

raw situation itself, the details of Indochina.

I do want to say that I personally appreciate very greatly your fight today to stand by America's commitment to the people of Southeast Asia and to the broader struggle for freedom.

The deliberate deafness of American intellectuals to the voices of the totalitarians—saying so clearly and so explicitly their intention to conquer the world—is a strange example of self deception.

We all stand today at a focal point of history where we are required to decide.

History will see "Vietnam"—seen as a symbol as well as a particular event—was a truly decisive moment.

Those of us who are Americans also have a debt to our fellow citizens who have died in Vietnam.

Senator Fannin, I interviewed dozens of them—on the battlefield and in hospitals. I don't know if our army has deteriorated to-

day. But in 1968, the young Americans—there was no generation gap—believed they were fighting for freedom.

I do too.

Yours sincerely,

JOHN RIDDICK.

ADJOURNMENT TO 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 11 o'clock and 35 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 30, 1970, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate, June 29, 1970:

OFFICE OF TELECOMMUNICATIONS POLICY
Clay T. Whitehead, of California, to be Director of the Office of Telecommunications Policy (New position.)

CONFIRMATIONS

Executive nominations confirmed by the Senate, June 29, 1970:

ENVIRONMENTAL SCIENCE SERVICES
ADMINISTRATION

The nominations beginning Kenneth A. MacDonald, to be captain, and ending William T. Turnbull, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 1970.

HOUSE OF REPRESENTATIVES—Tuesday, June 30, 1970

The House met at 12 o'clock noon.

Rabbi Norbert Weinberg, Congregation Adas Israel, Fall River, Mass., offered the following prayer:

Let us pray.

Our God and God of our fathers, as the Members of Congress gather on this day for their deliberations, we extend the fervent prayer that their voices and actions will echo the great and historic traditions to which these Halls have been witness and which have made this land a symbol for all the free people of the world.

May their discussions and labor be inspired by the light of Your wisdom and love, causing them to deal wisely and successfully with the many and complex problems and challenges with which they are faced.

May they thus demonstrate to our younger citizens the blessings inherent in our hallowed American way of life, with the United States as a beacon of light and hope to the "huddled masses of the tired and the poor who yearn to breathe free."

May the words of the ancient prophet come to pass in our own day:

And he shall turn the hearts of the fathers to the children, and the hearts of the children to their fathers.—Malachi 3:24.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 2047. An act for the relief of Roseanne Jones;

H.R. 5000. An act for the relief of Pedro Irizarry Guido;

H.R. 15712. An act to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971; and

H.R. 17802. An act to increase the public

debt limit set forth in section 21 of the Second Liberty Bond Act.

RABBI NORBERT WEINBERG

(Mrs. HECKLER of Massachusetts asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Mrs. HECKLER of Massachusetts. Mr. Speaker, we were privileged today to hear a most inspiring prayer by one of our Nation's distinguished spiritual leaders, Rabbi Norbert Weinberg of Congregation Adas Israel, Fall River, which is part of my congressional district.

May I take a moment to express my personal appreciation and that of my constituency to Rabbi Weinberg for his magnificence and lasting contribution to the fellowship and brotherhood for which Fall River is noted. He has instilled the spirit of good will among his own congregation and to churches of all denominations in his area.

Himself a fugitive from injustice in Nazi Germany, Rabbi Weinberg has come to our shores much like the Pilgrims in the early 17th century, to foster the brotherhood of man under the fatherhood of God.

At the tender age of 7, he felt the whip of prejudice, and having escaped with his parents, he vowed to dedicate his life to the betterment of mankind. Although the son of a physician, Norbert Weinberg chose the rabbinate as a vehicle for his humane zeal.

In closing, I wish to thank Rabbi Weinberg, his wife, Shoshanah, and their four children who are here, for journeying to Washington and offering us the opportunity to hear his prayer.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON H.R. 17868, DISTRICT OF COLUMBIA APPROPRIATIONS, 1971

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities

chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

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

There was no objection.

FRANK PARSONS OF ALABAMA— NATIONAL VICE PRESIDENT OF THE U.S. JAYCEES

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

Mr. BUCHANAN. Mr. Speaker, Alabama has done it again.

During the U.S. Jaycees 50th annual convention in St. Louis last week our State captured a number of awards, not the least of which was the election of Alabama Jaycee President Frank Parsons of Birmingham as national vice president of the U.S. Jaycees.

This convention capped a year of outstanding achievement by the Alabama Jaycee chapter which earlier this month was named No. 1 in the Nation.

Mr. Parsons' selection as vice president was but one of many honors bestowed upon the Alabama Jaycees and city chapters throughout our State. It was also only one of the honors for Mr. Parsons who was named one of the five outstanding State presidents in the United States.

I am delighted to report that the Birmingham Junior Chamber of Commerce received one of the top national awards for its community relations program. The city, which it is my privilege to represent in the Congress, has made great progress in recent years, much of it through the efforts of groups like the Jaycees. Thus, Mr. Speaker, this recognition is well deserved.

Jaycees in the cities of Huntsville, Mobile, and Tuscaloosa were also cited for their work in several different areas including health and safety programs.

Alabama Jaycee vice president Renza Bowen of Alexander City was named one of the 10 outstanding State vice presidents and Wayne White of Lafayette was tapped as one of the five outstanding

State national directors of the U.S. Jaycees.

Mr. Speaker, in my judgment, this is a highly impressive record and is indicative of the outstanding job the Alabama Jaycees and the member chapters are doing.

I congratulate each of these young men individually and each of the Alabama Jaycee chapters which has worked so diligently in recent years to make Alabama the No. 1 Jaycee State in the United States.

NIXON KEEPS CAMBODIA COMMITMENT

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

Mr. PELLY. Mr. Speaker, occasionally a representative from some college campus, either a student or faculty member, who is a resident of the congressional district I serve, still visits my office, but the antiwar delegations that came to Washington, D.C., in May have ended. They are gone, but their messages to their Members of Congress are not forgotten.

Almost without exception, these visitors from educational institutions in discussing the President's order for our forces to clean out enemy sanctuaries in Cambodia said they did not trust President Nixon to keep his commitment to have our troops, including "advisers," out of Cambodia by June 30.

Mr. Speaker, I know of no case where our President has failed to keep his word. I trust Richard Nixon, and I hope now the students and faculty members of our universities and colleges will have renewed faith in his promises.

Today, our country badly needs faith in its Government, and especially from the younger generations.

ADJOURNMENT FROM WEDNESDAY, JULY 1, 1970, TO MONDAY, JULY 6, 1970

Mr. ALBERT. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 671) and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 671

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Wednesday, July 1, 1970, it stand adjourned until 12 o'clock meridian, Monday, July 6, 1970.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Monday,

July 6, 1970, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

THE DETERIORATING FEDERAL BUDGET SITUATION

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

Mr. MAHON. Mr. Speaker, today—June 30—is the last day of the fiscal year 1970. It seems appropriate to again take note of our budgetary situation

FISCAL 1970 BUDGET DEFICIT

Our Federal budgetary situation is deteriorating. The books are closing today on a budget that is in the red. The last official Presidential estimate, on May 19, reestimated the fiscal 1970 deficit at \$1.8 billion on the unified budget basis which encompasses borrowings from the social security, highways, and other trust funds for the regular operations of the Government. But excluding the trust funds which are running a large surplus, the deficit was reestimated at \$11 billion in respect to general Federal funds. The final figures for the year 1970 will not be available for some weeks.

FISCAL 1971 BUDGET DEFICIT

The President on May 19 also reestimated the deficit outlook for fiscal 1971 which begins tomorrow. Under the unified plan counting in the trust funds, he projected a tentative deficit of \$1.3 billion. Excluding the trust funds, the Federal funds deficit for 1971 was projected at \$10 billion.

But, Mr. Speaker, that deficit projection rests on a number of uncertainties and contingencies; it could run much deeper, depending on the economic situation and on congressional actions, or inactions, which were assumed in arriving at the projections.

Under the circumstances which I have related it is imperative that the Congress and the executive branch seek to do the best possible job in dealing with the fiscal affairs of the Nation.

Under leave granted, I am inserting in today's Extension section of the RECORD additional details, including a résumé of the status of congressional actions on the 1971 budget.

EXTENDING THE CLEAN AIR ACT, AND THE SOLID WASTE DISPOSAL ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4012) to extend the Clean Air Act, as amended, and the Solid Waste Disposal Act, as amended, for a period of 60 days.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to

the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill as follows:

S. 4012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That pending extensions by Act of Congress of the Clean Air Act and Solid Waste Disposal Act, the authorizations contained in sections 104(c) and 309 of the Clean Air Act, as amended, for the fiscal year ending June 30, 1970, and the authorization contained in section 210 of the Solid Waste Disposal Act, as amended, for the fiscal year ending June 30, 1970, shall remain available through August 31, 1970, notwithstanding any provisions of those sections.

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

APPOINTMENT OF CONFEREES ON H.R. 15733, AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, FRIEDEL, DINGELL, SPRINGER, and DEVINE.

AUTHORIZING PRESIDENT'S COMMISSION ON CAMPUS UNREST TO COMPEL ATTENDANCE AND TESTIMONY OF WITNESSES AND PRODUCTION OF EVIDENCE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1284) authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes.

The Clerk read the title of the joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would be at least slightly interested in knowing what this is going to cost, if anything, and the reason for it otherwise.

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

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

Mr. GERALD R. FORD. Mr. Speaker, this resolution gives to the President's Commission on Campus Unrest the same subpoena authority and other authority

that other commissions of like character have had in the past. It has been cleared with the Speaker and the majority leader and with the House Committee on the Judiciary.

I am submitting it at this time so the Commission can carry out its responsibilities.

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

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1284

Joint resolution authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purposes of this joint resolution, the term "Commission" means the Commission created by the President by Executive Order 11536, dated June 13, 1970.

(b) The Commission, or any member of the Commission when so authorized by the Commission, shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. The Commission, or any member of the Commission or any agent or agency designated by the Commission for such purpose, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing.

(c) In case of contumacy or refusal to obey a subpoena issued to any person under subsection (b), any court of the United States within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(d) Process and papers of the Commission, its members, agent, or agency, may be served either upon the witness in person or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Commission, its members, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(e) (1) Whenever a witness refuses, on the basis of his privilege against self-incrimination, to testify or provide other information

in a proceeding before the Commission, and the person presiding over the proceeding communicates to the witness an order issued pursuant to paragraph (2) of this subsection, the witness may not refuse to comply with the order on the basis of his privilege against self-incrimination; but no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or other information) may be used against the witness in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order. The term "other information" includes any book, paper, document, record, recording, or other material.

(2) The Commission may, with the approval of the Attorney General, issue an order requiring an individual who has been or may be called to testify or to provide other information to give any testimony or provide other information which he refuses to give or provide on the basis of his privilege against self-incrimination: *Provided*, That the Commission may issue such an order only if in its judgment (1) the testimony or other information from such individual may be necessary to the public interest, and (2) such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination.

(f) All process of any court to which application may be made under this Joint Resolution may be served in the judicial district wherein the person required to be served resides or may be found.

Sec. 2. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual shall receive compensation at a rate in excess of the maximum rate authorized by the General Schedule. In addition, the Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not in excess of the daily equivalent of GS-18. The Commission is also authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research for surveys, the preparation of reports, and other activities necessary for the discharge of its duties.

Mr. GERALD R. FORD (during the reading). Mr. Speaker I ask unanimous consent that further reading of the joint resolution be dispensed with and that it be printed in the RECORD.

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

There was no objection.

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

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 193]

Adair	Edwards, La.	Moss
Anderson, III.	Esch	Ottinger
Anderson,	Evins, Tenn.	Passman
Tenn.	Farbstein	Patman
Andrews,	Findley	Pepper
N. Dak.	Flowers	Pike
Ashley	Frelinghuysen	Poff
Aspinall	Frey	Pollock
Ayres	Gallagher	Powell
Baring	Gilbert	Price, Tex.
Bell, Calif.	Gray	Rarick
Berry	Hansen, Idaho	Relfel
Blanton	Hastings	Rivers
Blatnik	Hawkins	Robison
Bray	Hays	Roudebush
Brock	Hébert	Saylor
Byrne, Pa.	Horton	Scheuer
Cabell	Hosmer	Sikes
Carey	Jarman	Smith, Iowa
Cederberg	Jones, Tenn.	Springer
Clancy	Keith	Stevens
Clark	Kirwan	Teague, Tex.
Clausen,	Kuykendall	Thompson, N.J.
Don. H.	Latta	Tunney
Conyers	Leggett	Vander Jagt
Corbett	Lukens	Watson
Coughlin	McClure	Weicker
Cramer	Mann	Whitehurst
Daddario	Mathias	Wilson, Bob
Dawson	May	Wilson,
Denney	Meeds	Charles H.
Dickinson	Mollohan	Wold
Dingell	Montgomery	Wolff
Eckhardt	Morton	

The SPEAKER. On this rollcall, 332 Members have answered to their names, a quorum.

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

SHOWING OF ISRAEL AIR FORCE MOVIE

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

Mr. FOLEY. Mr. Speaker, through the courtesy of Chairman CELLER of the Judiciary Committee, a movie will be shown this afternoon. It is being shown now, and it will be repeated at 1 o'clock, 1:30, 2 o'clock, and 2:30, a color movie on the Israeli Air Force. This film was not produced by the Government of Israel but by the National Broadcasting Co., and was included in a segment of their February 3, 1970, "First Tuesday" program. The film lasts about 25 minutes and is an informative and interesting film concerning the training and maintenance of the Israeli Air Force. It includes a very interesting interview with Gen. Mordecai Hod, commander in chief of the Israel Air Force, who is recognized as the architect of the air war victory of Israel in 1967. I think Members will find it most interesting, and the gentleman from New York (Mr. CELLER) and I warmly invite all Members who find it possible to attend one of the showings.

The film is being shown in room 2141 of the Rayburn Building, which is the main hearing room of the Committee on the Judiciary.

APPOINTMENT OF CONFEREES ON H.R. 16916, OFFICE OF EDUCATION APPROPRIATIONS, 1971

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16916) making ap-

propriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

Mr. COHELAN. Mr. Speaker, reserving the right to object, and I do not intend to object to the request of the gentleman from Pennsylvania. I take this time to advise the House that I shall make a motion to instruct the conferees in respect to the items in disagreement, which I understand are Senate amendments numbered 39 and 40 with respect to the Whitten and Jonas amendments.

