georgia;
W. E. "BILL" BROCK, of Tennessee;
DONALD G. BROTZMAN, of Colorado;
GARRY BROWN, of Michigan;
JAMES T. BROYHILL, of North Carolina;
JOHN BUCHANAN, of Alabama;
J. HERBERT BURKE, of Florida;
GEORGE BUSH, of Texas;
DANIEL E. BUTTON, of New York;
JOHN W. BYRNES, of Wisconsin;
WILLIAM T. CAHILL, of New Jersey;
DON H. CLAUSEN, of California;
JAMES C. CLEVELAND, of New Hampshire;
BARBER B. CONABLE, JR., of New York;
SILVIO O. CONTE, of Massachusetts;
R. LAWRENCE COUGHLIN, of Pennsylvania;
GLENN CUNNINGHAM, of Nebraska;
JOHN R. DELLENBACK, of Oregon;
DAVID W. DENNIS, of Indiana;
JOHN J. DUNCAN, of Tennessee;
FLORENCE P. DWYER, of New Jersey;
JACK EDWARDS, of Alabama;
John N. ERLENBORN, of Illinois;
MARVIN L. ESCH, of Michigan;
EDWIN D. ESHLEMAN, of Pennsylvania;
PAUL FINDLEY, of Illinois;
HAMILTON FISH, JR., of New York;
LOUIS FREY, JR., of Florida;
JAMES G. FULTON, of Pennsylvania;
JAMES R. GROVER, JR., of New York;
CHARLES S. GUBSER, of California;
GILBERT GUDE, of Maryland;
SEYMOUR HALPERN, of New York;
ORVAL HANSEN, of Idaho;
JAMES HARVEY, of Michigan;
JAMES F. HASTINGS, of New York;
CRAIG HOSMER, of California;
EDWARD HUTCHINSON, of Michigan;
HASTINGS KEITH, of Massachusetts;
THOMAS S. KLEPPE, of North Dakota;
DAN KUYKENDALL, of Tennessee;
JOHN KYL, of Iowa;
SHERMAN P. LLOYD, of Utah;
MANUEL LUJAN, of New Mexico;
DONALD E. LUKENS, of Ohio;
ROBERT MCCLORY, of Illinois;
PAUL N. MCCLOSKEY, JR., of California;
JAMES A. MCCLURE, of Idaho;
CLARK MACGREGOR, of Minnesota;
CATHERINE MAY, of Washington;
THOMAS J. MESKILL, of Connecticut;
ROBERT H. MICHEL, of Illinois;
CHESTER L. MIZE, of Kansas;
F. BRADFORD MORSE, of Massachusetts;
ROGERS C. B. MORTON, of Maryland;
CHARLES A. MOSHER, of Ohio;
ANCHER NELSEN, of Minnesota;
THOMAS M. PELLY, of Washington;
JERRY L. PETTIS, of California;
ALEXANDER PIRNIE, of New York;
ALBERT H. QUIE, of Minnesota;
TOM RAILSBACK, of Illinois;
OGDEN R. REID, of New York;
DONALD W. RIEGLE, JR., of Michigan;
HOWARD W. ROBISON, of New York;
WILLIAM V. ROTH, JR., of Delaware;
DONALD RUMSFELD, of Illinois;
PHILIP E. RUPPE, of Michigan;
CHARLES W. SANDMAN, JR., of New Jersey;
JOHN P. SAYLOR, of Pennsylvania;
HERMAN T. SCHNEEBELI, of Pennsylvania;
FRED SCHWENGEL, of Iowa;
KEITH G. SEBELIUS, of Kansas;
GARNER E. SHRIVER, of Kansas;
J. WILLIAM STANTON, of Ohio;
SAM STEIGER, of Arizona;
WILLIAM A. STEIGER, of Wisconsin;
ROBERT TAFT, JR., of Ohio;
FLETCHER THOMPSON, of Georgia;
GUY VANDER JAGT, of Michigan;
LOWELL P. WEICKER, JR., of Connecticut;
CHARLES W. WHALEN, JR., of Ohio;
G. WILLIAM WHITEHURST, of Virginia;
LARRY WINN, JR., of Kansas;
JOHN WOLD, of Wyoming;
WENDELL WYATT, of Oregon;
JOHN W. WYDLER, of New York;
ROGER H. ZION, of Indiana; and
JOHN M. ZWACH, of Minnesota.

EXAMINATION TO BE MADE OF CONTROVERSIAL CENSUS QUESTION ISSUE

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

Mr. CHARLES H. WILSON. Mr. Speaker, as my colleagues are well aware, there is considerable controversy surrounding the approaching 1970 census.

In my capacity as chairman of the Subcommittee on Census and Statistics, I intend to undertake a complete examination of the controversial census question issue. This investigation will commence at a hearing scheduled for 10 a.m., Monday, March 31, 1969.

This issue is of vital importance. The 1970 census will directly involve every household in this country. The American public is concerned regarding the content and number of questions that are contemplated for the 1970 census forms. It is clear that a comprehensive review of the program must be initiated.

These hearings, Mr. Speaker, will be the first comprehensive hearings on the census dispute. Furthermore, I hope to hold some of the subsequent hearings in key areas around the country, in order that our committee might hear firsthand what various public officials, educators, and businessmen have to say about the census. My objective will be to determine whether the procedures, questions, and use of the information obtained by the Census Bureau is honestly beneficial to our people, or simply a convenience to various special interests.

Congressman BETTS, along with others among my colleagues, has raised questions which have placed doubts in our minds as to the need of threats of a jail sentence for not answering census questions, the need to make the answering of all questions mandatory, and the need for asking certain questions that seem to be of a very personal nature. While I do not necessarily agree with all the statements Mr. BETTS has made or all the conclusions he has drawn, we are indebted to him for the contribution he has made in raising the issue.

I can assure you, Mr. Speaker, that I plan to do whatever is necessary to formulate census procedures that meet the needs of our National, State, and local governments without invading the privacy of our citizens.

DOOR-TO-DOOR FRAUD

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

Mr. HALPERN. Mr. Speaker, a Jamaica, N.Y., housewife was told by a door-to-door salesman that she could keep a set of encyclopedias to show her husband—no obligation—just sign here.

A Queens Village woman was given a low-key sales pitch by a door-to-door salesman selling magazines. When she indicated she was not interested, he said he was working for an antipoverty program and accused her of refusing to help the poor "get ahead in life." Intimidated, she subsequently purchased $100 in magazines she neither wanted nor needed.

A Bayside housewife bought a vacuum cleaner from a door-to-door salesman at what she thought was a bargain price. She later found out that she was obligated, over a 2-year period, to pay an amount three times the department store price for the same item.

Mr. Speaker, these are just a few examples of fraudulent sales practices which many door-to-door solicitors engage in, in order to dupe the unsuspecting housewife into buying their product.

I have long believed that we must protect the housewife, who is unprepared for the high-pressure deceptive techniques employed by the professional salesman when he appears uninvited and unannounced at her door.

After hearing his sales pitch, she may sign a contract for what initially appears to be a bargain price, only to learn later that she has been grossly misled. By then, however, it is too late, and she and her family are saddled with large payments on unwanted and excessively costly items.

In an attempt to tighten controls on these and other such door-to-door sales frauds, I am today introducing legislation to provide a "cooling off period" during which the consumer can reconsider his purchase. Under this proposed legislation, the customer can rescind the

sale if he acts within a reasonable period of time.

The buyer would have the right to do so, if he notifies the seller of this desire in writing, either by letter postmarked no later than midnight of the second business day following the initial purchase, or by letter hand-delivered to the office of the seller not later than midnight of the second business day following the purchase.

The seller would also be required to inform the customer in clear, precise terms, of his right to rescind the contract within that period of time.

Mr. Speaker, I believe that this bill has an excellent chance of passage in the 91st Congress because it is long overdue, and because of the increased public awareness of the need for consumer protection legislation. I urge all of my colleagues to join in support.

RACKETEER INFILTRATION OF LEGITIMATE BUSINESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, there is no graver threat to our competitive, free-enterprise economic system than racketeer infiltration of legitimate business. Apparently this phenomenon is growing. The State of New York Commission of Investigation has been conducting a continuous inquiry into the influence of organized crime in that State and yesterday the chairman of the commission testified before a subcommittee in the other body as follows:

> Despite all the efforts thus far made by various law enforcement agencies, it must be acknowledged that organized criminal activities continue. Much has been and is being accomplished by Federal and local authorities to slow the growth of organized crime. Nevertheless, it is plainly still very much alive and moving out in new directions. From gambling, narcotics and loan sharking it has extended its tentacles into the field of commerce and industry. It has utilized its vast resources to infiltrate diverse kinds of legitimate businesses. In our investigations, the Commission has found that the means used by racketeers to penetrate and to gain control of legitimate business, or simply to engage in extortion, ranged from old fashioned muscle and violence to such more sophisticated techniques as using a big underworld name as a salesman, or merely mentioning such a name as being connected with a particular company, or "borrowing" money with no intention of ever repaying the "loan." Of course, many other techniques were utilized.

Another witness made this point. In this context, the term "legitimate business" is really a misnomer. Once the racketeers move into a business, however legitimate the product or service, the business ceases to be run legitimately. It could hardly be otherwise. These men have been outlaws all their lives. They will continue to practice all their habits of violence and intimidation in competition with lawfully run businesses and they will continue to cheat and steal wherever they can with the law-abiding consumer public as their principal victims.

Last year I collaborated with the distinguished Senator from Nebraska, ROMAN HRUSKA, in fashioning two bills which aimed specifically at racketeer infiltration of the legitimate business community. Their principal thrust was the utilization of already existing antitrust machinery to attack the potential monopoly power of the hoodlum-dominated business and its inherent exercise of unfair competition with lawfully run businesses in the same field. Earlier in this session I reintroduced both bills—H.R. 326 and H.R. 327, 91st Congress, first session.

The antitrust section of the American Bar Association has endorsed the principles and objectives of both bills. The section has also made some helpful recommendations which have resulted in redrafting. The changes have not been substantial but the two earlier bills have now been consolidated into one which I have introduced here today and which the Senator from Nebraska is concurrently introducing in the other body.

The bill is entitled the "Criminal Activities Profits Act of 1969." I view it as the perfect vehicle to promote a Federal program against racketeer infiltration of legitimate business. It is innovative in that it vitalizes procedures which have been tried and proven in the antitrust field and applies them in the organized crime field where they have seldom been used before.

In my view the bill is eminently worth while. I earnestly commend it to the attention of the Judiciary Committee for prompt and full consideration.

PUBLIC PARTICIPATION IN HIGHWAYS ACT

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

Mr. FARBSTEIN. Mr. Speaker, I have today introduced the Public Participation in Highway Development Act of 1969. This legislation would enact into positive law parts of the regulations proposed on public hearings—later substantially modified by the Federal Highway Administration—including the appellate review provision. It would require State highway departments to provide citizens organizations and individuals with full, complete, and timely information pertinent to any aspect of the location and design of a proposed highway. It would also allocate 3 percent of Federal revenue authorized for highway construction to citizens organizations for the hiring of professional expertise in connection with a proposed highway.