This Cohelan-Conte resolution is a familiar effort which we all have been through many, many times before. Just a few months ago, during House debate of the bill for fiscal year 1970, my good friend and colleague Congressman CONTE and I joined ranks in a bipartisan effort to delete the Whitten and Jonas sections from that bill. Today we again move to delete these sections from this bill. I strongly encourage all of my colleagues on both sides of the aisle to close ranks with us in support of this motion instructing the conferees to accept the Senate version of this bill.

I have been fighting this effort since the beginning several years ago, and I shall continue.

If we allow this bill to become law with these sections intact we will be in clear violation of the Constitution, not to speak of the disastrous effect this will have on weakening and watering down all civil rights laws that we have progressed to so far.

In sum, Mr. Speaker, the Whitten provisions will clearly make more difficult the enforcement of the nondiscrimination requirement of title VI of the Civil Rights Act as they apply to school desegregation—by prohibiting the use of funds to force a desegregated school district to bus students, close schools, or assign students either against free choice of the parents or as a constitutional precedent to obtaining Federal funds. The Jonas provision would deny Federal education aid to many school districts which implement court-ordered desegregation plans contrary to freedom of choice plans, in clear violation of the constitutional obligation to eliminate de jure segregation.

This House cannot in good conscience accept these provisions. These sections will do no more than to turn back the clock in the agonizingly slow process of ending unconstitutionally racially segregated schools. These provisions attempted to emasculate all Federal and local effort aimed at ending unconstitutional segregation. They attempt to reinstate freedom of choice plans as acceptable means for desegregating schools even though such plans have failed to eliminate segregation, and have been ruled by the Supreme Court as unacceptable means to end segregation. They are an attempt to perpetuate blatantly discriminatory separate but equal dual

school systems which were declared unconstitutional by the Supreme Court 15 years ago. They are an attempt to negate effective Department of Health, Education, and Welfare enforcement of title VI of the Civil Rights Act of 1964.

Mr. Speaker, we cannot backtrack. This is a black and white issue that must be resolved now and for all times. Are we going to recognize the right of free men to determine their destiny; to make their own way unfettered by ancient prejudices? Or is Congress going to build one roadblock after another—confusing and confounding the inevitable drive for full citizenship by all Americans? Can my colleagues who support the amendments as written honestly say they are representing all the people?

I have said time and again I abhor all discrimination. I look for the day when it will end and support any and all measures to accomplish this. We must face this responsibility now and strike down these repressive sections once and for all.

At stake here, Mr. Speaker, is long years of progress, effort, and the advances we have made so far in the civil rights movement. I also see this debate as a test of the viability of Supreme Court decisions, not to speak of the future of this country and the education of generations of Americans.

We can no longer afford to deny equality of educational opportunity to certain segments of our society. I think we would all agree that a strong educational structure as a means of providing better educational opportunities for all of our citizens is the only realistic way to approach solving our tremendous social problems—poverty, hunger, unemployment, and certainly crime.

At first glance, the language in question here appears to be somewhat different than the Whitten language that we have debated in the past. But let us not be fooled, Mr. Speaker. What we are talking about today is as dangerous as the Whitten provisions of old.

The precise legal effect of these sections is clear. A careful reading of these provisions leads one to conclude that they would not restrict the authority of the Federal Government to enforce the nondiscrimination requirements of the Civil Rights Act. They would not place any additional legal burdens on the Government in enforcing title VI.

A desegregated school system, according to these sections, must be read as a unitary school system. I understand this language to mean that a desegregated school system has met the constitutional requirements in this area of assuring equal opportunity.

My objections, therefore, lie wholly with the fact that they are calculated to deceive. The prohibition, although qualified, against busing and assignment of students is bound to confuse parents and school officials alike. The requirements of the law remain. But these sections will lead people to believe that no effective remedy to meet those requirements is imposed. It is irresponsible legislation, and I urge the House to strike these provisions.

While the legal impact of the provisions, drafted in this deceptive language, would be negligible, enactment of these provisions would make HEW's job of enforcing title VI much more difficult. Another real danger of this language is that it might very well further encourage recalcitrant school districts to assume a harder line in their defiance of the law. Also, districts who have agreed to work within the framework of the law in this instance and who have agreed to comply with desegregation orders might seriously jeopardize their position and might thus feel compelled to renege on their commitments to abolish dual school systems.

The Jonas section of these provisions is a most radical and relentless attempt to turn back the clock in civil rights progress. The language of this dangerous section goes one step further than ever before by implying that each school district must establish freedom of choice plans as criteria for securing HEW funding. This thinking borders on the absurd, as does the underlying intent of this section—which is no more than a thinly disguised attempt to establish so-called freedom of choice plans as the only means to end unconstitutional segregation.

Mr. Speaker, the Supreme Court has already several times spoken on this issue. The Court's rationale and language is clear—freedom of choice plans are not constitutionally acceptable unless they prove effective in eliminating de jure segregation. When such plans fail to result in desegregation, they are not acceptable to meet the requirements of title VI of the Civil Rights Act.

This section can be interpreted to mean that no Federal funds can be obtained by school districts if they do not initiate freedom of choice plans. In other words, such plans become compulsory, and security of Federal funds becomes contingent upon the utilization of such plans. Aside from the fact that the whole concept is not subject to constitutional restrictions, think of the confusion that this could cause throughout the Nation, if enacted. Parents, not elected school boards, would assume authority for determining criteria for making pupil assignments.

Mr. Speaker, I am greatly concerned that the acceptance of these provisions will serve only to confuse, delay, and perhaps obstruct the end of unconstitutional de jure segregation. This is a mere device to complicate this issue a little more than is presently so. It is a delaying tactic against compliance with the civil rights legislation, Supreme Court decision, and antisegregation forces in this country. These provisions will only lead to mass confusion by misleading school districts as to their responsibility in eliminating de jure segregation; it serves also to endanger our national commitment to end unconstitutional segregation and therefore, Mr. Speaker, should be stricken from this bill.

The administration has asked that these provisions be stricken; HEW officials have spoken out against them, along with civil rights leaders and other

responsible citizens. Our colleagues in the other Chamber have acted with great responsibility and wisdom in deleting these provisions from the bill, Mr. Speaker, I suggest that we can do no less. The real issue here is to achieve a viable means to end segregation and to provide quality education for all our children. None of us are naive enough to believe that black people living in areas where centuries-old attitudes of hostility and prejudice are realities, are really free to choose to send their children to all-white schools.

In the same sense, none of us are naive enough to think that these attitudes will just someday disappear—human nature is just not like that. Genuine equality is not something which should be given only to those who are willing to take every conceivable psychological and physical risk to attain it. Equality is something which institutions—especially those supported by public funds—should insure and protect—and our role as legislators is to define and determine the means of this insurance—this protection.

Mr. Speaker, I ask only that my colleagues consider the realities here and that they join with me in voting to accept the Senate position on these amendments.

Mr. CONTE. Mr. Speaker, three times within the past 11 months amendments similar to sections 209, 210 and 211 of this education appropriations bill have been tacked on to appropriations bills in this body. Three times those ill-starred sections have been rejected by the other body. Three times in these past 11 months administration officials have spoken forcefully against these sections. And twice, this body itself has ultimately rejected these amendments.

By now it should be abundantly clear that this last ditch effort to preserve a malicious, misbegotten and discredited policy of the past is doomed to well-deserved oblivion.

Let us today, Mr. Speaker, take the step needed once again to reject these amendments that would only have us retreat from the promises we have rightly made to put our education system in order. And let us, in so doing, impress upon those who would continue this charade that the time has come when they should abandon forevermore their damaging efforts to landmine the road to integrated education in this Nation.

By our action today, let us break this cycle, for it brings nothing but shame on this body.

Mr. Speaker, on June 24 the Senate rejected these sections, the so-called Jonas and Whitten amendments. The votes were 53 to 27 rejecting the Jonas amendment and 47 to 33 voting down the Whitten amendments. Both votes were even more convincing than those by which the Senate rejected these amendments in February. And both votes last week were supported by the Nixon administration.

We have gone over the objections to these amendments many times in this body, so I will not belabor the arguments today. However, I do want to point out once again the depth of the opposition

to these amendments from the administration.

In his March 24 message on school desegregation, President Nixon committed the administration to ending the discriminatory effects of the dual school system—the de jure system of school segregation.

In this regard, the Jonas amendment would only serve to undermine that commitment.

Consider also the stand taken by then Health, Education, and Welfare Secretary Finch who, on April 17, after House passage of these amendments, wrote Senator WARREN MAGNUSON urging the Senate to delete the amendment.

Section 211, the Jonas amendment—

Mr. Finch stated—and I quote—would prevent the Federal Government and local school officials from carrying out the requirements of the Constitution. . . . What this provision does is to impose a penalty on a school district for carrying out its legal responsibility to desegregate.

End quote.

Mr. Finch added that section 211 could only produce “an administrative nightmare for the Department.”

On April 21, appearing before the Senate Labor-HEW Appropriations Subcommittee, Mr. Finch reaffirmed the administration's opposition to the Jonas and Whitten amendments.

He stated at that time that—

Section 211—

And I quote—

would sabotage the efforts of the Federal Government and local school officials to carry out the requirements of the Constitution. The Department would be put in the position of having to prohibit many school districts from using Federal funds to draw up and implement plans pursuant to court order. I strongly urge the Senate to delete (this section) from the bill.

End quote.

In this same testimony, he also expressed opposition to sections 209 and 210—the Whitten amendments.

This unequivocal stand against these sections has been endorsed also by the new Health, Education, and Welfare Secretary, Elliot Richardson, who wrote Senator SCOTT on June 23 and mentioned his predecessor's opposition to the amendments.

Mr. Richardson went on to say—and again I quote—

I wish to reaffirm that opposition. As the President indicated in his comprehensive message on school desegregation, the appropriate role for the federal government is to assist school districts in meeting the requirements of the law.

End quote.

Mr. Speaker, rather than assist school districts meet constitutional requirements, sections 209, 210, and 211 of this bill in reality would do the opposite.

Section 211 would terminate Federal education aid to a school district when such assistance was involved in implementing a desegregation plan which went beyond freedom of choice.

In effect, school districts which comply with lawful Federal court orders in implementing desegregation could lose eligibility for Federal aid under section

211. For, in most cases, plans ordered by the courts go beyond freedom of choice—they call for affirmative desegregation measures of pupil assignment.

While sections 209 and 210 would not alter existing guidelines or desegregation requirements under title VI of the Civil Rights Act, the provisions would tend to confuse school districts as to their responsibilities under the law. The provisions could only make the job of negotiating more difficult for the Federal Government in seeking compliance with the law.

Mr. Speaker, these three sections of this bill are nothing more than attempts to turn back the clock on school desegregation. I do not believe the majority in this Chamber wants to do that, and so I urge my colleagues to join me today in rejecting these sections.

In so doing, we will be taking a step toward fulfillment of the commitment this Nation made in 1954 and has reaffirmed several times since. We have promises to keep, and keep them we must.

Mr. WHITTEN. Mr. Speaker, I discussed the so-called Whitten amendments, sections 209 and 210 of the bill making appropriations for the Department of Education on April 14, 1970, page 11669 of the CONGRESSIONAL RECORD that date. These amendments were adopted by the Committee on Appropriations by a vote of 28 to 13 and were retained by the House on a vote of 106 to 63.

Mr. Speaker, on the motion to table the earlier motion to instruct the conferees to agree with the Senate and strike these two provisions, under the rules no one has time for debate. Under leave to extend my remarks, I quote here sections 209 and 210, the Whitten amendments, the provisions of which are as follows:

Sec. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

Sec. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

Now what could be wrong with that? Nothing. We have seen law enforcement broken down, property rights destroyed, crime runs rampant. Let us at least insist on a little step toward saving education.

Mr. RYAN. Mr. Speaker, last April 14 the House passed the Office of Education appropriations bill, H.R. 16916, by a teller vote of 63 yeas to 106 nays, the House rejected the amendment offered by our colleague from California (Mr. COHELAN)—who was consistently throughout

the years offered intelligent and progressive leadership in the battle for civil rights—to strike the Whitten amendments. And by a teller vote of 87 yeas to 101 nays, the House rejected the amendment offered by our colleague from Massachusetts (Mr. CONTE), to strike the Jonas amendment from the bill.

Today, we have an opportunity to redeem this House. The Senate, in passing the Office of Education appropriations bill, has deleted any reference to these amendments, which constituted sections 209, 210, and 211 of the House-passed version. The gentleman from California (Mr. COHELAN) proposes to instruct the conferees to agree to the Senate version, and I support this motion.

The Whitten and Jonas amendments are pernicious. I have consistently and strenuously opposed them, and I will continue to do so should they once more arise—an eventuality which, if past history is any lesson, is as certain as is the sunset.

In speaking against them this past April 14, I stated:

The language this time is slightly different, but the intent is the same as in those other instances when these amendments have been before the House—perpetuation of dual school systems in the South. The catch phrase these amendments invoke is "freedom of choice." No slogan, however, can refute the very denial of equal rights which they embody.

There is some sweet irony in the fact that this week we will mark the anniversary of the Declaration of Independence. For, in these times, more than ever, Congress must take the leadership in assuring the realization of those most simple, but most profound words of that document—so hallowed and basic to America—"all men are created equal."

The administration has forsworn the position of moral and legal leadership that it could have picked up from its predecessor. The administration could have made clear that prejudice and bigotry were its enemies.

It has not done so. By ambivalence, by indirection, and by overt act, it has demonstrated that the 20 million blacks in this country who demand—and rightly—equal rights, must make their demands elsewhere than to the Executive.

So, it is Congress which must lead in the civil rights struggle. Congress has not met the test sufficiently of either the Declaration of Independence, the 14th amendment, or the very legislation which the Congress has passed. And of course—the test of morality.

We have a chance now to exercise that responsible and humane leadership. We should not let this House continue to fail its role, leaving the minority of us to fight for civil rights while a majority either stands aside or stands in opposition. This week, of all weeks, let us heed the words of the Declaration of Independence: "All men are created equal."

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

There was no objection.

MOTION OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. COHELAN moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill, H.R. 16916, be instructed to agree to the amendments of the Senate numbered 39 and 40.

Mr. FLOOD. Mr. Speaker, I move to table the motion of the gentleman from California.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to table the motion of the gentleman from California.