Mr. Speaker, I introduce this measure today to further the objectives expressed in the Federal-Aid Highway Act of 1968 that the economic, social, and environmental effects of a proposed highway system be taken into account in its location and design. This object cannot be achieved through the simple passage of a law with the expectation that the highway bureaucracy will immediately and fully carry it out. The obstacles are substantial. They may generally be characterized as inertia, the professional orientation of the highway engineer, and the dominant position of what has come to be called the highway lobby.

I. OBSTACLES TO THE CONSIDERATION OF THE ECONOMIC, SOCIAL, AND ENVIRONMENTAL IMPACT OF HIGHWAYS

For years, the only thing with which highway engineers have concerned themselves was the cost and location of the highway. It has only been in the last 10 years that road builders have learned that highways have a profound effect on the neighborhoods around them. There is thus much inertia to overcome.

More significant than mere inertia is the professional orientation of highway engineers. Critics of highway engineers suggest that they are concerned solely with the cost of construction and the price of land, regardless of the consequences. They are trained to deal with gradients and drainage problems, not social costs or esthetics. Or, as Lewis Mumford declares:

> The engineer regards his own work as more important than the other human functions it serves.

Unfortunately, these characterizations appear to be true. A columnist for the Christian Science Monitor discovered that highway engineers do fit the image conjured up by their critics, saying:

> If they are not wholly numb to the issue of the freeways social costs . . . at least they rank this factor far below the primary goal: meeting the construction schedule.

The divergence in orientation between this kind of orientation and the principles expressed in the 1968 Highway Act are well documented by a study undertaken in Chicago. The routing of a proposed highway through the central part of the city was analyzed on the basis of, first, engineering aspects; second, impact upon existing communities; and third, potential land-use improvements. The routings resulting from a separate consideration of each of these three factors were, not surprisingly, radically different. This is used as an illustration of the wide divergence between engineering orientation and national policy in the field of highways.

If inertia and an adverse professional orientation were not sufficient obstacles to full and effective consideration of economic, social, and environmental factors in highway development, the existence of the highway lobby is. The highway industry, composed of State highway departments, concrete, and asphalt road construction companies, oil, trucking and auto trade associations reap good size profits from the construction of highways. As long as highways continue to be built and the society depends on the automobile, these industries will prosper. Their size and prosperity make them a potent force, with which to be reckoned. They are considered next to the military-industrial complex to be the most powerful lobby in the United States. The main thrust of their activities is to build as much highway as possible. Consideration of economic, social, and environmental factors slows down this process.

II. LACK OF CITIZEN INVOLVEMENT IN GOVERNMENT

The sure way to achieve a full consideration of the economic, social, and environmental implications of a highway proposal is to bring the citizens of the affected communities into the decision-making process. People living near a proposed highway have a strong interest in the economic, social, and environmental impact of that highway and, given half a chance, will make sure these factors are being adequately considered.

Unfortunately, citizen involvement in highway development up to now has been minimal. The hearings requirement of the highway law has been little more than a mockery serving as little more than a vehicle to give the highway department an opportunity to tell the public where the new highway is to be located and what its design is to be. The citizen can nod approvingly, or do nothing, it makes little difference in the ultimate decision. The Senate Committee on Public Works made this point in its report on the Federal Aid Highway Act of 1968:

> The public hearings held by the States, under the requirements of Section 128, title 23, United States Code, have been less than adequate in performing the intended functions of informing the public and allowing those affected to adequately voice their opinions, recommendations and suggestions.
>
> The policy of the Federal government has been merely to require the States to certify that a public hearing was held.

The highway is but a symbol of the feeling of helplessness of our society, where the human being is lost in the complexity and size of his environment; unable to impact on it, indeed, lost in it. Richard Goodwin pinpointed this as "the malaise which has eaten its way into our society evoking an aimless unease, frustration and fury." It is to this feeling of helplessness that he credits much of the rebellion in society today. Nor does he limit this characteristic to the poor and the minorities. It is most characteristic, he suggests, of the American majority—those who are neither poor nor black.

This feeling of helplessness extends as well into the society's institutions, particularly its governmental institutions. He says:

> The unexciting and envy-producing tone of the non-poor citizen's private life is heightened by the growing remoteness of public life. The air around him is poisoned, parkland disappears under relentless bulldozers, traffic stalls and jams, airplanes cannot land, and even his own streets are unsafe and, increasingly, streaked with terror. Yet he cannot remember having decided that these things should happen, or even having wished them. He has no sense that there is anything he can do to arrest the tide. He does not know whom to blame. Somehow, the crucial aspects of his environment seem in the grip of forces that are too huge and impersonal to attack. You cannot vote them out of office or shout them down. Even when a source of authority can be identified, it seems hopelessly detached from the desires or actions of individual citizens.

A prime example of this is the Lower Manhattan Expressway in New York City. Everyone appears in favor of it except the people of New York. Yet, it proceeds in spite of this.

Given this context, the regulations proposed last October by the FHA requiring separate public hearings on the locations and design of a highway system well in advance of the making of the decisions on these questions was most welcome. Such hearings were to consider the social, economic and environmental impact of the highway as well as alternative means of transportation which might serve the public better than the planned highway segment. The citizen was to be given an opportunity to participate in the dialog which would result in a highway decision. But most significant of all, the public participation in such hearings was meant to be more than ritualistic involvement. The provision for appellate appeal guaranteed the participants that the views they expressed would be considered and weighed in decisions relating to highway location and design. These hearings, according to the Senate Public Works Committee, would produce more than a public presentation by the highway department of its plans and decisions.

The highway lobby, unfortunately, did not relish the prospect of citizens hearings placing a further obstacle in the path of highway construction and vociferously opposed the adoption of the proposed regulations. They produced before the FHA hearing State highway officials, associations of contractors, auto manufacturers, and truckers, something called the "good roads Federal," chambers of commerce, and from Iowa alone, the full range of materials suppliers: Limestone Producers, Asphalt Pavement Association, Concrete Paving Association. The man from Indiana Highways for Survival came to say that survival of the American economy depended on the good health of the contracting business in which, he complained, profits are "razor thin." The opposition fielded a few big-city majors or their representatives, conservationists, planners, architects, and some urban citizen groups. The hearings made clear that the lobby's opponents were outgunned. They did not have much artillery to begin with and many on their side were absent: who was going to pay their way to Washington?

The pressure from the highway lobby brought retreat; and the regulations finally published in the Federal Register were not only downgraded to the level of a policy and procedure memorandum, but the provision requiring consideration of other forms of transportation at the public hearings was dropped and, most significant of all, the right of appeal was eliminated.

Even this emaciated version published on January 18 faces the prospect of being repealed. A spokesman for the American Road Builders Association pronounced himself satisfied: the regulations had been gutted of any threat to the lobby.

III. REQUIRES PUBLIC HEARING

Mr. Speaker, I have introduced the Public Participation in Highway Development Act of 1969 for the purpose of putting the Congress on record in favor of citizen involvement in highways, placing a firmer foundation under the hearing procedure and broadening the current procedure to include discussion of alternative means of transportation and establishing the appellate appeal procedure.

First, this legislation would make clear that Congress stands behind the people and not the bureaucrats or highway industry. The first part of the declaration of policy declares:

> The Congress hereby declares that it is in the national interest to take into full account social, economic, and environmental effects in the development of Federally-aided highways, and that this can best be accomplished by guaranteeing effective public participation in the consideration of highway location and design proposals by highway departments before submission to the Secretary of Transportation for approval, and by providing effective means for administrative appeal.

Second, this legislation would place a firmer foundation under the hearing procedure by enacting it into positive law and thus protecting it from administrative elimination and giving it the greater authorty positive law enjoys over administrative edict.

Third, this legislation would significantly broaden the scope and impact of the current hearing procedure by requiring alternative means of transportation to be discussed at the public hearings, require a separate hearing for location and design in all cases where the highway segment would go through a community of 5,000 or more persons, and require that public notification of hearings not be limited to those on a specific mailing list, but go to all interested persons.

Fourth, this legislation would reestablish the appeal procedure, without which the opinions expressed at the hearings could be totally ignored. Without the suspensive appeal procedure, the hearings become totally meaningless.

IV. REQUIRES FULL, COMPLETE AND TIMELY INFORMATION

The public participation in Highway Development Act of 1969 also requires State highway departments to provide full, complete, and timely information pertinent to any aspect of the location and design of proposed highways: to any organization or individual requesting it; and that such information shall be provided in sufficient time prior to the holding of any public hearings as to afford full opportunity for preparation for that hearing. This section carries out the spirit of the Freedom of Information Law. In the words of the President of the United States:

> A democracy works best when the people have all the information that the security of the nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest.

The general rights and desirability of participation in the democratic process by the citizens is clear. The problem is the practicality of that participation. If citizens in this society are to have an input to the decisions of government, they need more than a guarantee that their opinions will be listened to, they must know what that government is planning and doing. Without information on the

problems, the alternatives, and an actual opportunity to express views, the superstructure of our system is without foundation. Any degree of participation in decisions of government is meaningless unless the participants are informed.

Unfortunately, much is kept from the public by the highway engineer as those associated with Gunston Hall in Virginia could tell you. The Virginia Highway Department announced that a highway was planned through the property of the historic home of one of the Founding Fathers. When the board of Gunston Hall tried to find out the specific routine, they met with the response that the details of the route had not been completely formulated and thus the information was not available. Yet, the State highway department was going to the neighboring jurisdiction to secure legal approval for the routing of the same road.

V. ALLOCATES FUNDS FOR HIRING PROFESSIONAL EXPERTISE FOR CITIZEN GROUPS

Finally, the public participation on Highway Development Act of 1969 allocates funds to citizens' organizations for the purposes of hiring professional expertise including engineers, planners and architects in connection with a proposed highway. The amount would be 3 percent of the funds authorized for highway construction, and such funds would be available only so long as no final departmental determination had been made on the highway. The Secretary, in consultation with the Secretary of HUD and the Director of OEO, would identify neighborhoods having substantial interest in a proposed highway project and establish criteria for the recognition of citizens' organizations which are broadly representative of the interests and needs of the respective neighborhood. He would also establish professional standards to be met by any professional hired by a citizens' organization under the program.

Society has become increasingly professionalized and relies on the expert to provide the authoritative analysis. In the field of highway construction, Government holds a near monopoly on the expertise, thus it is difficult, if not impossible, for laymen to effectively participate in decisionmaking unless they are provided with comparable expertise. An excellent example of the power this monopoly gives the highway department is again found in connection with the Lower Manhattan Expressway. The engineers originally justified the need for it in terms of high suburban need; 80 percent of use, they said, would be suburban. When the citizens of New York rebelled against giving up their homes for the benefit of suburbanites, the department came right back with a study demonstrating 80 percent of the traffic would be local. This it was hoped would help overcome the opposition to sacrificing for suburbanites.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the 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, the program for next week is as follows:

Monday is District day, but there are no District bills.

At this time we have no legislative business for Tuesday.

For Wednesday and the balance of the week we have the following:

H.R. 5554, to provide a special milk program for children, which is subject to a rule being granted;

H.R. 337, to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, which is subject to a rule being granted;

H.R. 7757, to authorize appropriations during fiscal year 1969 for procurement of aircraft for the Armed Forces, which is subject to a rule being granted; and

Miscellaneous committee funding resolutions from the Committee on House Administration.

I might add that there is a possibility of a supplemental appropriation bill being brought up next week, although we do not yet have assurance sufficient to place it on the program. We will announce any other program later.