The question was taken, and the Speaker announced that the yeas appeared to have it.

Mr. COHELAN. Mr. Speaker, I object is not present and make the point of order that quorum is not present.

to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 191, nays 157, not voting 81, as follows:

[Roll No. 194]

YEAS—191

Abbutt	Galifianakis	Pickle
Abernethy	Gettys	Pirnie
Alexander	Gibbons	Poage
Andrews, Ala.	Goldwater	Preyer, N.C.
Arends	Goodling	Pryor, Ark.
Ashbrook	Green, Oreg.	Pucinski
Beall, Md.	Griffin	Purcell
Belcher	Gross	Quillen
Bennett	Grover	Randall
Betts	Gubser	Rarick
Bevill	Hagan	Reid, Ill.
Bow	Haley	Rhodes
Brinkley	Hall	Roberts
Brooks	Hammer-	Rogers, Fla.
Broomfield	schmidt	Roth
Brotzman	Harsha	Ruth
Brown, Mich.	Hébert	Sandman
Broyhill, N.C.	Henderson	Satterfield
Broyhill, Va.	Hogan	Schadeberg
Buchanan	Hull	Scherle
Burke, Fla.	Hungate	Schneebeil
Burleson, Tex.	Hunt	Schwengel
Burlison, Mo.	Hutchinson	Scott
Bush	Ichord	Sebellus
Byrnes, Wis.	Johnson, Pa.	Shiple
Caffery	Jonas	Shriver
Camp	Jones, Ala.	Skubitz
Carter	Jones, N.C.	Slack
Casey	Kazen	Smith, Calif.
Chamberlain	Kee	Smith, N.Y.
Chappell	King	Snyder
Clawson, Del.	Kleppe	Springer
Cleveland	Kluczynski	Steed
Collier	Kyl	Steiger, Ariz.
Collins	Landgrebe	Stubblefield
Colmer	Landrum	Stuckey
Conable	Langen	Sullivan
Cowger	Lennon	Talcott
Crane	Lloyd	Taylor
Cunningham	Long, La.	Teague, Calif.
Daniel, Va.	Long, Md.	Thompson, Ga.
Davis, Ga.	McClory	Thomson, Wis.
Davis, Wis.	McDade	Ullman
de la Garza	McDonald,	Waggoner
Delaney	Mich.	Wampler
Dennis	McEwen	Watkins
Derwinski	McMillan	Watts
Devine	Mahon	Weicker
Dorn	Marsh	Whalley
Dowdy	Martin	White
Downing	Mayne	Whitehurst
Dulski	Meskill	Whitten
Duncan	Michel	Wiggins
Edmondson	Miller, Ohio	Williams
Edwards, Ala.	Mills	Wilson, Bob
Erlenborn	Minshall	Winn
Eshleman	Mize	Wright
Fisher	Mizell	Wyatt
Flood	Myers	Wyman
Flynt	Natcher	Young
Ford, Gerald R.	Nelsen	Zablocki
Foreman	Nichols	Zion
Fountain	O'Neal, Ga.	
Fulton, Tenn.	Perkins	
Fuqua	Pettis	

NAYS—157

Adams	Gilbert	O'Hara
Addabbo	Gonzalez	O'Konski
Albert	Gray	Olsen
Anderson,	Green, Pa.	O'Neill, Mass.
Calif.	Griffiths	Ottinger
Annunzio	Gude	Patten
Ashley	Halpern	Pelly
Barrett	Hamilton	Philbin
Biaggi	Hanley	Pike
Blester	Hanna	Podell
Bingham	Hansen, Wash.	Price, Ill.
Boggs	Harrington	Quie
Boland	Harvey	Railsback
Bolling	Hathaway	Rees
Brademas	Hechler, W. Va.	Reid, N.Y.
Brasco	Heckler, Mass.	Reuss
Brown, Calif.	Helstoski	Riegler
Brown, Ohio	Hicks	Rodino
Burke, Mass.	Hollifield	Roe
Burton, Calif.	Howard	Rogers, Colo.
Button	Jacobs	Rooney, N.Y.
Celler	Johnson, Calif.	Rooney, Pa.
Chisholm	Karth	Rosenthal
Clay	Kastenmeyer	Rostenkowski
Cohelan	Koch	Roybal
Conte	Kyros	Ruppe
Corman	Lowenstein	Ryan
Culver	McCarthy	St Germain
Daniels, N.J.	McCloskey	Scheuer
Dellenback	McCulloch	Sisk
Dent	McFall	Stafford
Diggs	McNeally	Staggers
Dingell	Macdonald,	Stanton
Donohue	Mass.	Stanger, Wis.
Dwyer	MacGregor	Stokes
Eckhardt	Madden	Stratton
Edwards, Calif.	Mailliard	Symington
Elberg	Matsunaga	Taft
Evans, Colo.	Melcher	Thompson, N.J.
Fallon	Mikva	Tierman
Fascell	Miller, Calif.	Udall
Feighan	Minish	Van Deerin
Fish	Mink	Vanik
Foley	Monagan	Vigorito
Ford,	Moorhead	Waldie
William D.	Morgan	Whalen
Fraser	Morse	Widnall
Frelinghuysen	Mosher	Wolf
Friedel	Moss	Wyder
Fulton, Pa.	Murphy, Ill.	Yates
Gallagher	Murphy, N.Y.	Yatron
Garmatz	Nedzi	Zwach
Gaydos	Nix	
Gialmo	Obey	

NOT VOTING—81

Adair	Daddario	May
Anderson, Ill.	Dawson	Meeds
Anderson,	Denney	Mollohan
Tenn.	Dickinson	Montgomery
Andrews,	Edwards, La.	Morton
N. Dak.	Esch	Passman
Aspinall	Evins, Tenn.	Patman
Ayres	Farbstein	Pepper
Baring	Findley	Poff
Bell, Calif.	Flowers	Pollock
Berry	Frey	Powell
Blackburn	Hansen, Idaho	Price, Tex.
Blanton	Hastings	Reifel
Blatnik	Hawkins	Rivers
Bray	Hays	Robison
Brock	Horton	Roudebush
Burton, Utah	Hosmer	Saylor
Byrne, Pa.	Jarman	Sikes
Cabell	Jones, Tenn.	Smith, Iowa
Carey	Keith	Stephens
Cederberg	Kirwan	Teague, Tex.
Clancy	Kuykendall	Tunney
Clark	Latta	Vander Jagt
Clausen,	Leggett	Watson
Don H.	Lujan	Wilson,
Conyers	Lukens	Charles H.
Corbett	McClure	Wold
Coughlin	Mann	
Cramer	Mathias	

So the motion to table was agreed to. The Clerk announced the following pairs:

On this vote:
 Mr. Cabell with Mr. Aspinall.
 Mr. Blanton with Mr. Blatnik.
 Mr. Edwards of Louisiana with Mr. Byrne of Pennsylvania.
 Mr. Jones of Tennessee with Mr. Carey.
 Mr. Montgomery with Mr. Clark.
 Mr. Passman with Mr. Conyers.
 Mr. Patman with Mr. Daddario.
 Mr. Rivers with Mr. Farbstein.
 Mr. Sikes with Mr. Dawson.
 Mr. Teague of Texas with Mr. Hawkins.

Mr. Stephens with Mr. Kirwan.
 Mr. Morton with Mr. Leggett.
 Mr. Cederberg with Mr. Meeds.
 Mr. Kuykendall with Mr. Mollohan.
 Mr. Reifel with Mr. Powell.
 Mr. Bray with Mr. Tunney.
 Mr. Anderson of Illinois with Mr. Charles H. Wilson.
 Mr. Price of Texas with Mr. Saylor.
 Mr. Lujan with Mr. Horton.
 Mr. Hastings with Mr. Corbett.
 Mr. Adair with Mr. Coughlin.
 Mr. Frey with Mrs. May.

Until further notice:

Mr. Hays with Mr. Ayres.
 Mr. Pepper with Mr. Bell of California.
 Mr. Jarman with Mr. Blackburn.
 Mr. Mann with Mr. Brock.
 Mr. Baring with Mr. Burton of Utah.
 Mr. Smith of Iowa with Mr. Clancy.
 Mr. Anderson of Tennessee with Mr. Denney.
 Mr. Flowers with Mr. Dickinson.
 Mr. Andrews of North Dakota with Mr. Berry.
 Mr. Don H. Clausen with Mr. Cramer.
 Mr. Evins of Tennessee with Mr. Esch.
 Mr. Hansen of Idaho with Mr. Findley.
 Mr. Hosmer with Mr. Keith.
 Mr. Latta with Mr. Mathias.
 Mr. McClure with Mr. Lukens.
 Mr. Poff with Mr. Robison.
 Mr. Pollock with Mr. Roudebush.
 Mr. Vander Jagt with Mr. Watson.

Messrs. MELCHER, ADAMS, CELLER, and HARVEY changed their votes from "yea" to "nay."

Messrs. LONG of Maryland, NICHOLS, and MESKILL changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. FLOOD, NATCHER, SMITH of Iowa; HULL, CASEY, MAHON, MICHEL, SHRIVER, Mrs. REID of Illinois, and Mr. Bow.

GENERAL LEAVE TO EXTEND

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the motion which was just pending.

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

There was no objection.

CONFERENCE REPORT ON H.R. 12858, DISPOSITION OF FUNDS AWARDED TO TLINGIT AND HAIDA INDIANS, ALASKA

Mr. HALEY. Mr. Speaker, I call up the conference report on the bill (H.R. 12858) to provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by judgment entered by the Court of Claims against the United States, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 29, 1970.)

Mr. HALEY. Mr. Speaker, the Tlingit and Haida Indians of Alaska recovered a judgment against the United States amounting to just over \$7 million. As the title indicates, the purpose of this bill is to provide for disposition of these funds. As it passed the House, the bill included a requirement that the Secretary of the Interior must approve the purposes and the manner of expending or using the claims judgment recovered by the Tlingit and Haida Indians. The Senate deleted this requirement.

The conference committee recommends that the Senate recede from its amendment and agree to the bill in the form it passed the House. This follows the consistent practice adopted by the Congress when authorizing the use of other judgment funds by other tribes.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

LAW ENFORCEMENT ASSISTANCE AMENDMENTS

The SPEAKER. The unfinished business is the question on the engrossment and third reading of the bill (H.R. 17825) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes.

Mr. ROTH. Mr. Speaker, I rise in support of H.R. 17825, amending the title I law enforcement assistance provisions of the Omnibus Crime Control and Safe Streets Act of 1968. It was my privilege to serve as a member of the Judiciary Committee during 1968, and to participate in the drafting of that innovative and historic legislation, and it is thus with particular pride and pleasure that I register my support today for this bill which is essentially an endorsement and an extension of the program we initiated during the 90th Congress.

The amending legislation under consideration today authorizes extremely generous appropriations for the next 3 years. It revamps the unwieldy troika leadership of the Law Enforcement Assistance Administration, which has been a source of some dissension and inefficiency. It meets the criticism made by some that the State block grant money has not gone in sufficient amounts to the big cities and high crime areas by specifying as a prerequisite for the Law Enforcement Assistance Administration approval that a State plan—and I quote—"provides for the allocation of an adequate share of assistance to deal with law enforcement problems in areas of high crime incidence." It also requires States to contribute one quarter of the non-Federal share of local projects and programs on the grounds, and I quote from the House report, that—

If the block grant approach is to work effectively the States must assume a greater financial responsibility than at present.

The extent to which the authors of this bill, a clean one rewritten by the Judi-

ciary Committee, were successful to reconciling conflicting demands and views, particularly regarding the block-grant funding mechanism, is evident in the fact that the bill as it now stands has the support of both the administration, expressed in a letter from Attorney General John Mitchell, and of the National League of Cities and the U.S. Conference of Mayors, formerly at loggerheads with the administration.

I want to call particular attention to the new section which this bill would add pertaining to corrections, given teeth by the specification that not less than 25 percent of the appropriated funds be devoted to improvement of adult and juvenile corrections, including probation and parole. The whole area of corrections has always been the ugly stepdaughter of the criminal justice system. Partly, and understandably, this has been the result of our moral disapproval and emotional distaste for the antisocial. In the words of the Crime Commission:

Many of the people, juvenile and adult, with whom corrections deal are the most troublesome and troubling members of society; the misfits and the failures, the unrespectable and the irresponsible. Society has been well content to keep them out of sight.

However, our neglect of corrections is irrefutably a major factor in the continuing high level of crime. Former Director of the U.S. Bureau of Prisons James V. Bennett testified that—

From 50 to 70 percent of those who leave our prisons go out to commit another and perhaps more serious crime.

I am not talking about "coddling criminals," as the expression goes, but it is simple common sense that if you force a man to live in the most degrading circumstances, occupy his time with digging holes and breaking rocks, and teach him nothing of any value or interest—and you combine this with the fact that, upon his release, it is extremely difficult for an ex-convict to find employment or, for that matter, to renew the human ties he had before imprisonment—clearly you are courting disaster.

In his testimony before the House Judiciary Committee, Mr. Bennett said:

The slightest knowledge of our correctional system indicates that prisons, probation, and parole have been neglected far too long. The consequences of this neglect weigh heavily upon an already burdened and frustrated society. Only through an aggressive presentation of needs and massive infusion of funds can any headway be made in reducing the social and economic cost of crime committed by repeaters.

I agree with this assessment, and I am most pleased that the bill under consideration would sharpen the focus of the law enforcement Federal assistance program on corrections.

In this connection, I am pleased to note that the House Judiciary Committee has made it clear that the State of Delaware will be able to direct more of its energies to improvements of the correctional system.

Two amendments proposed by the Department of Justice would have allowed the Law Enforcement Assistance Administration to waive the mandatory pass through of 40 percent of the plan-

ning funds and 75 percent of the Federal action funds. The House Judiciary Committee, in its report explaining why these amendments were not adopted, explained that these percentages were originally intended to "conform the distribution of block grant funds to the national pattern of criminal justice expenditures by the States and local governments, respectively. In cases where the level of a State's law-enforcement expenditures substantially exceeds the total expenditures of local government within the State, existing sections 203(c) and 303 of the act will permit LEAA partially to relax the pass-through requirements."