ADJOURNMENT TO MONDAY, MARCH 24, 1969

Mr. ALBERT. Mr. Speaker, in view of the fact that we have finished the legislative business for this week, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday of next week.

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

There was no objection.

ONE SET OF TAX LAWS FOR THE RICH, ANOTHER FOR THE POOR

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

Mr. PODELL. Mr. Speaker, a double standard dominates the American tax system. Under it there is a rich man's tax law and a poor man's tax law. There is a corporation's tax law and a middle-class citizen's tax law.

A time has arrived for reform. Not the false act of pasting a band-aid over a cancer, but meaningful reform with teeth in it for evaders and relief in it for the sufferers.

There are 21 Americans who earned over $1 million in 1967 and paid nothing at all in Federal tax. And 134 others who each earned over $200,000 paid nothing, either. These are the wealthy who ride for nothing in the heavy wagon pulled so painfully and so far by so many of us.

We must seal off the escape hatches through which these wealthy tax evaders slip, clutching their profits so tightly. Certainly we could easily shut those tax loopholes through which passes the same $9 billion the surtax is collecting from all of us.

We must tax capital gains untaxed at death and eliminate unlimited charitable deductions. We must eliminate special tax treatment for stock options as well as the tax exclusion on the first $100 on dividends.

We certainly must eliminate benefits derived from breaking up one business into a number of separate parts for tax purposes.

Let us remove the tax exemption on municipal industrial development bonds, while taxing income from municipal bonds, but aiding municipalities with Federal subsidy to compensate for higher borrowing costs.

Let us do away with the oil depletion allowance altogether, as well as reduce other allowances on certain minerals. We must establish the same rate for estate and gift taxes, while limiting hobby farmers use of farm losses to offset other income. Let us further eliminate depreciation deductions by real estate speculators and repeal the 7-percent investment tax credit.

Cumulatively, these accumulated evils have had the effect of undermining the faith our citizens are supposed to have in the Nation's tax system. If the institution that is this Congress remains unresponsive to the obvious massive desire by the people for many of these reforms, we shall fail in our duty to those who elected us. Nor will a package of make-believe reforms be acceptable. We must be responsive to the demands of the people.

THE TFX–F–111 DEBACLE—AUSTRALIAN PHASE

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

Mr. PODELL. Mr. Speaker, the more I delve into the multifaceted world of the TFX–F–111 series, the more fascinating become the revelations. Because many of our free world allies became involved in one way or another with the plane, I have sought to find out what they have to say on the subject. Among them are the Australians, who were not able to cancel the plane outright, as the British did.

Accordingly, I have obtained some actual debates which have taken place in the Australian Parliament on the TFX–111C, the version of that plane sold them in 1963.

Originally, their price was supposed to be in the area of $125 million. As of now, these same costs have skyrocketed to the $300 million area. Our Australian friends have yet to place one of their promised 24 F–111C's into active, com-

bat-ready service. Further, we sold them a multipurpose plane supposedly possessing major attack capacity. Partially influenced by this promise, the Australians have begun expansion of their Asian military commitments. Nondelivery of a plane which turns out to possess a less than expected attack capacity poses a threat to Australia's military credibility in that ever-volatile area of the world. This situation is further compounded by Britain's imminent military withdrawal from the area.

A significant portion of Australia's National Legislature is increasingly out of patience with nondelivery, nonperformance, and soaring costs, which a smaller nation such as Australia can ill afford. In effect, F–111 costs have partially unhinged Austrialia's defense expenditure potential.

These debates, Mr. Speaker, are quite enlightening, offering information and opinions of major interest. In the debate of October 10, 1968, we are informed that the chief test pilot for the major TFX contractor informed a member of the Australian Parliament during a plant tour that 26 Australian crews had been through a 6-month course in how to fly the plane. These crews are still, to my knowledge, in Australia, twiddling their thumbs and thumbing training manuals.

Members of the Australian Parliament have not minced words in debates, particularly that of October 10, 1968. Comments of Messrs. Barnard, Whitlam, Crean, Stewart, Connor, and Bryant are particularly pungent regarding the status of the F–111C's. I commend their comments to Members of this House. Australia is a close ally of ours, and she is being sorely tested because of her faith in America's technology. Even now she is paying dearly at high rates of interest for aircraft she has not received.

Mr. Speaker, I again reiterate my original call for a grounding of all F–111's, and the commencement of a major, painstaking congressional investigation. It is highly indicative that the Secretary of Defense has just made a major cutback in procurement of the FB–111, bomber version of the TFX. There are certain pointed questions that are long overdue for the asking. It is time we began to ask them here in this House.

EARL WARREN BLAMES CONGRESS FOR WHAT HE SET IN MOTION

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

Mr. HARSHA. Mr. Speaker, Chief Justice Earl Warren has engaged in an ironic bit of crying on the shoulder of the Bar Association of the District of Columbia.

To no one's surprise, the object of Mr. Warren's curious complaint was the Congress with the FBI thrown in for good measure.

Warren claimed that part of the increasing problem of crime stemmed from congressional failure to give him an extra law clerk for each justice and a messenger for the library.

His jibe at the FBI came when he complained that, "the FBI budget is infinitely higher than the whole Federal court system."

If the Supreme Court, or our entire judicial branch, has a case to be presented to the Congress there is a better way in which to do it than for Mr. Warren to engage in what would appear to be sympathetic headline seeking via broad, highly unspecific complaints and charges which, if leveled against a defendant in his Court, would not be permitted to stand.

In fact, under all of the rather well-established circumstances, Earl Warren is an unfortunate advocate of judicial relief and remedy, his exalted position notwithstanding.

Looking back over the angry and costly history of the past 15 years, Mr. Warren and the peculiar philosophy which he has applied to the Constitution, crime and punishment, has done little to win admirers and champions in the Congress.

I would doubt, frankly, if it would come as a surprise even to Mr. Warren that many of us in the Congress are something more than weary and concerned that his philosophy has emasculated and destroyed law after law which the Congress has so carefully studied, developed and enacted for the purpose of protecting this country against its enemies from within, whether individually criminal or internationally conspiratorial.

I would doubt whether it would come as a shock even to Mr. Warren that many of us in the Congress are something more than dismayed and concerned that, in case after case, the Warren ideology has dominated the highest court in our land with a philosophy and conduct wherein the Court has brazenly transgressed the boundaries of judicial responsibility and jurisdiction to usurp the power of the Congress with whim-born, theory-ridden decisions which, in fact, have proved legislation by fiat or decree.

I would doubt whether it would come as much of a surprise even to Mr. Warren to hear it said that many of us in the Congress find cause to fear the unleashing of forces of permissiveness and scofflaw, disrespect and disdain, crime and violence, to the point where, today, the rights of the criminal are infinitely greater, and better protected, than those of his victim—and the rights of the subversive and conspirator are infinitely greater than the right and responsibility of the Nation to defend itself.

No, the Warren effort to blame the Congress for that which he, his philosophy and conduct have set in motion against this country, its institutions and its people is as transparent as it is unseemly.

In short, more and more the rights of the majority, even to protection from criminal attack and violence, have become more and more subordinated to the Warren court-supported rights of a crude, vocal minority which, with court-protected abandon, dashes into public streets and institutions—and onto public campuses—preaching anarchy, crying for revolution, and rendering violence against law, order and the majority.

That the courts are overcrowded, there is no question. But justices, judges, and court personnel are not nearly so overworked, nor indeed so harassed and put upon, as law-enforcement officers from the FBI down—thanks to the incredible burdens, restrictions and frustrations imposed upon them by the "be kind to the criminal" theatrics of Earl Warren in his self-assigned role as the Nation's No. 1 dove in the war on crime.

It seems to me that what Mr. Warren is really saying, but refusing to admit, even to himself, is that the sick chickens of libertinism which he and his judicial coterie have unleashed upon our society have finally come home to roost.

LOWERING THE VOTING AGE

(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 am one of 43 House Members who have introduced legislation to lower the voting age in the 91st Congress, and I am confident that our numbers will continue to grow.

One of our senior colleagues has recently questioned the "maturity" of the Nation's young people in citing his opposition to legislation to lower the voting age, and I think he has erred about the maturity of today's youth.

An "adult reader"—unfortunately, the letter was not signed—of the Johnstown, Pa., Tribune Democrat, recently made some thought-provoking comments about the future of our young people which I wish to share with you. The Nation's young people, according to the article, "will assume control of your cities, States, and Nation." What better way to prepare for the orderly transition of the passing of that control from our hands to new hands than to have our youth take part in the process?

The article follows:

YOUTH

EBENSBURG, R.D. 1, March 8.—A youth is a person who is going to carry on what you have started. He is going to sit where you are sitting and, when you are gone, attend to those things which you think are important.

You may adopt all the policies you please, but how they will be carried out depends on him. He will assume control of your cities, states and nation.

He is going to move in and take over your churches, schools, universities and corporations.

All your books are going to be judged, praised or condemned by him.

The fate of humanity is in his hands.

So it might be well to pay him some attention.

AN ADULT.

THE 50TH ANNIVERSARY OF THE DEMOLAY

(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, nothing gives me greater pleasure than to salute the organizations that help build the leaders of tomorrow. One such group, the International Order of DeMolay, is celebrating its 50th anniversary this week,

and I want to add my congratulations to the "goingest" group of young men around.

As recently described, the Order of DeMolay, is "on the go." It is active young men busy with social activities, public service projects, and athletic competitions. It is dedicated young men, taking vows of respect for parents, love of God, comradeship, fidelity, and patriotism. It is promising young men, learning to become future leaders of communities and Nation. It is busy young men, engaged in worthwhile occupations with their spare time through a balanced program of DeMolay activities. It is fraternal young men 66,000 strong in 2,500 DeMolay chapters all over the free world. In short, Mr. Speaker, the Order of DeMolay and the men it produces, is our hope for the future.

We see and hear too much about the radical minority of young people in this day and age who seem bent on destruction and depravation. One rarely hears about the young people of our land who live by ethical and moral codes of conduct truly worthy of future leadership. The "Code of Ethics" of the Order of DeMolay is one such code and we should thank God that there are hundreds of thousands in the world living by this code. As a tribute to the organization, and the men it produces. I ask that the DeMolay code be reproduced here:

A DEMOLAY'S ETHICS

A DeMolay serves God
A DeMolay honors all womanhood
A DeMolay loves and honors his parents
A DeMolay is honest
A DeMolay is loyal to ideals and friends
A DeMolay practices honest toil
A DeMolay's word is as good as his bond
A DeMolay is courteous
A DeMolay is at all times a gentleman
A DeMolay is a patriot in peace as well as war
A DeMolay is clean in mind and body
A DeMolay stands unswervingly for the public schools
A DeMolay always bears the reputation of a good and law-abiding citizen
A DeMolay by precept and example must preserve the high standard to which he has pledged himself.

GEN. FRANK S. BESSON

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks in the body of the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, Gen. Frank S. Besson is the epitome of the dedicated, selfless professional soldier. His achievements through the years and his response to challenges never before faced have marked him as one of the "forgotten men" of his time. It is time that this august body singled out this spartan servant of his country and insure that the people of this great Nation recognize the caliber and fiber of this outstanding gentleman, quietly giving them truly magnificent service in behalf of the defense of their country.

On March 10, General Besson relinquished command of the U.S. Army Materiel Command, which he had headed since its activation in 1962, in response to his appointment by the President to become Chairman of the Joint Logistics Review Board, reporting to the Secretary of Defense and the Joint Chiefs of Staff. The Army Materiel Command was formed in 1962, during a major reorganization of the Army, with the mission of developing, producing, supplying, and maintaining weapons, aircraft, equipment, and other materiel for the Army. With a nationwide network of more than 190 military installations and activities, and an annual budget of approximately $14 billion, it employs more than 160,000 civilian personnel, in addition to its military complement of 14,000.

As its first commander, General Besson was charged with consolidating six Army technical service organizations into a single command without disrupting effective materiel support for the Army. His success in accomplishing this was cited in the Merit Award of the Armed Force Management Association which was presented to him in 1963.

This award highlighted his "outstanding contributions to defense management" and his "superior leadership, imagination, and management skill" with which he directed the consolidation:

> This major change in the Army's logistics system was not only accomplished efficiently, but also with significant savings and improvements in management. It stands as an achievement in military management of the highest order.

Effectively and efficiently organized, and led by General Besson, an outstanding logistician, transportation authority, and military manager, the contribution of the Army Materiel Command to the national defense during its first 7 years of operation range across the full spectrum of materiel support and supply management.

There were early innovations of procedural and economic importance, such as consolidation of procurement operations, increasing markedly the use of price competition and incentive type contracts for materiel and services.

Under General Besson's direction, there were early accomplishments in developing and fielding of materiel, such as breakthroughs in electronic microminiaturization; provision of new, lighter, more mobile, more effective artillery pieces; supply of a new family of cargo trucks, personnel carriers, and utility vehicles; development of rotary-wing aircraft as troop and cargo carriers, fighters, and special purpose vehicles; and provision of a variety of new weapons and equipment for the individual soldier. These achievements revolutionized the Army's tactical and combat communications systems and provided for air, land, and water mobility to an extent previously conceived only in science fiction.

In its 7 years of effective service under General Besson, the Army Materiel Command, as the "arsenal for the brave," has effectively responded to the urgent requirements of the Cuban crisis in 1962, the Dominican Republic stability operations in 1965, and of the Vietnam war from 1965 to the present; continued its worldwide supply support of our Army and its allies; and has established new levels of effectiveness and economy.

The effective logistics support of our Army Forces in Southeast Asia has been the Army Materiel Command's most important single accomplishment. In the first year of the Southeast Asia buildup, AMC responded through draw-down of existing stocks and through expedited provision of urgently required standard and nonstandard items. The command responded with construction equipment and supplies to build bases, ports, airfields, and communications centers. It built up the world's second largest aircraft fleet. It provided movable piers which greatly accelerated port construction. And, it proved the utility and versatility of cargo containers for use in transporting cargo, and for providing temporary storage and office and working space.

Beginning late in the first year of the buildup and accelerating in the second and succeeding years, large volume deliveries from procurement by AMC provided the M–16 rifle, the M–79 grenade launcher, the 2.75-inch rocket, bombs and ammunition, radios, batteries, helicopters, vehicles, missiles, and a variety of troop and combat support equipment. Newly procured repair parts were speeded to using units in Southeast Asia through the Red Ball Express. New water purification, petroleum supply and electric generating equipment were fielded. AMC developed and supplied new target acquisition, tactical and night vision, and detection equipment. New defensive devices, mines, protective equipment, defoliants, tunnel destruction, and individual protection equipment were put in the hands of troops.

As the volume of equipment in the hands of troops increased, the problems of materiel maintenance, status reporting, communication, inventory, and customer assistance mounted. AMC assisted in the development and operation of a closed loop maintenance system, in setting up automatic data processing systems for materiel reporting, in establishing communications links, and in providing customer assistance in inventory, requirements, maintenance, engineering, and other fields. The command also provided a floating aircraft maintenance facility, an innovation in flexible response to the requirement for keeping aircraft flying.

During his 7-year tenure as head of the Army Materiel Command, General Besson has guided AMC in accomplishing outstanding feats. He has streamlined the command so that its efficiency is established and well known. Industrial cooperation and relations with AMC under his leadership have been excellent. Over the 7-year period, he has delivered billions of dollars of materiel to our troops, over the longest distances and in the shortest possible time ever known in the history of our Nation. Since its inception, the command has received the highest award of the National Safety Council on four occasions and the second highest award on two occasions. This award is granted based upon improving on a prior year's safety record, and its presentation in successive years is indicative of an inspired quest for excellence. This record is particularly noteworthy

considering the increased tempo of support operations in general, but particularly in ammunition production, assembly, and delivery, and in accelerated maintenance operations. His outstanding efforts and work have earned for him the respect, confidence, and support of the Members of Congress. He has performed the task in an unobtrusive manner. His only desire has been to meet the needs of our soldiers, for whom he has a deep personal interest, and to insure their safe return.

General Besson's prescription for success in the military and in all walks of life is personal integrity. To young officers about to embark on their first tour of duty in uniform, General Besson's advice has been "to honestly serve those you lead." Specifically he tells young officers:

If you aspire to be the kind of officer our American youth deserve, you will reap two great satisfactions, from your military service—the respect of your brethren in arms, and the knowledge that you are an essential element of the strength so necessary to insure that the freedom and ideals for which your forefathers, and fathers and brothers fought and died; that these freedoms and ideals so dearly bought will surely endure.

These principles have guided General Besson during his 37 years of service to our Nation, beginning with his graduation from the U.S. Military Academy in 1932. General Besson's early career was noted for the role he played in the development of portable military pipelines, steel airplane landing mats, and steel treadway bridges. He is credited with the studies which led to the Army's adoption of the Bailey Bridge, which was used extensively in all theaters during World War II.

As director of the 3d Military Railway Service in Iran during 1944 and 1945, General Besson was charged with insuring the vital flow of war materials to the Russian forces through the Persian Corridor. While in this assignment, he was promoted to brigadier general, becoming at 34, the youngest general officer in the Army Ground Forces.

Toward the end of World War II, General Besson held a key position as deputy chief transportation officer of Army Forces in the Western Pacific, and when the collapse of Japan was imminent, was ordered to assume complete control of railroads in Japan. During the first year of occupation, General Besson directed the rehabilitation of the Japanese rail system, and moved more than 200,000 troops of the 8th Army and 150,000 tons of supplies in the first 2 months of the occupation.

This accomplishment caused Gen. Robert L. Eichelberger, 8th Army commander, to comment that General Besson's "supervision of the operation of the entire Japanese rail system during the first year of our occupation was the greatest single factor in the results we attained."

Subsequent assignments included a tour in Europe as Assistant Chief of Staff, Supreme Headquarters, Allied Powers Europe, where General Besson formulated logistic plans and overall programs to meet the complex requirements of the 15 nations of the NATO alliance. His efforts in instituting a system for "costing out" 5-year programs, thereby bringing force goals into consonance with available resources, earned him the first Distinguished Service Medal to be awarded at SHAPE headquarters.

A lifelong pioneer of many transportation innovations, General Besson stimulated both military and commercial adoption of containerization and improved water terminal practices. He introduced the roll-on/roll-off technique for the rapid loading and discharge of wheeled and tracked vehicles. He is known throughout the national transportation fraternity as the "Father of Containerization and RO/RO." He further refined these concepts upon assuming command of the Transportation Center and School at Fort Eustis, Va., in 1963.

General Besson became chief of transportation, U.S. Army, in March 1958, a post he held until April 2, 1962, when he took charge of the U.S. Army Materiel Command.

In September of last year, Army Chief of Staff, William C. Westmoreland, awarded the Distinguished Service Medal—First Oak Leaf Cluster—to General Besson for his dynamic leadership, his knowledge, and experience. The citation reads as follows:

For exceptionally meritorious service in a duty of great responsibility: General Frank S. Besson, Jr., United States Army, distinguished himself by eminently meritorious conduct in the performance of outstanding service in a position of great responsibility as Commanding General, United States Army Materiel Command from May 1962 to August 1968. General Besson's rare management talents, dynamic leadership and exceptional organizational ability guided the United States Army Materiel Command from its inception in 1962 to its present global responsibilities in developing, processing, storing and issuing military equipment and materiel to all Army forces. He overcame, with calmness and certainty, based upon a solid foundation of logistical knowledge and experience, seemingly insurmountable logistical problems in providing essential equipment and materiel support to the Army buildup in Southeast Asia, while maintaining continuous effective logistical support to the other Army Commands located throughout the rest of the world. General Besson's personal concern that individual soldiers be properly supplied with the equipment and materiel needed on a day to day basis to accomplish the mission, led him to establish a world-wide system of Customer Assistance Offices. These offices provided timely information which allowed General Besson and his staff to minimize potential logistical problems and to sustain the Army in the field. The command's motto—"Arsenal for the Brave"—has been General Besson's hallmark of outstanding performance and achievement which continues the finest traditions of the military service and reflects the highest credit upon himself and the United States Army.

In addition to the Distinguished Service Medal, General Besson holds eight other top citations and decorations, including the Legion of Merit, and the Commander of the Order of the British Empire.

I proudly salute General Besson personally and the members of the Army Materiel Command for their 7-year record of solid achievement, and for their indispensable contributions to the Army and our country.

FROM BIRTH IN RELOCATION CAMP TO DEATH IN VIETNAM—THE SAGA OF 1ST LT. GRANT HENJYOJI

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

Mr. MATSUNAGA. Mr. Speaker, recent Vietnam casualty reports bore the name of a young Army officer whose life, beginning, and end bore the indelible imprint of the U.S. Government. His name was Grant Henjyoji, son of the Reverend and Mrs. Daiyu Y. Henjyoji, of Portland, Oreg.

Grant was born in 1943 amidst the spartan surroundings of a so-called relocation camp, more accurately a concentration camp, to which his parents had been sent by our Government during World War II. He was to share his claim to this unusual American birthplace with a brother who was born there 2 years later.

However, the remarkable thing about Grant Henjyoji is not the fact that he called the camp at Minidoka, Idaho, his birthplace. It is the fact that, despite the predetermination by the Government as to where he was to be born, Grant, while living, was completely free of any feelings of bitterness against a Government which had committed a serious blunder in the handling of a minority group. The crime of which his parents were found summarily guilty and shipped to Idaho for internment, was that they were of Japanese descent.

It is a testimonial to the greatness of this country that it has citizens of Grant Henjyoji's caliber. After his family returned to the west coast, Grant grew up like any other normal American boy. After his graduation from the University of Oregon in 1967, Grant, as a commissioned officer in the Reserves, was called to active duty, and was later sent to Vietnam.

On March 8, 1969, 1st Lt. Grant Henjyoji gave his life to his country while he and his unit were engaged in heavy ground action with the enemy.

So ended the life which began at the Idaho relocation camp 25 years ago.

The body of Grant Henjyoji will be laid to rest at the Arlington National Cemetery on March 24, 1969, but I am convinced that somehow his spirit will live on. It is often said that laws are above men. Grant was able to show, by his own example, that sometimes men are able to rise above the harsh laws of their country.

Americans everywhere would do well to pause a moment and reflect on the life and death of this young Army officer, whose name has given added luster to the United States of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HANNA (at the request of Mr. ALBERT), for today, on account of official business.

Mr. NICHOLS (at the request of Mr. ALBERT), for today, on account of official business.