My district, the State of Delaware, is a particular case in point. Because Delaware is a small State, police work is organized primarily on a statewide basis. The courts and correctional institutions are almost all State institutions. Many of the people in Delaware live in unincorporated areas where local police forces do not exist; the State police carries the burden there for all local police functions—this for a large share of the State's population. According to the State's comprehensive plan, for the years 1967 through 1970, local governments spent on all forms of law enforcement some \$16,358,193, or 33.75 percent of the total. The State of Delaware spent some \$32,118,571 in the same period, or roughly 66.25 percent of the total. The situation for planning funds is even more anomalous, for the planning efforts desired by the sponsors of the Safe Streets Act are all carried out at the State level—to break Delaware, a small State, into local regions for planning purposes would defeat the coordination and consolidation goals of the draftsmen of the bill.

It is for these reasons that I am pleased the LEAA will be able to relax the pass-through requirements to permit improvements in the corrections system and in the administration of local but State-administered court systems in the State of Delaware. It has been the experience of the Delaware Agency To Reduce Crime that these mandatory pass-through requirements only add to the confusion the Safe Streets Act was to eliminate, and restrict the use of funding from those areas the Safe Streets Act amendments are designed to help. It is most desirable that for my State of Delaware and for other States similarly situated this necessary administrative flexibility be recognized.

Mr. Speaker, back in 1967 the President's Commission on Law Enforcement and Administration of Justice, the Crime Commission, concluded that every part of the criminal justice system is undernourished:

There is too little manpower and what there is is not well enough trained or well enough paid. Facilities and equipment are inadequate. Research programs that could lead to greater knowledge about crime and justice, and therefore to more effective operations, are almost non-existent. To lament the increase in crime and at the same time to starve the agencies of law enforcement and justice is to whistle in the wind.

The 90th Congress took these words seriously and initiated a full-scale Federal assistance program aimed at improving all aspects of State and local law

enforcement and criminal justice. The bill before us today is an extension and, in some aspects, a refinement of that program. Our people today are afraid of crime. We are afraid to walk alone at night, we are afraid to use our parks in the daytime. We double bolt our doors, and some buy guns or "attack dogs" for protection. Crime of the proportion that we know it in this country is as serious a threat to our freedom as any other we know. It is my belief that the so-called safe streets program is a massive and appropriate frontal attack on crime, and I am pleased to have another opportunity to indicate my support.

Mr. ANDERSON of California. Mr. Speaker, I support H.R. 17825, the Safe Streets Amendments of 1970. I feel that this bill will broaden our attack on crime and will place a greater emphasis upon solving the problems which are unique to urban areas in the curtailment of crime.

Mr. Speaker, in the past we have attempted to eliminate crime by hiring more policemen and increasing patrols. No doubt, we need more policemen and we need more effective, better trained policemen. A policeman "on the beat" is as good a deterrent to street crime as there is, but in addition we need a more comprehensive attack on crime. More policemen result in more arrests; more arrests result in an even longer waiting period before the accused goes to trial. Obviously, the end result is more people in burgeoning jails, with little opportunity for rehabilitation.

Thus, while increasing Federal assistance to State and local governments for police hiring and training programs, we must update and improve the related activities that are equally important in our attack on crime. In addition, we must insure that more of the money for "safe streets" reaches the local level and less is wasted on bureaucratic inefficiency. Third, the bulk of Federal funds should go to high crime areas—areas that are in great need of an additional source of funds. For example: Los Angeles, with nearly 15 percent of California's population and nearly 23 percent of the State's crime, must receive more funds than areas without a crime problem. Lastly, we must increase the level of spending to fight crime. I commend the Judiciary Committee for increasing the administration's request by \$170 million, but I feel that even the committee recommendation of \$650 million for fiscal 1971 is too little. For every man, woman, and child in the United States, the administration now requests about \$1,000 in spending. For the coming year, of each \$1,000 allocated, the administration proposes spending only \$2.40 to assist State and local governments in their fight against crime.

Thus, Mr. Speaker, while I feel that the bill, H.R. 17825, represents progress and is a constructive measure, I am convinced that much more can be done.

Let us move against street crime; let us decrease the rate of recidivism—for example, out of every 10 persons imprisoned for a serious crime, four will return to crime after their release; let us strike against organized crime syndi-

cates; let us attack the illegal traffic of narcotics; and finally, let us bring the accused to a swift acquittal or conviction by modernizing our judicial process.

Mr. GALIFIANAKIS. Mr. Speaker, the crime rate in the United States has risen so alarmingly in recent years that the public has all but commanded Congress to find a solution.

The Omnibus Crime Control and Safe Streets Act Amendments of 1970 which we are considering today form a measure which can do much to assure the public that we in the Congress are doing our job in combating crime.

This act would authorize a \$3.2 billion expenditure over the next 3 years to provide grants for research, training, education, upgrading our correctional institutions, and other law enforcement purposes.

It also recognizes the fact that while the Federal Government has the responsibility of assisting local governments in their fight against crime, the control of anticrime programs must rest in the localities.

Mr. Speaker, since 1960, crime in this country has increased more than 120 percent—and those are only reported crimes. In 1969 alone, crime rose by 11 percent. In 1968, the most recent year available, the cost of crime in the United States was more than \$31 billion.

We still have a tremendous job to do in our poor neighborhoods, where crime makes our citizens fear to walk the streets. But we must also move to combat crime in our suburban and rural areas, where the largest increases in crime have occurred in recent years.

I do not suggest that this is a perfect bill, or that a perfect bill to combat crime that is constitutional can ever be devised.

But this act is a concrete step forward that will enable local law enforcement divisions to improve their programs and get on with the business of fighting crime.

I urge all of my colleagues in the House to support this bill when the package comes to a vote.

Mr. MACGREGOR. Mr. Speaker, the fight against crime, drug abuse, and violence in Minnesota and elsewhere will get a big boost this afternoon. As one of the prime authors of title I of the Omnibus Crime Control and Safe Streets Act of 1968, I am particularly pleased by the action we are taking now. We are about to put our stamp of approval on the block grant concept of Federal aid, and we are placing increasing emphasis on rehabilitating the criminal. Our correctional efforts in my home State of Minnesota will receive more attention and support, even as we continue to improve our police forces and our criminal courts system.

I urge the passage of our Judiciary Committee's bill. I cannot claim perfection for our handiwork, but these amendments represent a big step forward. And on the whole it is a well-balanced bill, representing an acceptable compromise between those of us who support the block grant approach and those who prefer a direct grant program

under which LEAA would grant large shares of action funds directly to large cities. The compromise represents essentially a reaffirmation of the basic block grant structure with some changes designed to assure that sufficient funds will be channeled to the cities.

It is of great significance, I believe, that, after much testimony on the subject of the block grant approach and much discussion of proposed changes, the committee decided to make no changes in the basic block grant provisions of the LEAA legislation. I am convinced that the State block grant concept is not only of great benefit to the cities today in terms of money but it will turn out to be the best vehicle to reduce crime in the future.

For the first time in our history, there are expert agencies concerned with planning and program development for criminal justice within an entire State. I think that it should be State officials—and not Federal officials—who evaluate requests and negotiate differences between cities, counties and suburban and regional planning commissions. I do not believe that Washington should directly monitor thousands of individual grant projects in cities and counties all over the Nation. State officials are much more familiar with local problems than Washington-based officials are. States are also the appropriate units of government to encourage broad coordination and cooperation among cities and counties for the improvement of the criminal justice system.

A program solely of direct grants to the cities would make Washington a controlling director of every anticrime project in the country. It would also by necessity spawn an enormous Federal bureaucracy to evaluate these programs, and would undermine the whole concept of a Federal-State-local cooperative partnership which LEAA is attempting to establish in the anticrime area and in other areas of social progress.

The Advisory Commission on Intergovernmental Relations earlier this month recommended, after a study of the LEAA program, that the "block grant approach embodied in the act be retained and that States make further improvements in their operations under it." It also expressed its strong belief that "the block grant represents a significant device for achieving greater cooperation and coordination of criminal justice efforts between the States and their political subdivisions."

Last week the National Governors Conference, which also studied the impact of LEAA's operation, issued a report which concluded:

States have broad authority and responsibility and are best able to coordinate the various parts of the criminal justice system. State, local and federal officials believe that the block grant approach has been working well in bringing together the parts of the system.

Although retaining the State block grant structure, the committee bill does make two significant changes in the Omnibus Crime Control and Safe Streets Act designed to assure that the LEAA program is responsive to the law enforce-

ment needs of local government. Although I certainly agree that every effort should be made to assure the most effective use of Federal crime control funds in programs where they can have the greatest impact, and I recognize that the large cities have disproportionately serious crime problems, I want to set out my views in some detail on both committee amendments.

The first amendment requires that LEAA not approve a State plan for law enforcement assistance unless it expressly finds that the plan provides for "the allocation of an adequate share of assistance to deal with the law enforcement problems in areas of high crime incidence." Those in city government should not construe this amendment as requiring that Federal funds be distributed on the basis of crime statistics, and that all they need do in order to be entitled to more funds is show higher crime figures. This is most definitely not the intent of the committee.

Two points should be emphasized in this regard. First, the phrase "areas of high crime incidence" does not refer solely to FBI crime report statistics and other such crime indexes. In determining which areas are entitled to particular attention, LEAA must look at crime figures, but it may also consider such factors as corrections problems and court backlogs. In other words, the intent of the amendment is to focus attention on areas with disproportionately severe law enforcement problems, not on areas with high crime counts.

Second, the amendment does not require that the distribution of Federal funds be based upon determinations of high crime incidence, but rather that areas identified as entitled to particular emphasis receive an adequate share of the benefits of Federal assistance. In this regard, in determining whether a State plan deals adequately with a particular area, LEAA may consider the amount of funds allocated to that area and, in addition, the extent to which the area benefits from the allocation of funds to other programs and to other areas.

For example, in assessing the impact of the benefits of Federal assistance upon a given city, LEAA should consider the extent to which the city benefits from programs financed out of LEAA funds allocated to the State or to other areas of the State. Programs that might be included in such an assessment are statewide criminal justice information systems, statewide or areawide programs to provide training in the prosecution of organized crime or statewide or areawide correctional construction programs.

The second committee amendment designed to benefit the cities would require each State to contribute at least one-fourth of the non-Federal share of the costs of programs and projects undertaken by local units within the State. I concede that the States should assume a greater financial responsibility for local programs and projects funded by LEAA. But I fear that the increased financial burden required by the committee amendment may drive some States out of the LEAA program. I would prefer that the amendment permit LEAA

to adjust or waive the requirement in extraordinary cases, such as the case of a state where the legislature may not be in session to appropriate the necessary additional funds for this coming fiscal year. I would hope that other members of the committee will agree with me that the amendment should not be interpreted so inflexibly as not to permit adjustments to accommodate such situations.

Two other possibly troublesome provisions of the bill merit attention, Mr. Speaker. The bill requires that at least 25 percent of the funds appropriated to LEAA for each fiscal year shall be devoted to the purposes of corrections, including probation and parole.

I share the concern of other Members that adequate funds be allocated to this long neglected and sorely deficient component of law enforcement. But I question the wisdom of an inflexible formula, or at least one given an inflexible interpretation. I think it will be taken by the States as an indication that Congress has decided that 25 percent of each State's funds—no less and no more—should be used for correctional programs. I wish to make it clear that I do not interpret the provision as requiring each and every State to utilize at least 25 percent of its block grant funds for correctional programs. The requirement is that at least 25 percent of all funds appropriated to LEAA be used for correctional purposes. This would permit freedom and flexibility from State to State so long as the nationwide average is 25 percent.

The final provision I wish to mention is the committee amendment to the definition of "law enforcement." The present act defines "law enforcement" to include "all activities pertaining to crime prevention or reduction and enforcement of the criminal law." The amended definition would include "all activities pertaining to the administration of criminal justice, including, but not limited to, police efforts to prevent crime and to apprehend criminals, activities of the criminal courts and related agencies, and activities of corrections, probation, and parole authorities." On its face, this new definition would appear to narrow the range of activities included within the scope of the LEAA program. In fact, however, the purpose of amending the definition was to broaden the scope by including activities not now encompassed, such as activities of "social service agencies" relating to law enforcement. When those activities were rejected in committee, we were left with a definition which may be interpreted as narrowing the definition of law enforcement. I want to emphasize that this was not intended and that the new definition should be considered to encompass all activities that are covered by the present law.

Mr. ALBERT. Mr. Speaker, the Crime Control and Safe Streets Act, which will shortly be passed by the House, is not an administration proposal. Neither is it a Democratic nor Republican measure. Rather, it is a genuine bipartisan congressional measure. While many administration spokesmen have endeavored to

make political capital out of the crime issue, the members of the House Committee on the Judiciary, led by Chairman CELLER, have, through their labors, produced a practical answer, rather than partisan rhetoric to this problem which concerns all our citizens. I am confident that the future will demonstrate that they, in drafting, and the House today in passing, H.R. 17825, achieved a notable and far-reaching step in turning the tide in favor of law and order in this Nation.

The bill is exclusively the product of congressional initiative and leadership. The chairman of the Committee on the Judiciary, Representative CELLER, introduced legislation to extend the Crime Control and Safe Streets Act of 1968 last October. Hearings on crime were announced by Chairman CELLER on January 16. It was not until February 17, however, that the administration submitted a draft bill embodying its proposals.

Attorney General Mitchell, when testifying before the Committee on the Judiciary, stated that the administration could not utilize more than \$480 million for law enforcement assistance in the coming fiscal year. Wisely, the members of that committee, without regard to partisanship, rejected the Attorney General's position. The drafting of H.R. 17825 was a model of committee workmanship at its very best. The committee carefully scrutinized all of the Justice Department's proposals. Recommendations from other quarters such as the National Governors' Conference, the National League of Cities, and the National Association of Counties, were also carefully weighed. Some of these recommendations found their way into the final bill; however, credit and responsibility for that product must be assigned entirely to the Committee on the Judiciary.

Hopefully, passage of the Crime Control and Safe Streets Act will put to rest the irresponsible allegations that the 91st Congress has failed to face up to its responsibilities in the anticrime field. This measure is ideally tailored to combat effectively the type of crime which threatens the average citizen on our city streets, rape, robbery, assault, murder, and so forth. It will afford substantial genuine support to the front-line soldier in the war on crime—the man on the beat. It will make available in the coming fiscal year \$650 million in Federal grants to strengthen local police departments in their fight against crime. An additional \$1 billion is authorized for this purpose for 1972 and \$1.5 billion for 1973. Grants can be made for the recruitment, training, and salaries of police officers. Moneys can be utilized for the construction of police stations, jails, and other physical facilities, as well as the purchase of the new type of sophisticated equipment required today for the effective prevention and detection of crime. Funds can also provide for strengthening courts, and speeding the process of justice.