Mr. MANN (at the request of Mr. DANIEL of Virginia), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. POFF (at the request of Mr. FOREMAN), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. FARBSTEIN (at the request of Mr. OLSEN), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. PERKINS to revise and extend his remarks made in the Committee of the Whole today and to include extraneous matter.

Mr. PASSMAN and to include extraneous matter.

Mr. MADDEN and to include extraneous matter.

(The following Members (at the request of Mr. FOREMAN) and to include extraneous matter:)

Mr. CÓRDOVA.

Mr. PETTIS in two instances.

Mrs. HECKLER of Massachusetts in two instances.

Mr. BELL of California in two instances.

Mr. CONTE in two instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. MCKNEALLY.

Mr. GROSS.

Mr. MORSE in two instances.

Mr. ASHBROOK.

Mr. NELSEN in two instances.

Mr. WHALEN.

Mr. TALCOTT in two instances.

Mr. SCHWENGEL in four instances.

Mr. COLLINS in four instances.

Mr. ZWACH in three instances.

Mr. MATHIAS.

Mr. CARTER.

(The following Members (at the request of Mr. OLSEN) and to include extraneous matter:)

Mr. RIVERS.

Mr. FARBSTEIN in three instances.

Mr. OTTINGER.

Mr. RODINO.

Mr. MURPHY of New York in three instances.

Mr. RARICK in four instances.

Mr. MIKVA in two instances.

Mr. MCMILLAN.

Mr. PURCELL in two instances.

Mr. PIKE in two instances.

Mrs. GRIFFITHS.

Mr. TIERNAN.

Mr. GONZALEZ in six instances.

Mr. CÓRDOVA.

Mr. MILLER of California in five instances.

Mr. DENT.

Mr. MOORHEAD in two instances.

Mr. BOLAND.

Mr. BENNETT in two instances.

Mr. GRIFFIN in two instances.

Mr. ROYBAL in six instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

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.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, March 24, 1969, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1968, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following reports for printing in the CONGRESSIONAL RECORD pursuant to section 4(b) of Public Law 85–804:

OFFICE OF THE SECRETARY
OF TRANSPORTATION,
Washington, D.C., March 19, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: In accordance with the provisions of Section 4 of Public Law 85–804 (50 U.S.C. 1434) the Department of Transportation reports herewith one action taken during calendar year 1968 under the authority of that Act:

Name of contractor: The American Shipbuilding Company.

Cost involved: $4,450,000 net after Federal income taxes or $8,800,000 gross contract price increase.

Description of property or service: The contract covers the construction of seven medium endurance Coast Guard cutters (WMEC), 210 feet in length.

Action taken and justification: The Department denied the company's application for extraordinary relief under Public Law 85–804 insofar as the application is grounded upon essentiality and mistake. The justification is included in the decision of the Department of Transportation Contract Adjustment Board, Docket No. 85–804–3, copy enclosed.

Sincerely,

ALAN L. DEAN.

[From the Department of Transportation Contract Adjustment Board, Washington, D.C.]

APPLICATION OF THE AMERICAN SHIP BUILDING COMPANY—DOCKET NO. 85–804–3

DECISION

American Ship Building Company (hereinafter "AmShip" or "the Company") has applied for extraordinary relief under Public Law 85–804 (72 Stat. 972, 50 U.S.C. §§ 1431 to 1435), seeking an increase in the price of Coast Guard Contract No. Tcg–04204–A. The contract provided for the construction of seven medium endurance (WMEC), 210-foot cutters at an initial price of $18,076,707. The specific relief sought by AmShip is a $4,450,000 increase in contract price net after Federal income taxes.[1]

Jurisdiction to grant extraordinary relief under Public Law 85–804 under Coast Guard contracts was transferred to the Secretary of Transportation by Section 6(b)(1) of the Department of Transportation Act (Public Law 89–670, 49 USC § 1655(b)(1)), and delegated by the Secretary to this Board. In considering P.L. 85–804 applications, this Board follows the guidelines of the applicable General Services Administration Regulations, Part 1–17 of the Federal Procurement Regulations (41 CFR 1–17.00 *et seq*). AmShip's petition requested relief upon three different grounds recognized under those regulations.[2]

First: AmShip requested an amendment without consideration, upon the ground that its continued operation is essential to the national defense and that it has incurred an actual and threatened loss under its contract, which loss endangers its future ability to function as an essential source of supply.

Second: AmShip requested correction of a mistake in the Company's initial bid, which mistake was either a mutual mistake as to a material fact or a mistake on the part of the Company which was so obvious that it was, or should have been, apparent to the Contracting Officer.

Third: AmShip requested relief because its losses resulted from improper Government acts which, irrespective of any Government legal liability, so increased the cost of performance that considerations of fairness require an adjustment of the contract price.

At the time of the filing of the petition, there were pending before the Department of Transportation Contract Appeals Board five appeals by AmShip from decisions of the Contracting Officer under the same contract, denying some $4,995,333 in claims. AmShip moved the Contract Appeals Board to stay its proceedings on those appeals pending decision on this application for extraordinary relief. The Board which is considering this application is also the Department's Contract Appeals Board, which will consider the pending contract appeals.

At a meeting of the Board with the parties, it was determined that the "Government acts" cited in connection with AmShip's third request for extraordinary relief were the same acts which are the basis for AmShip's contract appeals. The Board was anxious to avoid possible prejudice to those appeals by a prior consideration of identical issues under the less formal procedural rules applicable to extraordinary relief applications. In addition, it was noted that the regulations provided that no extraordinary relief action was authorized unless "other legal authority within the (Department) is deemed to be lacking or inadequate,"[3] and the Board felt that insofar as relief might be available to award up to $4,995,333 for the Government acts in connection with the contract appeals, such "other legal authority" did exist. Under the circumstances, upon AmShip's request, it was decided, the Coast Guard concurring, that the third ground set forth in the petition for extraordinary relief, the request based on government acts, would be severed and considered later, after the contract appeals had been considered. It was decided, further, that the Board would first consider the two other grounds set forth in the petition—the requests based on "essentiality" and "mistake"—then, if necessary, consider the appeals, and finally, the extraordinary relief application based on "Government acts."

Our present consideration is, consequently, limited to AmShip's request for extraordinary relief based on "essentiality" and "mistake."

The Coast Guard has submitted its views upon the essentiality of the Company to the Coast Guard's procurement mission and factual evidence upon the alleged bid mistake. In addition, the views of the Defense Department and the Maritime Administration upon the question of the Company's "essentiality

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[1] The Company's request upon the ground of "essentiality" seeks $4,450,000 based upon the assumption that an amendment without consideration is exempt from income taxation; the request premised on the correction of mistake ground, assumes taxability and, therefore, requests a gross award of $8,800,000 to yield the same amount after taxes.

[2] FPR 1–17.204–3.

[3] FPR 1–17.205–1(b)(2).

to the national defense" have been solicited and received.

A full factual report has been received from the Coast Guard including detailed statements and data submitted by AmShip. The Coast Guard has recommended against the granting of any relief on this application.

THE PETITION

Upon the opening of bids in May, 1965, for the construction of 210-foot, medium-endurance cutters, the Coast Guard found that the bid of AmShip was lowest for each of the quantities (2, 3, 4, 5, 6 and 7 vessels) for which bids had been invited. The second low bidder, Gunderson, was low for quantities of vessels up to 4 but did not bid on 5 or more vessels. AmShip's low bid for 5 vessels was $13,175,584. Next was Aerojet General Shipyards with a bid of $15,394,276, and the high bid of $17,544,000 was given by Bethlehem Steel Company. At the time, the Coast Guard had funds available for only 5 vessels, although it wanted to procure two additional vessels.

On June 15, 1965, the contract was awarded to AmShip for 5 vessels. At that time discussions were had with the then president of AmShip, Mr. W. H. Jory, and the Government obtained an option for two additional vessels, to be exercised within 60 days. On July 28, 1965, the Coast Guard exercised its option for the two additional vessels, bringing the total contract price for 7 vessels to $18,076,707, or $2,582,387 per vessel.

At the present time, 5 cutters have been completed and delivered. The sixth is expected in November, 1968, and the last is expected in December, 1968.

The present contract price, as amended, is $18,598,624.09. AmShip states that as of March 31, 1968, its performance expenditures totaled $20,842,907. The Company's projected cost to complete the contract by December 31, 1968, is estimated at an additional $6,423,992, bringing the total cost of completion to $27,266,899. On this basis, the Company projects an actual and anticipated loss of approximately $9 million.

In October, 1967, the management and ownership of the AmShip changed. The new management has attempted to make a realistic determination of its loss position on the Coast Guard contract and to set aside appropriate amounts to cover the actual or projected losses.

AmShip claims that losses of the magnitude presently estimated endanger the continued operation of the Company as an essential source of supply for new vessel construction and for vessel repair work in the Great Lakes region. AmShip operates three major ship construction and repair yards in Lorain, Ohio, Toledo, Ohio, and Chicago. It states that the losses place a severe drain on the Company's cash position and maintenance of its working capital. The new management claims that AmShip's bid was grossly lower than those of either of the other two bidders and that the Coast Guard had (or should have had) knowledge that the realistic cost of construction of the vessels was substantially more than AmShip's bid.

ESSENTIALITY TO THE NATIONAL DEFENSE

Under the applicable regulations, essentiality to the national defense may be determined in two contexts—impairment of a contractor's productive ability to continue the performance of present defense contracts, or impairment of a contractor's ability to continue operation as a source of supply for future defense contracts (FPR § 1–17.204–2 (a)). In the present case, AmShip has indicated there is no serious threat to the completion of the seven Coast Guard vessels.[4] Similarly, the Company expects to complete one Navy vessel and one Maritime Administration vessel, now in progress, with its own resources. Essentiality, therefore, must be found on the basis of the Company's potential as a future essential source of supply.

In this connection, AmShip states, its three major ship construction and repair yards, located in Lorain, Ohio, Toledo, Ohio, and Chicago, Illinois, comprise 63% of the present shipyard facilities on the Great Lakes and 100% of the new ship construction facilities. In its presentation, AmShip points out the importance of the Great Lakes shipping fleet to this nation's industrial capacity and the vital connection of Great Lakes shipping with the steel industry. AmShip also notes that the Great Lakes shipping fleet played a significant part in furnishing defense material during World War II and the Korean Conflict; that the Great Lakes fleet has been declining in recent years; and that the average age of vessels sailing in the Great Lakes fleet is approximately 42.1 years. The company concludes, therefore, that the Great Lakes shipping industry is dependent upon annual major shipyard repair and reconstruction.

These facts in the Company's presentation provide only an indirect justification for concluding that it is an essential source of defense products. AmShip is not significantly involved in supplying, directly, items critical to national defense. A large part of the Company's business has been in the repair and servicing of Great Lakes commercial shipping, and the major portion of the Company's new construction facilities is devoted to the construction of commercial vessels.[5]

The Coast Guard challenges the Company's claim of essentiality. Insofar as new construction facilities on the Great Lakes are concerned, the Coast Guard says there is at least one Great Lakes shipyard of equal capability and a second company is now building a new and very large facility for construction of the largest ore carrier vessel for the Great Lakes trade. The Coast Guard advises that its foreseeable vessel construction requirements can be adequately handled by the Coast Guard yard at Curtis Bay or by other private shipyards, and that there are an adequate number of private shipyards in the Great Lakes area which have sufficient capacity to handle its repair work for the foreseeable future. Recent bid abstracts for 210-foot Coast Guard cutters disclose that at least 15 other shipyards in the United States have offered to furnish this type of vessel. In the last several years, two private shipyards, one of which is on the Great Lakes, have delivered four vessels of this class, while the Coast Guard's own yard has built three such vessels. From this we conclude, contrary to AmShip's contention, there is no shortage of shipyard facilities in the fields in which AmShip is a source of supply.