Fighting crime at the local level, and crime is a problem which has to be fought at the local level, costs money

and lots of it. Mayors and police chiefs without exception tell us this is what they need from the Federal Government; they need more of it and need it quicker and with less bureaucratic red-tape. The House-passed Crime Control and Safe Streets Act of 1970 will be of tremendous assistance in attaining those goals.

My congratulations to Chairman CELLER and his committee for a job well done.

Mr. JOHNSON of California. Mr. Speaker, as one of the sponsors of the legislation which we have before us today, I want to emphasize that the battle against crime—both organized and street crime—must continue on many fronts if we are to achieve the goals of the original Safe Streets Act.

I am convinced that the legislation which we are considering today will truly do this. The war against crime involves all levels of government—local, State, and Federal. It goes without question that the local law enforcement official is the man on the firing line, and as a man serving in his own community, he is best prepared to deal with the many elements of crime, especially those of street crime.

Given enough time and money, law enforcement officials throughout the Nation, at every level, can do dramatic things. This we have proven during the past 2 years, during which time my own State of California has received more than \$5 million in assistance through the Federal Law Enforcement Assistance Act.

Too little of this has gone to rural counties and communities which face problems as do the urban areas, and it is my hope that the extended program can provide more for these less populated regions.

We are making legislative progress on the war against crime, but to achieve final victory also demands individual participation. This is not an effort we can delegate to others.

Crime is a kind of human behavior; controlling it requires that parents set a good example for their children by their own respect for the law and for its official representatives, by their own honesty, by their own refusal to contribute to or condone minor offenses.

If America is to meet the challenge of crime, it must welcome new ideas and risk new actions. It must use every resource available. It must resist those who point to scapegoats or easy overnight solutions; there are none. It must recognize that in our free society we must have law and order with justice. In the long run we cannot have one without the other; freedom demands that we have both.

I believe the legislation which we have before us will provide the necessary assistance to our local people so that they may carry this battle to a successful conclusion.

In short this legislation would accomplish the following things:

Authorizes an appropriation of \$3.2 billion for the next 3 years—\$650 million for fiscal 1971, \$1 billion for fiscal 1972, and \$1.5 billion for fiscal 1973.

Abolishes the present triumviral man-

agement of the Law Enforcement Assistance Administration—LEAA—replacing it with a single administrator advised by two deputy administrators.

Establishes a new separate grant program to provide for construction, renovation and acquisition of correctional facilities as well as improvement of correctional programs. LEAA would make 50 percent of these grants available to State planning agencies and 50 percent available for direct discretionary grants to State agencies, local governments, or a combination of both. The bill would also raise the limit placed on the Federal share of expenditures for these projects from the present 50 percent to 75 percent. To encourage this new emphasis on corrections, the bill specifies that 25 percent of all appropriations for law enforcement be committed to corrections.

Requires that State plans for LEAA funds provide adequate assistance for high crime rate areas. The bill also requires States to contribute 25 percent of the non-Federal share of funds used by local governments to carry out federally assisted programs.

I urge passage of this bill by the House of Representatives that we may achieve the true goals of the Safe Streets Act.

Mr. PHILBIN. Mr. Speaker, I think we can all agree that crime is one of the most serious problems facing this country today. It is of many kinds, stems from many sources and derives from many conditions in our social, economic, and national life.

Personally, I agree with the great chairman of the distinguished House Judiciary Committee, my esteemed, beloved friend, and one of the greatest lawyers in this country, the Honorable EMANUEL CELLER, when he states in effect that money alone will not solve the crime problems of this Nation.

Indeed, billions and billions of dollars could be spent to solve and banish crime and would be of no avail unless the money were properly distributed, reaching the places of every crime incidence, and accompanied by determined, effective law enforcement in every community where the serious crime problems exist.

I am prepared to vote to spend every necessary penny to bring about the reduction, and, where possible, the elimination of crime in this country. But I do not want to be responsible for voting for any measure that will waste the people's money by granting thousands to communities in the country without emphasizing the needs right down to guidelines, and organizing anticrime programs along sensible, practical, efficient lines, capable of doing the job that must be done.

I am very much impressed with the expert briefing of Chairman CELLER, who, as usual, made a very fine analysis of pending legislation in this case, as he always does.

I think it is important to emphasize proper distribution of the huge funds provided by the bill, and am certain that is what the distinguished committee has in mind, and that is what other Members of the House want, in my humble judgment.

I also think we ought to give consideration to the special problems of Maine and Iowa whose legislatures do not meet until next year, so that they can be assured of getting funds, if so needed, that are going to be allotted to many communities under this bill.

It will not be to much avail, if we pour out billions of dollars without making a real strong, determined effort to compel respect for law in this country, because we are living in times when some people are openly flaunting the law, including some law officers and officials.

This is something that has to be stopped, if we are going to have a free country, organized, implemented and continued under the law, where people's rights are respected, and stability is preserved, for the benefit of all the people.

As a national policy and program, it will be necessary to demonstrate to all lawbreakers, particularly those that are intent upon starting a bloody revolution by force and violence in this country. While we will by all means protect lawful dissent and protest, this country will not tolerate contempt for law expressed by efforts to turn our streets into shambles of destruction and violence, disrupting every vestige of law enforcement, and developing situations in some places amounting to anarchy and general lawlessness.

Under our system, the Federal Government is not generally responsible for law enforcement at the local level. That is usually the province of the local community, backed up by the State, and up to recently this system has worked well and efficiently and it has maintained order and public decorum in the Nation.

However, that day has passed. We have now moved quite a way into a new era, where there are organized, widespread efforts to flaunt and violate the law, at the same time spreading violence, disorder, and force. That is essentially a most challenging problem before us.

We must reinstate the time in this great country when free men and women from any class, creed, or race of our American life, and their families, too, can walk the streets of our communities without fear of being attacked, assailed, beaten, robbed, and raped. At all cost, these outrages must cease in this country, and this Congress cannot delay one moment in checking this crime that is turning the mastery of the law into a farce and disgrace to this Nation, and is making our Nation the laughing stock of the world.

Mr. Speaker, let me move and move now without further delay to strike down this evil of crime of every kind which is eating away at the foundations of this Nation, and threatening us as we have never been threatened before with the destruction of all the things we hold dear, our lives, our freedom, our values, and our safety on the streets and in the public places, as well as in our homes, and making a mockery out of our heritage as free men and women whom this Government exists, among other things, to protect and guard, wherever they may be.

I will support this bill, Mr. Speaker, but I certainly hope that it will be understood here in this debate, and by appropriate amendments, if they are deemed

necessary in the House, to guarantee that none of this money will be wasted but will be used to reinstate the majesty and power of the law—in every American community—to guard our people, their homes, and their shrines against lawless criminal elements, as well as against the vandals and destructionists, who seek to overthrow our Government, and replace it with the godless, Communist, police state that would destroy and nullify all the great values of our free American society.

In closing, I would like to say, Mr. Speaker, that I sincerely hope there will be a fair, equitable, responsible, and just distribution of these funds among all communities in this country who need them, so there will be no waste of the people's money, and every community that needs it will be given substantial means to help grapple with and solve these problems of crime, delinquency and disorder that are plaguing this Nation as never before.

Suppression of crime is but the first round of this battle. It must be followed up by a stubborn quest for the reasons that are causing crime, so we can mobilize the social and professional forces necessary, in their entirety, to formulate alleviative measures, and further legislative and administrative action required to attack the causes, wherever they lie, of these sad conditions currently afflicting American society.

Let us furnish the strong leadership and the weapons for this battle. The American people will do the rest.

Mr. NEDZI. Mr. Speaker, I rise in support of H.R. 17825, the law enforcement assistance amendments.

This bill, which amends title I of the Omnibus Crime Control and Safe Streets Act of 1968, authorizes an appropriation of \$3.2 billion for the next 3 years.

It abolishes the present three-headed management of the Law Enforcement Assistance Administration and replaces it with a more functional single administrator.

I am particularly interested, however, in a third aspect of this bill, that aspect which establishes a new separate grant program to provide for construction, renovation, and acquisition of correctional facilities. It would also improve correctional facilities. The bill would make 50 percent of these grants available to State planning agencies and 50 percent available for direct discretionary grants to State agencies, local governments or a combination of both. It would also raise the limit placed on the Federal share of expenditures for these projects from the present 50 to 75 percent. To encourage this new emphasis on corrections the bill specifies that 25 percent of all appropriations for law enforcement be committed to corrections.

A few months ago I introduced a prison reform bill which was generally directed toward the desperate problem of inadequate corrections facilities and the high rate of recidivism.

In my judgment, the United States must urgently and dramatically increase its investment not only in law enforcement and crime prevention but in its corrections system. Corrections in-

cludes jails, prisons, probation, and parole.

The nationwide inadequacy of correction facilities, particularly for youthful offenders, is shameful to the point of scandal and disgrace.

The most overcrowded jails are located in metropolitan areas, but the need for action exists in every region of the country.

The young offender constitutes the largest and most virulent portion of the danger on the streets of our cities. His recidivism rates are enormously high.

We simply must get them off the streets, then do a better job of saving them once they are off the streets.

Unless we obtain a national commitment on this particular aspect of the crime problem, no end to the crime spiral is in sight.

The first imperative is to isolate the dangerous and the incorrigible young criminals from society. The second imperative is to upgrade the people, the techniques, the facilities which make up the corrections system. An improvement in this aspect can have a multiplier effect in the other aspects.

There are now 1.3 million people under the supervision and restraint of Federal, State, and county corrections departments. One-third are behind bars, two-thirds under parole and probation. By 1975, the figure is expected to swell to 1.8 million.

Since experts agree that the Nation's prisons are the major breeding grounds for criminal careers, it is imperative that new efforts must be made at recidivism prevention.

The National Council on Crime and Delinquency took a close look at many State and local prison facilities in 1968, and found that an astounding 93 percent of all juvenile courts have no separate juvenile detention facilities.

Chronic overcrowding exists in both juvenile and adult facilities. One direct result is that law-abiding citizens continue to be terrorized by those who are in their midst only because of lack of cell space.

The phenomenon is by no means confined to a single State or region. State and local governments suffer from an inability to finance needed improvements even where public officials have an enlightened and deep concern for the problem.

The need is clear. It has been well analyzed. It is time for Congress to help the States do the job.

It is time to reverse the growing danger in our cities and in our prisons, and to restore to both offender and victim the opportunity to build useful lives in an atmosphere of security and freedom.

Mr. THOMPSON of New Jersey. Mr. Speaker, 2 years ago Congress determined that the high incidence of crime in the United States was a threat to the security and welfare of every citizen. Recognizing that crime is essentially a local problem, Congress passed the Omnibus Crime and Safe Streets Act of 1968, setting up a program of Federal grants to State and municipal governments to improve their law enforcement machinery.

But having established clearly that crime is a national problem which concerns the Congress and citizens across the land, we have devoted a relatively small part of our resources to crime prevention and control. In the current fiscal year, for example, Congress has appropriated only \$268 million for this purpose.

I am pleased, therefore, that the Crime Control and Safe Streets Act Amendment of 1970 authorizes \$650 million for fiscal 1971, \$1 billion for fiscal 1972, and \$1.5 billion for fiscal 1973.

These sums are in my judgment, a bare minimum of what is needed. I feel strongly that we must invest substantially more of our resources to improve the criminal justice system in America. I was dismayed to read in the committee report that at present, less than 2 percent of all government revenue is spent on the entire apparatus of criminal justice, including all police, all courts, and all correctional facilities.

The Crime Control and Safe Streets Act of 1970 expands and substantially improves the earlier legislation. It provides increased Federal assistance for construction and renovation of correctional facilities and requires that the States contribute at least 25 percent of the funds to match Federal grants, thus removing a burden from local taxpayers in towns and cities. Equally important is the fact that States must now direct an adequate proportion of the Federal funds to high crime areas. I think, too, that the efficiency of the Law Enforcement Assistance Administration will be strengthened by having at its head a single administrator rather than a three-man board.

I note with considerable interest that the committee did not incorporate into its amendments the Justice Department's recommendation that the LEAA be permitted to waive the requirement that a designated percentage of funds be distributed directly to local governments. I am extremely concerned that Federal moneys reach the local areas most in need of assistance; and though I am not wedded to any given means of accomplishing this, I shall look to the committee's continuing review of the act to see if the moneys are actually reaching high crime areas under the present formula.

It is imperative, Mr. Speaker, that our streets be made safe and our citizens be protected. We must seek to combat crime at its sources of origin and we have to improve and modernize our judicial procedures and our correctional institutions. The Crime Control and Safe Streets Act has already made it possible for local law enforcement officials to receive training in new methods of crime prevention and riot control. The act has provided the opportunity for police officials to earn advance degrees in sociology and criminology and, in general has served as an impetus to upgrade the status and stature of law enforcement officers. In addition, the act has enabled local and State governments to obtain new crime control equipment ranging from vehicles to improved street lighting.

Mr. Speaker, we pride ourselves upon

our material wealth and possessions. We are grateful for the freedoms which are guaranteed in our Constitution. But material possessions and our freedoms have little meaning if they cannot be enjoyed in an atmosphere of peace and security. The Federal Government has an obligation to do all in its power to assist our State and local governments in the maintenance of a secure and just society.

Mr. HALPERN. Mr. Speaker, during this past month, we have passed the second anniversary of the enactment of a law which began a significant new partnership between Federal, State, and local governments to strengthen and coordinate law enforcement efforts at all levels. On June 19, 1968, President Johnson signed the Omnibus Crime Control and Safe Streets Act of 1968. Through that act's creation of the Law Enforcement Assistance Administration—LEAA—the Federal Government has encouraged and aided State and local governments in the preparation of comprehensive law enforcement plans and in carrying out programs and projects to improve and strengthen law enforcement. The Crime Control Act created a National Institute of Law Enforcement and Criminal Justice, under the authority of the LEAA, that through grants to institutions of higher education and other public and private agencies and through its studies and research programs has encouraged training, education, research, and development for the purpose of improving law enforcement and developing new methods for the prevention and reduction of crime, and the detection and apprehension of criminals. In fiscal 1969 alone, \$19 million was distributed to the States for planning grants and \$29 million for action grants covering recruitment and training of law enforcement personnel, construction of buildings and other physical facilities necessary for law enforcement, development of State organized crime control councils, organization and training of regular and special police units for the prevention and control of riots and civil disorders, and many other programs; \$3 million was allocated for the National Institute of Law Enforcement and Criminal Justice, \$6½ million for academic assistance, and another \$3 million for FBI programs. These programs were considerably expanded in the 1970 fiscal year as \$268 million was appropriated for LEAA programs.

Despite this hopeful beginning, we continue to lose our battle against crime as recent FBI statistics demonstrate. Of course, the LEAA cannot be blamed for the continually spiraling crime rate. It is possible that the rate of crime increase would have been greater without the new planning and action grants that have stimulated many States to formulate their first comprehensive plans to counter the upsurge of criminal activity. Even so, studies by the National League of Cities, the Urban Coalition, and other organizations, indicate that there are serious deficiencies in the organization and administration of the Law Enforcement Assistance Administration and distribution of grants to the States. It is for this reason that I support H.R. 17825. This

bill, which would amend the Omnibus Crime Control Act, would enable the LEAA and State planning agencies to better fulfill the purposes for which they were created.

Commendable as this bill may be it neglected to include the courts in its definition of law enforcement agencies thus overlooking an area in which research and planning are particularly needed. To overcome this inequity our very able and distinguished colleague from New York (Mr. LOWENSTEIN) has introduced H.R. 17442.

I am privileged to be among the 16 cosponsors of this much needed improvement in the legislation. I understand that Mr. LOWENSTEIN plans to offer the provisions of his proposal as an amendment to the bill before us. The proposed amendment recognizes that courts as well as policemen play an important role in law enforcement by expanding the definition of "law enforcement" in the Omnibus Crime Control Act to include activities of criminal courts and related agencies, activities of corrections, probation, rehabilitative and social service agencies relating to the administration of criminal justice, thus enabling States to include these important agencies in their comprehensive law enforcement plans and receive Federal grants to assist them in these vital areas.

This amendment to the Crime Control Act would establish within the Department of Justice a State Criminal Justice Assistance Center under the authority of a Director who would be an associate administrator of the Law Enforcement Assistance Administration—LEAA—to "provide for and encourage improvement in the organization, procedures and administration of State and local courts to relieve court congestion and to thereby promote and insure the right to a speedy trial." The center would be authorized to conduct research into the administration of State and local courts to develop recommendations for action in the improvement of court administration and management by Federal, State, and local government and to contract with public or private agencies for assistance in this research and development of recommendations. It would have similar powers and functions with regard to the courts as the National Institute of Law Enforcement and Criminal Justice has with regard to State and local police—to conduct programs of instructional assistance for judges and personnel of State and local courts, to collect, publish and disseminate data related to its studies and programs, and to provide technical assistance to officers of the courts at all levels.

I heartily concur with the need for this amendment and trust that it will overwhelmingly prevail.

One of the primary weaknesses in the current administration of the law noted in the National League of Cities and Urban Coalition studies is that adequate funds are not being distributed by the State governments to the areas where the crime rate is the highest. The allocation formulas of many States, which distribute an equal minimum share to all geographic areas of the respective States, has the effect of giving a disproportion-

ate share of the funds for local planning and action programs to the rural areas where crime rates are lowest. H.R. 17825 would correct this imbalance by giving the LEAA authority to block grants to States whose plans fail to provide for allocation of an adequate share of assistance to deal with law enforcement problems in areas of high crime incidence.

The cities would also be aided by another provision of this bill that would require the State to provide one-quarter of the non-Federal funding of State planning agency programs for law enforcement improvement if the city or agency applying for assistance is unable to provide matching funds required to obtain a Federal grant. The National League of Cities' 1969 study of the administration of LEAA funds in 31 States revealed that at present "most State budgets provide the minimum 10 percent matching funds required to qualify for their planning allocation under the law enforcement assistance program."

Several new areas which are contributing to the crime problem would receive special attention in the proposed amendment. For the first time, LEAA is authorized to make grants to States having comprehensive plans for centers for treatment of narcotics addicts and for construction or leasing of temporary courtroom facilities in areas of high crime incidence. The LEAA would also be given new authority to make grants for correctional institutions and facilities.

The need for training of people to enter all phases of law enforcement programs is recognized by this bill. Grants for training, education, research, and development for improving law enforcement would now include funds for books. Teachers or persons preparing to teach courses related to law enforcement would be eligible to receive grants in addition to the present authority permitting training funds for persons preparing for careers in law enforcement only. To improve the universities' facilities for training of teachers of subjects related to law enforcement, the LEAA would have the authority to enter into contracts with institutions of higher education or groups of universities or colleges to assist them in planning, developing, strengthening, improving, or carrying out programs to train instructors of persons entering the field of law enforcement. Finally, to provide for a higher quality of professional law enforcement officers, LEAA would be authorized to develop and support regional and national training programs, workshops, and seminars to instruct State and local law enforcement personnel in improved methods of crime prevention, reduction, and enforcement of criminal law.

The internal management of the Law Enforcement Assistance Administration would be strengthened by the elimination of the present unwieldy three-man directorate. Comprehensive and coordinate planning on the State level will be assisted by H.R. 17825's authorization for State Criminal Justice Coordinating Councils charged with assuring coordination of all law enforcement activities such as police, criminal courts, and the correctional system.

I congratulate the Judiciary Committee on its decision to promptly report H.R. 17825 and urge its speedy consideration and approval by Congress.

Mr. OTTINGER. Mr. Speaker, I rise in support of H.R. 17825, the Omnibus Crime Control and Safe Streets Act Amendments of 1970.

I support this measure because it will remedy some of the deficiencies of the original act enacted in 1968 and will, in some measure, strengthen the Federal role in helping communities to come to grips with the increasingly serious problem of crime.

In my opinion, however, the measure falls far short of the kind of full-scale program that is needed.

Although H.R. 17825 does substantially increase the Federal funds available for the war on crime, it still fails to provide the funding that will be needed to meet the challenge that we face. Under H.R. 17825, we are authorizing slightly more than \$3 billion over the next 3 years to aid local and State law enforcement agencies. I am convinced that an effective anticrime program will require at least three times that much. I have proposed that we commit no less than \$3 billion a year to the battle, and I will continue to press for that kind of commitment.

The most serious deficiency of this legislation is that it maintains the "block grant" approach under which funds are allocated among the States according to population, rather than targeted to the communities with the highest crime rates.

It is absolutely essential that we develop legislation that will permit a flexible allocation of funds so that we can beef up police forces in high-crime areas. The most effective answer to crime in our streets is the policeman on the beat, the policeman who is familiar with the community and able to cope with its crime problems.

The effect of the block grant system has been to dilute our already all too meager efforts and the system results in wild absurdities. New York and California get 7 cents per capita for crime control planning while American Samoa receives \$3.54 per capita. And for action grants, urban States such as New York, California, Illinois, and Pennsylvania get the same per capita aid—89 cents—as Alabama, Montana, Alaska, and Wyoming.

Within the States, these absurdities reach even greater proportions. New York City, with a population of nearly 8 million and a crime rate of 6.084 per 100,000 population, is receiving 10 cents per capita in action funds, while Fort Worth, Tex., with a population of 355,000 and a crime rate of 3.747 per 100,000 population is receiving 31 cents per capita. Los Angeles, whose crime rate is only slightly lower than New York's, is receiving 9 cents per capita in action funds while Milwaukee, with one of the lowest rates of the top 56 cities in the FBI crime index, is receiving 15 cents per capita. Considering that it is titled the Crime Control and Safe Streets Act, these allocations seem perverse.

This can only be corrected with the

kind of flexible legislation that will concentrate our money and our police effort in the streets where the crime is taking place. H.R. 17825 takes a hesitant step in this direction by requiring that the State plans approved include adequate assistance for areas of high crime incidence within the State. But this is hardly adequate. The State-by-State inequities persist. I intend to continue to fight for a program that will permit us to target the Federal effort in the areas where the crime is.

Finally, the new grant program for the improvement of correctional facilities under H.R. 17825 represents an important forward step, but it again falls short of the commitment needed. Experts estimate that between 50 to 70 percent of those released from prisons return to our streets to commit new crimes. Clearly, until we do something effective to rehabilitate prisoners and send them back to society equipped to lead useful and constructive lives, we are not going to be able to make any significant dent in our crime problem. H.R. 17825 makes the first approach to this problem by requiring that 25 percent of all law enforcement assistance appropriations be spent on upgrading and improving correctional activities. We must realize, however, that the major contribution of H.R. 17825 lies in the recognition of the existence of the problem and not in an effective program to deal with it; the total funding under the act is grossly inadequate and the 25 percent allocated to correctional facilities will represent hardly a drop in the bucket in comparison to the need.

Mr. Speaker, recognizing the deficiencies of this bill and the difficult problem that lies ahead of us in controlling the rising tide of crime, I urge my colleagues to support H.R. 17825. At the same time, I urge that we start now to develop the fully funded, flexible, and more comprehensive program. Only in this way can we meet the challenge and assure our people of the safety and the full protection of the law. That is their right.

Mr. VANIK. Mr. Speaker, 2 years ago the House passed the Omnibus Crime Control and Safe Streets Act of 1968.

This legislation was passed in response to the seriously spiraling crime problem affecting American society. Today, 2 years later, the crime problem continues. Not only does the fact of crime remain one of our most serious concerns, but the fear of crime stalks the streets of our Nation's cities. Our citizens are afraid to go out of their homes at night. Downtown city areas, formerly dynamic and alive with activity, are now closed and deserted. Great shopping marts which used to stay open until 9 p.m. and later now close at 5 or 5:30. The citizens are afraid to use public transportation systems. Some of my constituents have told me that they are afraid to go to evening religious services. Our senior citizens, in particular, are afraid to venture out alone. Many of our citizens find themselves in the world's most affluent society blockaded in their homes at the approach of dusk.

Where does the responsibility for law enforcement lie? Crime, as defined in

America and under our federal system, has been largely defined by local and State law. The vast majority of criminal acts are reported, investigated, prosecuted, and tried by local police, prosecutors, and judges. Almost all our penal institutions are run by local or State officials.

But State and local finances are stretched to the breaking point. They need assistance in financing the battle against crime, to up-grade the training of police, to improve the quality of their equipment and crime detection units, to expedite court procedures. In addition, we must improve penal institutions so that they provide true and lasting rehabilitation instead of serving as training schools for further crime.

The Federal Government can provide some of that financial assistance to the States and local governments in the way of grants. The bill before us today authorizes not the \$480 million requested by the administration, but \$650 million for fiscal year 1971. An additional \$170 million for the control and prevention of violent crime is the least that we can do. I hope that the administration will not complain that it is inflationary to provide extra moneys for the prevention of violent crime. I hope that the administration will not say that it is inflationary to improve our prison and rehabilitation facilities so that the appalling number of criminal "repeaters" can be reduced.

Mr. Speaker, it would be my hope that the authorization provided by this bill would be even higher, for there can be no doubt that our States and localities are in desperate need of increased money in the struggle against crime.

This bill does provide an authorization of \$1 billion for fiscal year 1972 and \$1.5 billion for fiscal 1973. This is the minimum level of appropriation we will need to begin to curb the problems of crime.

Today's law enforcement assistance amendments include several other important and major amendments.

First, it simplifies the method of administering the grants to the States and localities. Presently, almost every action of the U.S. Law Enforcement Assistance Administration must be approved by a team of three administrators. This bill will provide for a single administrator who will be able to provide the necessary and needed drive, energy, and coordination required to make the Federal program effective.

Second, the amendments provide for a new program of construction and renovation of correctional facilities and allow the Federal Government to cover up to 75 percent of the cost of such facilities. This is desperately needed. As the former Director of the U.S. Bureau of Prisons has stated:

In addition to approximately 3,500 county and city facilities, there are now 398 state penal and correctional institutions for adults in the United States, and 220 state institutions for juveniles. All but a handful are archaic, grim and devoid of all but token facilities for training and rehabilitating their inmates. Sixty-one of the large prisons were opened before 1900. Twenty-five of these are more than 100 years old.

It is estimated that of all the aspects of criminal justice and law enforcement improvement in the methods of rehabilitating criminals holds out some of the greatest promise for reduction in crime rates. Approximately 80 percent of all serious crime is committed by repeaters—that is, persons who have been previously convicted of a crime and have served a sentence. Yet instead of being rehabilitated in the penal system, they seem to become only more committed to a life of crime. It is said that 95 percent of every dollar that we spend on our prison systems is spent on custody while only 5 percent is spent for rehabilitation, job training, and education. A reform of our penal systems would be one of the best ways to cut down on crime.

Today's amendments also provide that the State contribute one-fourth of the non-Federal share of funding for programs of local governments receiving Federal assistance under the State's law enforcement plan. This amendment is necessary because the States, which decide what projects are to be funded, have, in 45 out of the 50 States, totally failed to provide any matching assistance to the Federal dollar. Federalism should be a sharing process. But what has happened is that the States take the Federal bloc grants and require the localities to put up all the rest of the required matching money. Yet it is on the local governmental level that funds are often the hardest to find.

The most important amendment in the bill before us today, Mr. Speaker, requires that U.S. Law Enforcement Assistance Administration approval of a State plan for law enforcement assistance be based on a finding that areas of high crime incidence receive an adequate share of assistance. It is my hope that this amendment will require Federal funds to be channeled, to a greater extent than they are today, into our major metropolitan areas where our major incidence of crime occurs.

The concept of concentrating crime control funds where most needed is not being given full consideration. In my State of Ohio, for example, there seems to be a preoccupation with spreading the available funds throughout the State, into districts where the immediate need is less than pressing. In the action program grants concerned with general facilities and equipment for law enforcement agencies, the concern seems to be for providing equipment for rural districts.

For administrative purposes under the Safe Streets Act, Ohio has been divided up into regions—some of which are very rural and contain counties with very low crime rates. And some of the major grants being made in Ohio are in the rural districts, such as a training library in District 15 in southeast Ohio, and so-called basic equipment in the same district.

Considering the ceiling on available funds, and given the desperate situation in major cities, such as Cleveland and Columbus, this sort of spending is wasteful. The emphasis in rural areas should be on reorganization of these township police and sheriff departments. The size

and thus ineffectiveness of these rural agencies does not constitute a reason to place further funds in their hands, but rather a reason to research possibilities of combining them into effective institutions. In certain other action programs for which funds are requested, such as communications equipment, as many as 40 to 50 subgrants will be made, representing a thin and wasteful spreading of available funds.