The Department of Defense states that AmShip is currently working on one vessel for the U.S. Navy, but that there are numerous other shipyards in the United States capable of performing the same type of work. The Defense Department advises that it knows of no specific shipbuilding capability unique to this company upon which it would depend for the supply of its present or future critical needs. Similarly, the Maritime Administration states that AmShip is constructing one oceanographic research vessel for it, but the Maritime Administration does not consider the Company as essential to any of its new shipbuilding programs. The Maritime Administration, however, does note its belief that the repair capability of AmShip's yards is essential for the repair and servicing of Great Lakes commercial vessels. The Maritime Administration pointedly stated that the "dry dock facilities operated by [AmShip] are an essential source of supply for the repair of Great Lakes vessels." This is something less than saying, as we must find to grant relief on this ground, that AmShip is a source of supply essential to the national defense."[6] A company providing service to an important industry is not *ipso facto* essential to the national defense. More to the point, as we shall see in our discussion of the financial impact of AmShip's loss under the Coast Guard contract, there is no danger that the yards presently operated by AmShip, will be lost as repair facilities. The only claimed threatened impairment of the Company's productive ability is in the shipbuilding field—in which, we are advised by the knowledgeable Government departments, AmShip is not a source of supply essential to the national defense.

LOSS IMPACT AND IMPAIRMENT OF PRODUCTIVE ABILITY

The regulations governing extraordinary relief condition award to those circumstances, *inter alia*, "where an actual or threatened loss, however caused, will impair the productive ability of a contractor . . ." (FPR § 1–17.204–2(a)). Hence, these criteria require us to determine the contractor's loss, its impact on the Company's operations, and whether or not the loss will impair the contractor's productive ability.

AmShip has furnished the Board with accounting data which depicts the Company's present and past financial status. The Company has also furnished projections to December 31, 1968, designed to measure the total actual and threatened loss. The Board has had the benefit of an accounting analysis of the submitted data performed by the Secretary's audit staff.

AmShip states that the loss on the Coast Guard contract has already caused and will cause a substantial reduction in the Company's working capital.[7] That the Company will incur a substantial loss on the Coast Guard contract is clear. The Company estimates the total anticipated loss on the contract will be in excess of $9 million; the accounting data indicates that the loss will run between $8 and $9 million. This, of course, might change if the final run-out costs of completion were to be significantly different from present projections.

A considerable portion of the loss has already been absorbed by the Company. At least $5.7 million has been written off through the creation of appropriate reserve accounts. There are, therefore, some $2 to $3 million of remaining loss to be absorbed.

Significantly, the loss on the Coast Guard contract is not the only factor contributing to the decline in the Company's working capital position. A 50% expansion in the Company's level of operations beginning in Fiscal Year 1965 accounts for some deterioration in the working capital position. In addition, the new management has embarked upon an acquisition program designed to diversify the sources of the Company's income. This also has had an adverse effect upon the level of working capital. More recently the Company has commenced a facilities construction program, which has contributed to the general decline of its working capital. During the life of the Coast Guard contract, the nature of the Company's shipyard activities has been changing. Several years ago an overwhelming proportion of the Company's shipyard business was in repair and conversion of ships. More recently, the largest proportion of the Company's shipyard work has been directed towards new ship construction.

[4] The Coast Guard contract is protected by a performance bond assuring completion of the work.

[5] Recently, the Company's Lorain yard was awarded a contract to construct a new superbulk cargo carrier by the U.S. Steel Corp.

[6] On this question, the Maritime Administration states, following the words we have quoted, "However, we express no opinion as to whether the maintenance of the company's repair facilities would depend upon or warrant the granting of extraordinary relief by the Coast Guard under its construction contract with the company."

[7] Accountants define working capital as the excess of current assets over current liabilities, or the capital in current use in the operation of a business. Kohler, "A Dictionary for Accountants," Second Edition (1957).

While the loss on the Coast Guard contract has been considerable and there has been some decline in the Company's working capital position, the Board notes that during the last five years, there has been no loss of company-wide aggregate net income. Losses on the Coast Guard contract and other shipyard contracts have been more than offset by gains made by the Company on other business, including the activities of its subsidiaries. The Board also notes that during the life of the Coast Guard contract, the stockholders' equity position also has improved, and dividends have been paid on a fairly regular basis.

There is no evidence that the Company is in serious financial trouble. While the loss on the Coast Guard contract should not be minimized, the fact is that the Company has already absorbed the largest part of that loss and that the overall business of the Company adequately offsets such loss. The Board, therefore, concludes that the contractor's future productive ability will not be significnatly impaired by the loss.

For these reasons, the Board finds that an amendment without consideration would not be justified upon the ground that the loss under the Coast Guard contract will impair AmShip's defense productive ability.

MISTAKE-IN-BID

AmShip's second request for relief rests on a claimed mistake in its original bid. The Company states that there was a bidding mistake on the contractor's part which was so obvious that it should have been apparent to the Coast Guard's Contracting Officer (FPR 1–17.204–3(a)(2)). Alternatively, the Company asserts that there was a mutual mistake as to a material fact. AmShip notes that at present the total actual and anticipated cost to complete the vessels exceeds $27,300,000. The Company says that this overrun, approaching 50% more than its bid price, is a margin so wide between estimated cost and actual cost "that only a fundamental mistake by the bidder can account for it."

AmShip claims that the Government must be presumed to have had actual or constructive notice of the Company's mistake-in-bid because:

1. AmShip's bid was grossly lower than either of the other two bids;

2. The Coast Guard knew or should have known of the realistic cost of construction based on its prior experience for this type vessel with several other private shipyards; and

3. The Coast Guard was aware that the cost of building such vessels was much higher than AmShip's bid, based upon the in-house construction costs at the Coast Guard yard for the "CGC Confidence" (WPC 619), which was under construction when the Company's bid was accepted.

The Company's bid was submitted by its former management in May, 1965; present management did not assume control until October, 1967. The Company was requested to furnish evidence to the Board of the precise nature of the mistake or error that was made in the bid. AmShip's only answer was that the mistake in bidding resulted from the vagueness, ambiguity, and misleading character of the bid specifications and working drawings furnished by the Coast Guard. AmShip states that only after contract award did the Company learn that the Coast Guard interpreted the contract documents in a manner which imposed costly additional and unanticipated requirements on the work. The Company's detailed explanation, however, indicates that the extra work items involved are the same five items which form the subject matter of the contract appeals. As noted, these same circumstances furnish the basis for its request for extraordinary relief based upon "Government acts." In the spirit of the understanding reached, between the parties and the Board, to defer any consideration of those issues on this initial consideration of AmShip's application, the Board will limit its present consideration of the mistake-in-bid question to other issues. If, later, it is found that the facts on these deferred issues have a bearing on the mistake-in-bid question, we will reconsider our decision in that respect. Our determination as to the claimed bid mistake, therefore, principally depends upon comparing the company's gross bid with other bidding and cost data. The same comparisons also furnish insight into the question of whether or not the Coast Guard had constructive knowledge of the erroneous bid.

Comparing the percentage difference between the accepted low bid and the next low bid is one of the most frequently used tools in analyzing mistake-in-bid claims. The Comptroller General, the federal courts, and the various agency contract adjustment boards all use this measure—principally to determine whether or not a contractor's unilateral bid mistake should be found to be so obvious that the Contracting Officer should have had knowledge of it. Attached as an appendix are two compilations of Comptroller General decisions made in 1962 which show the range of differentials which make up the "obviousness" test in resolving the issue of constructive notice.[8] These tables show that lowest-bid-to-next-low-bid differentials ranging from 5% to 38% have been held to be insufficient to place the Contracting Officer on notice of bidding error; whereas the opposite conclusion follows when the disparity runs from 35% to 300% or more. More recent Comptroller General decisions have been consistent with those reported in the compilation.[9] And the various agency contract adjustment boards also follow the same criteria.[10]

In this case the differential between AmShip's bid and the next low bid could be considered to be either about 11 or 15%, depending upon whether the comparison is made with the next lowest bid for any quantity, or with the next lowest bid for the quantity actually ordered. A comparison to the next lower bid of Gunderson Bros. Engineering Corp. (which bid on quantities of 2, 3, and 4 vessels only) shows:

Quantity	AmShip	Gunderson	Differential (percent)
2	$5,593,237	$6,165,000	10.22
3	8,113,961	9,071,000	11.79
4	10,671,835	11,882,000	11.33

No constructive notice found: Comp. Gen. B–154125, May 21, 1964 (20%); *Minneapolis Scientific Controls Corp.*, ASBCA, 65–1, BCA ¶4541 (25%); Comp. Gen. B–165032, Oct. 14, 1968 (6%).

A comparison to the next lower bidder for quantities of 5 and for the 7 vessels actually ordered shows:

Quantity	AmShip	Aerojet General Shipyards	Differential (percent)
5	$13,174,584	$15,394,276	16.84
7	18,076,707	20,832,972	15.24

No constructive notice found: *International Data Systems, Inc.*, NASACAB No. 30, Dec. 8, 1967 (25%).

There are no cases in which constructive notice has been found and relief granted solely on the basis of a difference between low and next-to-low bids, as narrow as that percent in this case. In one case, relief was granted upon a 15% difference between the low bid and the next low bid, but there was evidence of a mechanical mistake in addition apparent on the face of the bid. *Philco Corp.*, ACAB No. 1005, April 19, 1960. In another case, relief was granted on a 9% difference because there was a 59% difference from the second to the third low bid. *Amphenol Electronics Corp.*, AFCAB No. 100, Jan. 4, 1960. Neither of the above factors is present here.

Another test for bid error is a comparison between the low bid and the Government's estimate. Similarly, comparing a bid with previous bid prices on prior procurements for the same item is also used as a test. The following table compares AmShip's bid with the Coast Guard's budget estimate per vessel and with the prior successful bids.

WPC No.	Vessel name (U.S. Coast Guard cutter)	Contractor	Bid date	Initial bid (per vessel)	USCG budget estimate (hull)
615	Reliance	Todd	August 1961	$1,942,904	$2,805,000
616	Diligence	do	do	1,942,904	2,805,000
617	Vigilant	do	September 1962	1,922,898	2,800,000
618	Active	Christy	October 1963	1,998,103	2,200,000
621	Valiant	AmShip	May 1965	2,582,286	2,300,000
622	Courageous	do	do	2,582,386	2,300,000
623	Steadfast	do	do	2,582,386	2,300,000
624	Dauntless	do	do	2,582,386	2,300,000
625	Venturous	do	do	2,582,386	2,300,000
626		do	do	2,582,386	2,300,000
627		do	do	2,582,386	2,300,000

As can be seen from the table, AmShip's bid for this contract was higher than any of the low bids previously received by the Coast Guard for this type of vessel. In addition, it should be noted that in each of the prior procurements, the successful bid was lower than the Government's estimate, whereas for this procurement AmShip's bid exceeded the estimate. In some cases a large differential between a successful bid and the Government's cost estimate has been held to be sufficient to provide constructive notice to the Government of a mistake, but invariably in those cases the bid is substantially below the Government estimate and not, as here, above it.[11]

[8] The two tables were taken from Cecil T. Lakes, *Extraordinary Contractual Remedies*, Doctoral Dissertation No. 5877, George Washington University Law Library.