In the city of Cleveland, we had 176 murders in 1968. At this point in 1970, we have already surpassed that number. We are ranked ninth among American cities as far as crime is concerned. Cleveland needs help. Yet when money which is sorely needed to curb the immediate crime problem in Cleveland is side-tracked to low-crime rural areas, few problems are being solved with the available funds. Crime in our big cities is serious, most serious, and it must be controlled by a concentration of our available funds.

Mr. Speaker, I support the amendments being discussed today and will vote for passage of this vital legislation. It is needed not only by the 400,000 devoted and dedicated police professionals of America, it is needed by the people they serve, the American public.

Mr. RARICK. Mr. Speaker, the crime situation in the United States has reached such crisis proportions that the Members are hearing from the folks at home with demands that something must be done. The political impulse seems to be to do something, even if it is wrong.

We are being asked to ignore the cause of the problem—the many crime-favoring Supreme Court laws. We are being urged to hoodwink our people into thinking that by massive expenditures of Federal money, by so-called upgrading our local and State police officers, and modernizing our correctional facilities, we can deter the criminal threat.

The crime problem in the United States is not the fault of this body—nor the police officers, nor the taxpayers. We are hiding our heads in the sand if we think we can fool the people into believing that by giving away more of their money, they will be any safer from the criminal element which roams our streets and highways like some sacred cow.

H.R. 17825, now before us, carries the emotional title of law enforcement assistance amendments to the Omnibus Crime Control and Safe Streets Act of 1968. But, fancy-sounding names on legislation will not stop criminals nor deter crime, nor even accurately describe the bill. We already have enough laws on the books.

The gut problem is that as we continue to talk about reducing crime, our law enforcement agencies are denied the freedom to enforce the laws. This bill offers no solution. It but provides for \$3,-200,000,000 to be doled out over 3 years for grants to local and State police who agree to comply with various edicts and guidelines laid down by the Attorney General of the United States and enforced by the administrator of the Law Enforcement Assistance Act. Except for this purported financial assistance, the

measure offers only false promises of help to the police of America in their efforts to stop crime.

Those of us who live in the South are familiar with Federal funding programs based upon compliance. The funded State or local organization loses all semblance of representing its local people and becomes completely subservient to the funding agency. In this instance, any law enforcement agency accepting Federal funds, which does not toe the line of compliance, can expect to be threatened with loss of funds and if not whipped into line, have its funds cut off.

We of the South have witnessed firsthand what has happened to our State and local governmental agencies that accepted Federal funds. We need only point to the wholesale destruction of our public schools and public education system which are in many areas either abandoned by a large segment of our people or made wholly inadequate to educate the youth.

With Federal funds necessarily comes Federal control. It is utterly ridiculous for any rationally informed person to believe that we can buy personal safety or freedom from crime. It is equally ridiculous to believe that we can hand out Federal money and not end up with Federal control and domination over our local police.

Up to now, the sociological pseudo-intellectuals have sought to justify throwing away billions of tax dollars with their theories that we can buy off criminals with massive Federal programs and funds. While they still refuse to acknowledge the utter futility of their upside down thinking, some of the same spokesmen, that is, Ramsey Clark, the National Governors' Conference, the League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the National Commission on the Causes and Prevention of Violence, and representatives of do-gooder organizations now support this bill and ask this body to buy the police away from the people and put them under the control of an appointed Fed.

The police power under the Constitution of the United States, with rare exception caused by judicial fiat, has historically been reserved to the States. Now, after 190 years of constitutional government, with the police being under the State and local control, we are told that the Constitution must be warped if it says what it does not say.

If it is a national police force that the Federal bureaucrats want, they have the Army, Navy, and Marines. I for one, oppose every effort to destroy local police forces, or to even chance the "foot-in-the-door" power building which is constantly sought by the socialist bureaucrats in their craze for domination of every facet of local and State government.

This is bad legislation—spurred on by emotion and frustration—more laws by the democracy phobia of the mob—demands without regard or consideration for the further erosion and destruction of constitutional government.

I intend to abide by my oath of office by casting my peoples' vote against this

bill. I will continue to support my local police in upholding their responsibilities to maintain law and order to their people, unbridled by additional unnecessary Federal controls and redtape.

Mr. BROYHILL of North Carolina. Mr. Speaker, I would like to express my support for H.R. 17825, the bill to amend the Omnibus Crime Control and Safe Streets Act of 1968. Certainly, the serious rise in the increase and rate of crime in the United States provides ample need for the continuation and expansion of programs under this law.

This law established the Law Enforcement Assistance Administration in the Department of Justice to assist State and local governments in controlling crime and improving the quality of criminal justice. Experience in administering this agency has shown the need for some revisions in the law and these amendments would provide needed improvements.

One change would insure that assistance would be more directly responsive to the needs of high crime areas and would provide greater local community participation in the planning and disbursement of funds. Although an arbitrary mathematical formula is not provided, States would be directed to correlate the benefits of anticrime efforts with the incidence of crime in particular areas.

An addition to the law would authorize the Law Enforcement Assistance Administration to develop regional and national training programs to instruct State and local law enforcement personnel in fields such as organized crime, which individual cities and States are rarely able to plan for themselves. I am particularly pleased that this section has been added to the bill, since I feel strongly that programs are needed on a broader scale to train local and State officials to deal with organized crime. I have previously sponsored legislation to provide such training in this area.

Another new program provided in this bill is for the construction, acquisition, and renovation of correctional facilities, with the provision that Federal grants may be up to 75 percent of the cost of a particular project. Applicants for these funds would be required to provide assurances that the design of facilities would be modern and innovative and that provision would be made for rehabilitation programs. Advanced standards of training and education for personnel staffing facilities would also be required. The bill would also earmark 25 percent of total appropriations for corrections activities, including probation and parole. This is, I feel, an area which has great potential in the reduction of crime and for which increased funds are badly needed.

Since the enactment of the Omnibus Crime Control and Safe Streets Act in 1968, its programs have been of great assistance to law enforcement agencies, and I would like to urge my colleagues to provide this extension and improvement of the law.

Mr. DONOHUE. Mr. Speaker, as a cosponsor of the original legislation 2 years ago, the Omnibus Crime Control and Safe Streets Act of 1968, that created the

Federal law enforcement assistance program, I most earnestly hope and urge the House will overwhelmingly approve the bill now before us, of which I am also a cosponsor, H.R. 17825, which is principally designed to strengthen and improve the law enforcement assistance administration.

May I emphasize that the strengthening recommendations contained in this current measure were developed by our House Judiciary Committee only after long and careful study of the operation of this unit over these past 2 years and the testimony of many and varied authorities in the law enforcement field.

In summary, this bill before us will, when adopted, provide increased levels of urgently needed funding over the next 3 years for the more effective operation of the law enforcement assistance program; it will establish a separate new Federal program for the construction, renovation, and acquisition of correctional facilities and the development of improved corrections programs; it will make the actuality of law enforcement assistance more directly responsive to the needs of high-crime areas while also assuring local community participation in the planning and disbursement of funds and it will make the management impact and procedures far more efficient than they have been by abolishing the present three-man board and putting in its place a single administrator.

Mr. Speaker, I think it is well to emphasize that all the amendments to existing law that are recommended in the bill before us have the approval of the administration and the Department of Justice and that the bill was unanimously adopted by our House Judiciary Committee.

I think it is also very important to observe that the recommendations contained in this measure are specifically designed to improve the coordination of the various components of our criminal justice system—police, corrections, courts, and, by specifying that not less than 25 percent of the total appropriation for the Law Enforcement Assistance Administration shall be devoted to corrections, probation and parole. Particular attention, toward improvement, is being centered on the phases of our criminal justice system that have been too much and too greatly neglected in the past.

Unhappily and unfortunately, Mr. Speaker, the facts and the fears of increasing crime are frighteningly at large throughout our country today. Local law enforcement agencies and courts are fundamentally the frontline of crime control, prevention, prosecution, conviction, correction, and parole.

The measure before us, therefore, will undoubtedly strengthen these local units and institutions in the fulfillment of their objectives to make our streets and our homes as safe as reasonable cost and human resources can and at the same time improve the quality of all aspects of criminal justice. I submit that by any yardstick or standpoint the provisions of this measure are preeminently in the urgent national interest and I again urge the House to give this meritorious measure your overwhelming approval.

Mr. CRAMER. Mr. Speaker, the need for enacting new and improved laws to deal with the ever-increasing rate of crime is absolutely essential. The amendments to the Omnibus Crime Control and Safe Streets Act, H.R. 17825, which are being considered by this body today provide effective new weapons to buttress our law enforcement efforts and help win this Nation's war on crime.

This legislation authorizes appropriations of \$650 million for fiscal year 1971, \$1 billion for fiscal year 1972, and \$1.5 billion for fiscal year 1973. The bill retains the block grant principle and continues the requirement that 85 percent of all funds shall be distributed in accordance with State plans. However, this bill also requires that 40 percent of a State's planning funds and 75 percent of its action funds shall be made available to units of general local government or combinations of such units of government.

Mr. Speaker, the Law Enforcement Assistance Administration, which is charged with administering these funds, has already made an impressive beginning in bringing crime under control. It has coordinated the various segments of the criminal justice system. It has encouraged a working relationship between the various levels of government. And, as Attorney General John Mitchell said in his testimony before the House Judiciary Committee on March 12:

Thus, under the impetus of LEAA, we are seeing the emergence of regional planning commissions working with state planning commissions. For the first time, on a nationwide basis, an attempt is being made to evaluate, coordinate and integrate the hundreds of different criminal justice agencies and their problems in each state.

This bill makes certain very important changes in the safe streets legislation which I enthusiastically support.

The bill provides a new block grant program for construction, acquisition, and renovation of correctional facilities; expands the law enforcement education program; authorizes LEAA to develop and support regional and national training programs, workshops, and seminars for State and local officials in specialized law enforcement fields; and increases the administrative efficiency and staff capability of LEAA.

Mr. Speaker, I strongly support this legislation and urge its enactment.

Mr. MONAGAN. Mr. Speaker, I support H.R. 17825, the Omnibus Crime Control and Safe Streets Act amendments of 1970.

I supported the establishment of the Law Enforcement Assistance Administration in the 90th Congress to assist State and local governments to control crime and violence and to improve the quality of justice, and I continue to believe that this program offers an approach toward guaranteeing our citizens freedom from criminal violence. Accordingly, I strongly endorse provisions of the bill strengthening the management of the Law Enforcement Assistance Administration, establishing a new program for the construction, acquisition and renovation of correctional facilities, and extending the program for 3 years.

The bill authorizes appropriations of

\$650 million for fiscal year ending June 30, 1971, \$1 billion for fiscal year ending June 30, 1972, and \$1.5 billion for fiscal year ending June 30, 1973.

In the first session of this Congress I spoke out frequently about the growing lawlessness in this country and I backed up my statements with legislative proposals for action. In addition to introducing a bill to impose additional mandatory prison sentences upon persons convicted of committing a felony with a firearm, and another bill to prevent the increasing misuse of explosives, I sponsored House Resolution 220 to establish a Select Committee on Coordinated Crime Control. I was pleased that legislation similar to House Resolution 220 passed the House on May 1, 1969, and the important task of studying methods and resources to coordinate law enforcement activities of local, State, and Federal police agencies is now underway.

I have also been active in supporting and proposing measures to cut down illicit drug traffic and control narcotics addiction which are major causes of criminal activity. I noted with alarm the results of a recent study done in the District of Columbia court of general sessions which showed that 40.2 percent of persons charged with or convicted of larceny were addicts, as were 41.3 of those charged with or convicted of robbery, and 46.8 percent of persons involved in burglary. I am hopeful that the funds provided for in this bill will better enable local and State law enforcement agencies to halt illicit drug traffic before it is translated into violent crime statistics.

Despite the great progress that has been achieved in laying the groundwork for a coordinated offensive against crime, criminal activity in this country has far surpassed the crisis stage, and it is accelerating at a rate that is outstripping the Nation's ability to effectively protect the rights and freedoms of law-abiding citizens. The Federal Bureau of Investigation reports that from January to September 1969 incidents of serious crime increased nationally by 11 percent and in my hometown of Waterbury, Conn., cases of larceny of more than \$50 increased by over 55 percent during the same period.

Citizens living in urban areas are afraid to move from their homes and go about normal and peaceful activities because of the terror created by repeated and brutal assaults, robberies, and rapes.

Increasing criminal activity puts severe strains on our legal system. The maintenance of public order is a basic duty of any government to its citizens but freedom must be protected in any drive for individual or community safety. It is crucial that Congress resist the pressure for radical change and concentrate its efforts on strengthening the traditional democratic process with funds, programs and personnel equal to the task. This bill, by authorizing for fiscal year 1971 more than double the amount of funds appropriated in fiscal year 1970, and \$170 million more than the administration request, is a proper expression of confidence in the ability of adequately funded local and State

law enforcement agencies to cope with criminal activity within the existing legal framework and I urge my colleagues to join me in voting for passage.

Mr. BINGHAM. Mr. Speaker, I want to compliment and congratulate the Committee on the Judiciary, and particularly its distinguished chairman, Mr. CELLER, for bringing these improving amendments to the Omnibus Crime Control and Safe Streets Act before the House.

As the chief House sponsor of related legislation which was considered by the committee and endorsed by the National League of Cities-U.S. Conference of Mayors, I am gratified to see that a number of provisions along the lines of those suggested by my bill to assure that a greater proportion of Federal crime control funds are directed at high-crime urban areas have been included in the committee bill.

As I noted in introducing my bill, H.R. 15597, the programs under the Omnibus Crime Control and Safe Streets Act constitute the cutting edge of Federal help in the fight against crime. Our first 2 years of experience with these programs, however, indicate that an indefensibly small proportion of the funds are being made available in areas that need them most—the urban areas where the crime problem is most severe. The committee, in the legislation now before the House, has not adopted all of my suggestions to remedy that inequity. But this bill does add new language providing that no State shall receive its funds for anti-crime action projects unless the Federal Law Enforcement Assistance Administration—LEAA—finds that the State has made plans to provide “for the allocation of an adequate share of assistance to deal with law enforcement problems of high crime incidence.”