[9] Constructive notice found: Comp. Gen. B–156291, April 6, 1965 (approx. 50%); 40 Comp. Gen. 321 (1960) (50%); Comp. Gen. B–158235, Jan. 27, 1966 (33%); Comp. Gen. B–158765, April 8, 1966 (17–32%); Comp. Gen. B–165090, Sept. 10, 1968 (54%); Comp. Gen. B–165127, Oct. 3, 1968 (27%).

[10] Constructive notice found: *C & M Associates*, AFCAB No. 175 June 2, 1965 (63%); *Servo Corp.*, AFCAB No. 161, Sept. 6, 1963 (58%); *T. W. Frierson, Inc.*, AFCAB No. 101, Feb. 1, 1960 (24%); *Singer Bridgeport*, ACAB No. 1040, May 25, 1962 (48%); *Unit Rig & Equip. Co.*, ACAB No. 1045, Aug. 3, 1962 (17%); *Meyers Corrugated Box Co.*, ACAB No. 1035, Feb. 21, 1962 (30–34%); *Blaw-Knox Co.*, ACAB No. 1019, Oct. 6, 1969, 1960 (23%); *Wolverine Tube Div. of Calumet & Hecla, Inc.*, NCAB, May 23, 1966 (44%); *Belilove Co.*, NASACAB, No. 2, Sept. 22, 1960 (almost 40%); *Mitchell Electric Supply Co.*, NASACAB No. 1, May 17, 1960 (32.02%).

[11] Comp. Gen. B–154166 (August 5, 1964), constructive notice found where bid was approximately one-third of Government estimate; Comp. Gen. B–157742 (Oct. 11, 1965) constructive notice found where bid was less than one-half of Government esti-

In support of its claim that its bid was substantially below the Government's estimate, AmShip cites the testimony of Admiral Roland, the Coast Guard Commandant, at hearings held in January, 1964, before the House Subcommittee on Coast Guard and Geodetic Survey in connection with H.R. 9640, "A Bill to Authorize Appropriations For Procurement of Vessels . . . for the Coast Guard." Admiral Roland testified that five medium endurance cutters were under construction with previous appropriations, and that the budget for Fiscal Year 1965 included funds for five more vessels. The indicated cost contained in the appropriation estimate for the five vessels was $18,750,000 or $3,750,000 per vessel. AmShip suggests that the Coast Guard's budget figure was based upon its experience with the construction of the five preceding vessels. This, AmShip says, demonstrates that the Government estimate was, at the time of the Company's bid, very substantially above that bid. The budget estimate, AmShip observes, compares very closely to its actual cost of construction. There is a very simple answer to this apparent inconsistency in the Coast Guard's position. The budget figures for each of the vessels included much more than the estimated basic construction cost for the hull, which was all that was to be paid for under any ship construction contract. It was necessary for the Government to budget for machinery, electronics, ordnance and outfitting, as well—none of which was to be purchased from the shipbuilding company which would build the hull. The Coast Guard's detailed estimate for each vessel was:

Hull	$2,300,000
Machinery	900,000
Electronics	200,000
Ordnance	50,000
Outfitting	300,000
Total	3,750,000

mate. Comp. Gen. B-165032, Oct. 14, 1963, no constructive notice where bid was 10% below Government estimate. A variant is *Allied Contractors, Inc.* v. *U.S.*, 159 Ct. Cl. 548 (1962) where the court denied relief; the low bid was 2½ times below the next bid, but was about the same as the Government's estimate.

This tends to confirm, rather than detract from, the Coast Guard's claim that its prebid estimate for this procurement was $2,300,000 per vessel—about 10% less than AmShip's bid.

Another claim by AmShip is that the Coast Guard should have known that the Company's bid was too low because of its own contemporary experience in building a similar vessel, the CGC "Confidence" (WPC 619), at the Coast Guard shipyard. Construction of this vessel was begun by the Coast Guard yard in November, 1963, and completed in February, 1966, at a cost (for the hull) of $3,621,650. Since then the Coast Guard yard has completed two other vessels of this class (WPC 620, 628) at approximately the same cost. But these other vessels were not built until after the first vessel was completed. AmShip contends that the Coast Guard should have known of the error in AmShip's bid because of its knowledge of the in-house construction cost for the "Confidence." The Coast Guard notes that in May, 1965, when AmShip's bid was opened, the "Confidence" was only 50% complete and that neither the Coast Guard nor the Contracting Officer had knowledge of the cost of completion of the vessel at that time.

The Coast Guard argues that, in any event, it is not really fair to compare the unit price bid by a private yard for 5 or 7 vessels with the final construction cost to build one vessel at the Coast Guard yard. The Coast Guard points out that, historically, commercial shipyard vessel construction costs are lower than the costs incurred at the Coast Guard yard, and they should be even lower on a multiple ship basis as opposed to single vessel construction costs.

According to the Coast Guard, there are a number of reasons why its facility is a high-cost yard. It must accept all work, including unplanned and emergency work, without regard to cost factors or profitability. Also, Government personnel policies such as personnel ceilings, overtime limits, and a generally higher wage level, impose higher labor costs upon the Coast Guard yard.

The Coast Guard notes that in building the CGC "Confidence," the Coast Guard yard expended 268,320 productive man-hours on construction. AmShip's detailed submission to the Board shows that the Company estimated it would expend 203,690 man-hours on its first vessel (WPC 621), but that it actually used 427,460 man-hours to complete the vessel. Other data in the contractor's submission show that there was no appreciable learning experience effect on construction costs for the first three vessels under the contract. Also contributing to the loss was a Company decision to move the third vessel under the contract (WPC 623) to its Toledo yard from the Lorain yard, where the rest of the contract was being performed. This move had a substantial adverse effect on costs.

We conclude that the Coast Guard had no knowledge, actual or constructive, at the time it accepted AmShip's bid that the Company's bid was, as claimed, substantially below the probable construction costs. Since we have found—

1. That there was not a substantial differential between AmShip's bid and the next low bid;

2. That AmShip's bid was higher, not lower, than the Government's estimate; and

3. That there were no other circumstances to put the Government on notice of an error in AmShip's bid;

we conclude that there is no basis, in terms of the controlling precedents, for adjusting the contract price because of the claimed mistake in bid.

CONCLUSION

In summary, insofar as the application of American Ship Building Company for extraordinary relief under P.L. 85-804 is grounded upon "essentiality" and "mistake," the application is denied; consideration of that portion of the petition relating to "Government acts" is deferred until the Department of Transportation Contract Appeals Board takes final action on the applicant's appeals.

Dated: November 12, 1968.

D. L. SIEGEL,
Chairman.
GERSON B. KRAMER,
A. S. FREVOLA,
E. P. SNYDER,
Members.

APPENDIX 1

In the following cases the Comptroller General held that the disparity and pattern of bids was insufficient to put the contracting officer on constructive notice of error:

Case	Accepted bid	Next low bid	Differential		Number of bids
			Amount	Percent	
1. Ms. Comp. Gen. B-137200 (Sept. 11, 1958)	$76.74	$80.75	$4.01	5.2	9
2. Ms. Comp. Gen. B-159438 (May 25, 1959)	1,798,985	1,897,442	98,457	5.5	3
3. Ms. Comp. Gen. B-138912 (Mar. 18, 1959)	3,153.12	3,470.80	317.68	10.7	4
4. 39 Comp. Gen. 36 (1959)	223.97	250.00	26.03	11.6	8
5. Ms. Comp. Gen. B-133951 (Oct. 11, 1957)	17,248	19,721	2,473	14.3	6
6. Ms. Comp. Gen. B-138583 (Feb. 25, 1959)	4.06	4.68	.62	15.2	6
7. Ms. Comp. Gen. B-136436 (July 2, 1958)	.6381	.739	.1009	15.8	5
8. 17 Comp. Gen. 815 (1938)	33,778	39,267	5,489	16.3	17
9. Ms. Comp. Gen. B-138804 (Mar. 13, 1959)	2,538	2,980	442	17.4	10
10. Ms. Comp. Gen. B-138079 (Dec. 16, 1958)	8,894	10,750	1,856	20.9	6
11. Ms. Comp. Gen. B-139245 (Apr. 15, 1949)	.401	.493	.092	22.9	4
12. 6 Comp. Gen. 815 (1927)	26.00	36.07	10.07	38.8	7

Source: Taken from Cecil T. Lakes, "Extraordinary Contractual Remedies," Doctoral Dissertation No. 5877, George Washington University Law Library.

APPENDIX 2

Other cases where the Comptroller General held that the disparity and pattern of bids was sufficient to put the contracting officer on constructive notice of error are:

Case	Accepted bid	Next low bid	Differential		Number of bids
			Amount	Percent	
1. 36 Comp. Gen. 585 (1957)	$0.34	$0.46	$0.12	35.3	6
2. Ms. Comp. Gen. B-139897 (June 26, 1959)	140.80	196.80	56	40.0	3
3. Ms. Comp. Gen. B-135594 (Apr. 3, 1958)	1,192	2,258	1,066	89.4	5
4. Ms. Comp. Gen. B-137083 (Sept. 26, 1958)	.75	1.83	1.08	144.0	20
5. Ms. Comp. Gen. B-133870 (Oct. 1, 1957)	27.77	69.45	41.68	150.1	4
6. Ms. Comp. Gen. B-134604 (Dec. 17, 1957)	3,068	8,753	5,685	185.3	3
7. Ms. Comp. Gen. B-138272 (Jan. 19, 1959)	.9980	4.12		312.8	2

Source: Taken from Cecil T. Lakes, "Extraordinary Contractual Remedies," Doctoral Dissertation No. 5877, George Washington University Law Library.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

602. A letter from the Comptroller General of the United States, transmitting a report on the selection of purchasers of residential properties sold by the Federal Housing Administration, Department of Housing and Urban Development; to the Committee on Government Operations.

603. A letter from the Comptroller General of the United States, transmitting a report on a review of the Agricultural Research Service program for screw-worm eradication, Department of Agriculture; to the Committee on Government Operations.

604. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

605. A letter from the Assistant Secretary of Transportation for Administration, transmitting a report of action taken during the calendar year 1968 under the authority of Public Law 85-804 (50 U.S.C. 1434), pursuant to the provisions of that act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on deceptive programing practices (Rept. No. 91-108). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 7757. A bill to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes, with amendment (Rept. No. 91-109). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 5554. A bill to provide a special milk program for children (Rept. No. 91-110). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 337. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes, with amendments (Rept. No. 91-111). 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. FEIGHAN:

H.R. 9268. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H.R. 9269 A bill to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 9270. 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.

By Mr. BLANTON:

H.R. 9271. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 9272. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such costs within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 9273. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CONTE:

H.R. 9274. A bill to provide for an equitable sharing of the U.S. market by electronic articles of domestic and of foreign origin; to the Committee on Ways and Means.

H.R. 9275. A bill to amend section 167 of the Internal Revenue Code of 1954 to encourage landlords to meet minimal housing standards by disallowing the depreciation deduction to a landlord who has been convicted of violating a housing code; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 9276. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 9277. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 9278. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 9279. 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. FARBSTEIN:

H.R. 9280. A bill to provide relocation housing for persons displaced by federally conducted or federally aided acquisition of real property; to the Committee on Banking and Currency.

H.R. 9281. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

H.R. 9282. A bill to provide for public participation in the development of federally aided highways; to the Committee on Public Works.

By Mr. FOREMAN:

H.R. 9283. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GOODLING:

H.R. 9284. A bill to amend the Rural Electrification Act of 1936, as amended, to establish rural electrification and telephone loan accounts, to provide for insured loan programs, and for other purposes; to the Committee on Agriculture.

By Mr. GROVER:

H.R. 9285. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 9286. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9287. A bill to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HALL:

H.R. 9288. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 9289. A bill to assist in the protection of the consumer by enabling him, under certain conditions, to rescind the retail sale of goods or services when the sale is entered into a place other than the place of business of the seller; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN (for himself, Mr. AYRES, Mr. BROOMFIELD, Mr. BROYHILL of Virginia, Mr. BUTTON, Mr. CAHILL, Mr. CARTER, Mr. CONABLE, Mr. CORBETT, Mr. DERWINSKI, Mrs. DWYER, Mr. FISH, Mr. FULTON of Pennsylvania, Mr. GUDE, Mr. HORTON, Mr. HUNT, Mr. JOHNSON of Pennsylvania, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCEWEN, Mr. SAYLOR, Mr. SMITH of New York, Mr. STANTON, Mr. WHALEN, and Mr. ZWACH):

H.R. 9290. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HANLEY:

H.R. 9291. A bill to provide for employee-management relations between the U.S. Government and its employees; to the Committee on Post Office and Civil Service.

H.R. 9292. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9293. 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.

H.R. 9294. 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.

H.R. 9295. 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. HELSTOSKI:

H.R. 9296. A bill to amend Public Law 874, 81st Congress, to permit certain payments to enable children whose parents are employed on our outlying bases to attend boarding schools; to the Committee on Education and Labor.

H.R. 9297. A bill to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to choose to undertake vocational training, basic education, or employment; to the Committee on Education and Labor.

H.R. 9298. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

H.R. 9299. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes certain periods of service in the Armed Forces of a government-in-exile allied or associated with the United States in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9300. 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.

H.R. 9301. A bill to amend the Internal Revenue Code of 1954 to increase the present dollar limits on the amount allowable as a child-care deduction, to eliminate all income limits on eligibility for such deduction, and to increase the maximum age of a dependent child with respect to whom such deduction may be allowed; to the Commitee on Ways and Means.

By Mr. HICKS:

H.R. 9302. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 9303. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. HOLIFIELD (for himself and Mr. HOSMER) (by request):

H.R. 9304. A bill granting the consent of Congress to the western interstate nuclear compact, and related purposes; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 9305. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. KASTENMEIER (for himself, Mr. O'KONSKI, Mr. BYRNES of Wisconsin, Mr. CONYERS, Mr. DINGELL, Mr. WILLIAM D. FORD, Mr. FRASER, Mrs. GRIFFITHS, Mr. KARTH, Mr. REUSS, Mr. STEIGER of Wisconsin, and Mr. ZABLOCKI):

H.R. 9306. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LONG of Louisiana:

H.R. 9307. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 9308. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MATSUNAGA:

H.R. 9309. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mrs. MAY:

H.R. 9310. 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. MEEDS:

H.R. 9311. A bill to declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington; to the Committee on Interior and Insular Affairs.

By Mr. MEEDS (for himself, Mr. PERKINS, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. BURTON of California, Mr. GAYDOS, Mr. AYRES, Mr. ASHBROOK, Mr. REID of New York, Mr. ERLENBORN, Mr. ESHLEMAN, Mr. RUTH, and Mr. HANSEN of Idaho):

H.R. 9312. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. PELLY, Mrs. HANSEN of Washington, Mrs. MAY, Mr. FOLEY, Mr. HICKS, Mr. ADAMS, Mr. PRICE of Illinois, Mr. FULTON of Tennessee, Mr. KING, Mr. ST. ONGE, Mr. HOWARD, Mr. BOLAND, Mr. WYATT, Mr. ADDABBO, Mr. CORMAN, Mr. CHARLES H. WILSON, Mr. REES, Mr. KYROS, Mr. BROCK, Mr. HALPERN, Mr. ROSENTHAL, Mr. BURTON of Utah, Mr. POLLOCK, and Mr. PRYOR of Arkansas):

H.R. 9313. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. WALDIE, Mr. BUCHANAN, Mr. THOMPSON of Georgia, Mr. MIKVA, Mr. SYMINGTON, Mr. BROWN of California, Mr. EDWARDS of California, Mr. RIEGLE, Mr. BINGHAM, Mr. CÓRDOVA, Mr. DON H. CLAUSEN, Mr. GUDE, Mr. PODELL, Mr. MATSUNAGA, Mr. MCCLURE, and Mr. FISHER):

H.R. 9314. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MIKVA:

H.R. 9315. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain moving expenses of students; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 9316. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,500 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.

H.R. 9317. 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. MURPHY of Illinois:

H.R. 9318. 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. MURPHY of New York:

H.R. 9319. A bill to amend the provisions of the Elementary and Secondary Education Act of 1965 relating to library resources to permit the use of funds provided thereunder for the acquisition of bookshelves and the hiring of additional personnel; to the Committee on Education and Labor.

H.R. 9320. 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. NELSEN:

H.R. 9321. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 9322. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 9323. 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. PICKLE:

H.R. 9324. 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. PICKLE (for himself and Mr. DON H. CLAUSEN):

H.R. 9325. A bill to provide additional Federal assistance in connection with the construction, alteration, and improvement of air carrier and general-purpose airports, airport terminals, and related facilities, to promote a coordinated national plan of integrated airport and airway systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9326. A bill to amend the Internal Revenue Code of 1954 to impose an excise tax on aviation fuel, to increase the tax on transportation of persons by air, and to impose a tax on transportation of property by air; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 9327. A bill to amend title 18 of the United States Code tc prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. RIVERS:

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

By Mr. RODINO:

H.R. 9329. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL (for himself, Mr. BURTON of California, Mr. DON H. CLAUSEN, Mr. ESCH, Mr. FRASER, Mr. MCCLOSKEY, Mr. MATSUNAGA, Mr. MIKVA, Mrs. MINK, Mr. PETTIS, Mr. RHODES, Mr. STEIGER of Arizona, and Mr. BOB WILSON):

H.R. 9330. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RUMSFELD (for himself, Mr. BLACKBURN, Mr. BROYHILL of North Carolina, Mr. BURKE of Florida, Mr. BUTTON, Mr. BYRNES of Wisconsin, Mr. CAHILL, Mr. DON H. CLAUSEN, Mr. GUBSER, Mr. HUTCHINSON, Mr. KEITH, Mr. KUYKENDALL, Mr. MCCLURE, Mrs. MAY, Mr. PIRNIE, Mr. SANDMAN, Mr. SHRIVER, and Mr. WINN):

H.R. 9331. 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. 9332. A bill to protect the public health from the distribution of drugs manu-

factured in establishments not meeting current good manufacturing practices by amending the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SEBELIUS:

H.R. 9333. 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. TEAGUE of Texas (by request):

H.R. 9334. A bill to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

By Mr. VIGORITO:

H.R. 9335. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WHALLEY:

H.R. 9336. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 9337. A bill to provide a standard for the determination of obscene matter deposited in the mails and a procedure for the return of such matter to the sender by the Postmaster General, and for other purposes; to the Committee on the Judiciary.

H.R. 9338. 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. ZWACH:

H.R. 9339. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

H.R. 9340. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 9341. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

H.R. 9342. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

H.R. 9343. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

H.R. 9344. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of 1 to 5 years; to the Committee on Ways and Means.

By Mr. BRASCO:

H.J. Res. 570. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.J. Res. 571. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DENT:

H.J. Res. 572. 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. EDWARDS of Louisiana:

H.J. Res. 573. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HAGAN:

H.J. Res. 574. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools or other public bodies in the United States; to the Committee on the Judiciary.

By Mr. HUNT:

H.J. Res. 575. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 576. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.J. Res. 577. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 578. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.J. Res. 579. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 580. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TALCOTT (for himself and Mr. BUCHANAN):

H.J. Res. 581. 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. TIERNAN:

H.J. Res. 582. Joint resolution to authorize the President to proclaim the last Friday of April of each year as "National Arbor Day"; to the Committee on the Judiciary.

By Mr. WALDIE:

H.J. Res. 583. Joint resolution designating the second Saturday in May of each year as "Fire Service Recognition Day," and for other purposes; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H. Con. Res. 174. Concurrent resolution, Biafra: The need for an immediate cease-fire; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina (for himself, Mr. WYLIE, and Mr. BLANTON):

H. Con. Res. 175. Concurrent resolution expressing the sense of Congress concerning the return from the Government of Peru of the U.S. destroyer *Isherwood*; to the Committee on Armed Services.

By Mr. MATSUNAGA:

H. Con. Res. 176. Concurrent resolution on a Commission for Economic Development of the Middle East; to the Committee on Foreign Affairs.

H. Con. Res. 177. Concurrent resolution on the arms race in the Middle East; to the Committee on Foreign Affairs.

By Mr. ROYBAL (for himself and Mr. MAILLIARD):

H. Con. Res. 178. Concurrent resolution to express the sense of Congress on participation in the Ninth International Congress on High Speed Photography, to be held in Denver, Colo., in August 1970; to the Committee on Foreign Affairs.

By Mr. WYMAN:

H. Con. Res. 179. Concurrent resolution in support of captured American fighting men; to the Committee on Foreign Affairs.

By Mr. CORBETT:

H. Res. 332. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices; to the Committee on Rules.

By Mr. DENT (for himself, Mr. WAGGONNER, and Mrs. GRIFFITHS):

H. Res. 333. Resolution creating a select committee to conduct an investigation and study of the retirement benefits available to Members of the House of Representatives; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 334. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices; to the Committee on Rules.

By Mr. McCLURE:

H. Res. 335. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

83. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to including water quality control as a nonreimbursable operating provision in dam and reservoir projects under the Bureau of Reclamation; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 9345. A bill for the relief of Catalino Boragay Flores, his wife, Teresita, and children, Leesito and Thelee; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 9346. A bill for the relief of Antonio Ruocco; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 9347. A bill for the relief of Cesare Vitale and his wife, Rosario Vitale (nee Como); to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 9348. A bill for the relief of Mrs. Elsie E. Gebauer; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 9349. A bill for the relief of Young Hoon Park, his wife, Eurnhi Park, their minor daughters, Myong Ok Park and Nam Ok Park, and their minor son, Soo Jin Park; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 9350. A bill for the relief of Tom Hong Yee Felix, also known as Felix Tom; to the Committee on the Judiciary.

H.R. 9351. A bill for the relief of Chin Lin; to the Committee on the Judiciary.

H.R. 9352. A bill for the relief of Castrenze Messina; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 9353. A bill for the relief of Wai Tong Chin; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 9354. A bill for the relief of Timber Structures, Inc.; to the Committee on the Judiciary.