I trust that LEAA officials will give strict attention and adherence to this language, and I intend over the coming months to monitor closely the Administration's application of this crucial requirement. As the committee report correctly notes, State planning agencies must “correlate the benefits of anticrime efforts with the incidence of crime in particular areas.”

Along these lines, I support wholeheartedly the action of the committee in omitting from this legislation an amendment proposed by the Department of Justice which would have authorized the LEAA to waive the so-called pass-through provisions. These provisions require that 40 percent of the planning funds and 75 percent of the crime control action funds be distributed by the States to units of local government. They are essential if Federal crime control funds are to reach crime-plagued neighborhoods in sufficient amounts to have the required impact, and I am pleased they have not been tampered with.

Another major problem that developed during the first 2 years of the safe streets programs concerns the requirement that local areas put up matching funds in order to receive Federal funds for crime control. The urban areas which are most in need of crime control funds have little financial flexibility. Many urban areas

long ago reached statutory limits on their taxing authority, and have no way of raising or freeing the additional funds that may be required to match available Federal crime control funds. The legislation I proposed would have eliminated entirely the local matching fund requirement and I am disappointed that the committee did not see fit to include that improvement in this legislation. However, the committee does provide a new requirement that the States contribute at least 25 percent of the non-Federal matching funds for local programs, which should go a long way toward making Federal funds more obtainable by easing demands on strained local budgets.

Finally, I am encouraged by the more generous funding authorization for crime control contained in the committee legislation currently before the House. These funding provisions, which total more than \$3 billion for the next 3 fiscal years, are similar to those contained in the legislation I proposed. The \$650 million provided for fiscal 1971 is considerably more than the \$480 million proposed by the Nixon administration. Even those amounts, however, are small when one considers that the current budget for the New York City Police Department alone was \$568.4 million last year, and less than 2 percent of current government expenditures at all levels is spent for criminal justice.

Mr. Speaker, in view of these considerations, I intend to vote for the committee bill, H.R. 17825.

Mr. MINISH. Mr. Speaker, I rise in support of H.R. 17825, amending the Omnibus Crime Control and Safe Streets Act of 1968.

I believe that the bill reported out of the Judiciary Committee is a worthwhile effort to improve the Safe Streets Act by supporting modernized correctional facilities, education of law enforcement officials and increased Federal funding.

One commendable approach utilized in this measure is a proviso to insure that needed funds reach high crime areas; urban areas, which cannot unassisted afford the high cost of law enforcement. The version of this legislation which we are today considering stipulates that approval of a State plan hinges on an adequate share of assistance to high crime areas. This is an absolute necessity, for our experience with the 1968 legislation demonstrated that high crime urban areas too frequently were overlooked when it came to apportionment of funds. Indeed, in a measure I sponsored earlier to amend the 1968 Safe Streets Act, there was a remedial provision aimed at reducing this inequity.

I am pleased that the finalized version of the safe streets measure seeks to solve the problem by insuring the adequacy of funds for high crime areas.

I am also in agreement on the need to attend to improve correctional facilities, to mitigate the high rate of criminal recidivism.

Moreover, today's legislation will increase the authorized appropriations to a more realistic level. It calls for an authorization of \$650 million for the next fiscal year, compared with the \$248 mil-

lion authorized for the last fiscal year. The improved obligational method in this measure will insure that the authorized funds are utilized.

I might mention that the earlier legislation I had sponsored called for an authorization of \$800 million for the next fiscal year, in recognition of the tragic proportions of the crime problem. We cannot stingily dole out funds for necessary programs and expect them to bring striking results. Only by an aggressive defense against criminality can we expect to overcome the lack of fear and the obvious apathy demonstrated by the criminal element toward law enforcement.

If crime is not reversed, if criminals are not caught speedily and are not brought to trial expeditiously, and if they continue to be jailed in institutions that turn first-time offenders into hardened criminals before release, then I fear to predict the future of our urban areas.

Unfortunately, the rate of street crime and urban violence is climbing, even as Congress tries to stem this rising tide by providing increased support, money and manpower, to provide safety to honest citizens.

It is my hope that the omnibus crime legislation before us will effectuate a turnaround in our mounting crime problem.

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

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

Mr. CELLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 2, answered "present" 1, not voting 81, as follows:

[Roll No. 195]

YEAS—345

Abbutt	Burton, Utah	Duncan
Abemethy	Bush	Dwyer
Adams	Button	Eckhardt
Addabbo	Byrne, Pa.	Edmondson
Albert	Byrnes, Wis.	Edwards, Ala.
Alexander	Caffery	Edwards, Calif.
Anderson,	Camp	Elberg
Anderson,	Casey	Eriensborn
Calif.	Celler	Eshleman
Andrews, Ala.	Chamberlain	Evans, Colo.
Annunzio	Chappell	Fallon
Arends	Chisholm	Fascell
Ashbrook	Clawson, Del	Feighan
Ashley	Clay	Fish
Barrett	Cleveland	Fisher
Beall, Md.	Cohelan	Flood
Belcher	Collier	Flynt
Bennett	Collins	Foley
Betts	Colmer	Ford, Gerald R.
Bevill	Conable	Ford,
Blaggi	Conte	William D.
Blester	Corman	Foreman
Bingham	Cowger	Fountain
Boggs	Crane	Fraser
Boland	Culver	Frelinghuysen
Bolling	Cunningham	Friedel
Bow	Daniel, Va.	Fulton, Pa.
Brademas	Daniels, N.J.	Fulton, Tenn.
Brasco	Davis, Ga.	Fuqua
Brinkley	Davis, Wis.	Galifianakis
Brooks	de la Garza	Gallagher
Broomfield	Delaney	Garmatz
Brotzman	Dellenback	Gaydos
Brown, Calif.	Dennis	Gettys
Brown, Mich.	Dent	Giaino
Brown, Ohio	Derwinski	Gibbons
Broyhill, N.C.	Devine	Gilbert
Broyhill, Va.	Diggs	Goldwater
Buchanan	Dingell	Gonzalez
Burke, Fla.	Donohue	Goodling
Burke, Mass.	Dorn	Gray
Burleson, Tex.	Dowdy	Green, Oreg.
Burlison, Mo.	Dulski	Green, Pa.
Burton, Calif.		

Griffin	Martin	St Germain
Griffiths	Matsunaga	Sandman
Gross	Mayne	Satterfield
Grover	Meicher	Schadberg
Gubser	Meskill	Scherle
Gude	Michel	Scheuer
Hagan	Mikva	Schneebell
Haley	Miller, Calif.	Schwengel
Hall	Miller, Ohio	Scott
Halpern	Mills	Sebellius
Hamilton	Minish	Shipley
Hammer-	Mink	Shriver
schmidt	Minshall	Sisk
Hanley	Mize	Skubitz
Hanna	Mizell	Slack
Hansen, Wash.	Monagan	Smith, Calif.
Harsha	Moorhead	Smith, N.Y.
Harvey	Morgan	Snyder
Hathaway	Mosher	Springer
Hébert	Moss	Stafford
Hechler, W. Va.	Murphy, Ill.	Stagers
Heckler, Mass.	Murphy, N.Y.	Stanton
Helstoski	Myers	Steed
Henderson	Natcher	Steiger, Ariz.
Hicks	Nedzi	Steiger, Wis.
Hogan	Nelsen	Stokes
Holifield	Nichols	Stratton
Howard	Nix	Stubblefield
Hull	Obey	Stuckey
Hungate	O'Hara	Sullivan
Hunt	O'Konski	Symington
Hutchinson	Olsen	Taft
Jacobs	O'Neill, Mass.	Talcott
Johnson, Calif.	Ottinger	Taylor
Johnson, Pa.	Patten	Teague, Calif.
Jonas	Pelly	Teague, Tex.
Jones, Ala.	Perkins	Thompson, Ga.
Karth	Pettis	Thompson, N.J.
Kastenmeier	Philbin	Thomson, Wis.
Kazen	Pickle	Tieman
Kee	Pike	Udall
King	Pirnie	Ullman
Kleppe	Poage	Van Deerlin
Kluczynski	Podell	Vanik
Koch	Preyer, N.C.	Vigorito
Kyl	Price, Ill.	Waggonner
Kyros	Price, Tex.	Waldie
Landgrebe	Pryor, Ark.	Wampler
Landrum	Pucinski	Watkins
Langen	Purcell	Watts
Leggett	Quie	Welcker
Lennon	Quillen	Whalen
Lloyd	Railsback	Whalley
Long, La.	Randall	White
Long, Md.	Rees	Whitehurst
Lowenstein	Reid, Ill.	Whitten
Lujan	Reid, N.Y.	Widnall
McCarthy	Reuss	Wiggins
McClory	Rhodes	Williams
McCloskey	Riegle	Wilson, Bob
McCulloch	Roberts	Winn
McDade	Rodino	Wolf
McDonald,	Roe	Wright
Mich.	Rogers, Colo.	Wyatt
McEwen	Rogers, Fla.	Wylder
McFall	Rooney, N.Y.	Wyllie
McKneally	Rooney, Pa.	Wyman
McMillan	Rosenthal	Yates
Macdonald,	Rostenkowski	Yatron
Mass.	Roth	Young
MacGregor	Roybal	Zablocki
Mahon	Ruppe	Zion
Mailliard	Ruth	Zwach
Marsh	Ryan	

NAYS—2

O'Neal, Ga. Rarick
ANSWERED "PRESENT"—1

Harrington

NOT VOTING—81

Adair	Corbett	Keith
Anderson, Ill.	Coughlin	Kirwan
Anderson,	Cramer	Kuykendall
Tenn.	Daddario	Latta
Andrews,	Dawson	Lukens
N. Dak.	Denney	McClure
Aspinall	Dickinson	Madden
Ayres	Downing	Mann
Baring	Edwards, La.	Mathias
Bell, Calif.	Esch	May
Berry	Evins, Tenn.	Meeds
Blackburn	Farbstein	Mollohan
Blanton	Findley	Montgomery
Blatnik	Flowers	Morse
Bray	Frey	Morton
Brock	Hansen, Idaho	Passman
Cabell	Hastings	Patman
Carey	Hawkins	Pepper
Carter	Hays	Poff
Cederberg	Horton	Pollock
Clancy	Hoemer	Powell
Clark	Ichord	Reifel
Clausen,	Jarman	Rivers
Don H.	Jones, N.C.	Robison
Conyers	Jones, Tenn.	

Roudebush Stephens Wilson,
Saylor Tunney Charles H.
Sikes Vander Jagt Wold
Smith, Iowa Watson

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Adair.
Mr. Cabell with Mr. Lukens.
Mr. Carey with Mr. Hastings.
Mr. Blanton with Mr. Ayres.
Mr. Aspinall with Mr. Horton.
Mr. Jarman with Mr. Anderson of Illinois.
Mr. Charles H. Wilson with Mr. Coughlin.
Mr. Madden with Mr. Cederberg.
Mr. Passman with Mr. Blackburn.
Mr. Edwards of Louisiana with Mr. Cramer.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Rivers with Mr. McClure.
Mr. Sikes with Mr. Clancy.
Mr. Smith of Iowa with Mr. Don H. Clausen.
Mr. Daddario with Mr. Mathias.
Mr. Clark with Mr. Corbett.
Mr. Jones of Tennessee with Mr. Hosmer.
Mr. Baring with Mr. Denney.
Mr. Ichord with Mr. Bray.
Mr. Meeds with Mr. Bell of California.
Mr. Patman with Mr. Findley.
Mr. Kirwan with Mr. Conyers.
Mr. Farbstein with Mr. Hawkins.
Mr. Blatnik with Mr. Powell.
Mr. Tunney with Mr. Esch.
Mr. Jones of North Carolina with Mr. Dick-
inson.
Mr. Anderson of Tennessee with Mr. Frey.
Mr. Mollohan with Mr. Hansen of Idaho.
Mr. Montgomery with Mr. Keith.
Mr. Downing with Mr. Carter.
Mr. Flowers with Mr. Kuykendall.
Mr. Pepper with Mr. Latta.
Mr. Stephens with Mr. Brock.
Mrs. May with Mr. Morton.
Mr. Morse with Mr. Poff.
Mr. Pollock with Mr. Reifel.
Mr. Riegle with Mr. Robison.
Mr. Roudebush with Mr. Vander Jagt.
Mr. Saylor with Mr. Watson.
Mr. Wold with Mr. Dawson.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. Boggs). Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

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

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

There was no objection.

BANKRUPTCY COMMISSION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 970 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 970

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 joint resolution (S.J. Res. 88) to create a commission to study the bankruptcy laws of the United States. After general debate, which shall be confined to the joint resolution 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 the Judiciary, the joint resolution shall be read for amendment under the five minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommend.

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

Mr. Speaker, I know of no controversy either on this rule or on the resolution that it makes in order, Senate Joint Resolution 88, to create a commission to study the bankruptcy laws of the United States.

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

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

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

Mr. GROSS. It seems to be entirely fitting that this resolution comes up at this time, just preceding the authorization for the arts and humanities, which apparently is going to be increased 100 percent to \$40 million. It seems to be fitting, too, in view of the fact that bankruptcies have increased a thousand percent in the last 20 years or less. Apparently Congress is doing all it can to bankrupt the country.

Will this resolution take care of the Federal Government's bankruptcy or is this designed to take care of the bankruptcy of some 200,000 individuals?

Mr. BOLLING. I suspect the gentleman from Iowa could give a better answer to his own question in that particular. I am unable to inform the Members as to that.

Mr. GROSS. I thought perhaps the Committee on Rules might have explored the situation in consideration of the rule.

Mr. BOLLING. I thank the gentleman from Iowa.

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

Mr. Speaker, House Resolution 970 provides a 1-hour open rule for consideration of Senate Joint Resolution 88, to create a commission to study the bankruptcy laws of the United States.

The purpose of the joint resolution is to create a Bankruptcy Commission of nine persons, to study, analyze, evaluate, and recommend changes in the Bankruptcy Act. The report is to be made to the President and the Congress not later

than 2 years after enactment, after which the Commission would cease to exist.

In the last 20 years the number of bankruptcies has increased greatly—over 200,000 annually. Most of these are not businesses, but individuals. Our present system was designed for businesses and cannot cope with the great number of individual cases. Our laws must be brought up to date.

Three members shall be appointed by the President, one of whom he shall designate as Chairman; two appointed by the President of the Senate; two appointed by the Speaker; and two appointed by the Chief Justice.

Six hundred thousand dollars is authorized to carry out the work of the Commission, the amount the Administrative Office of the U.S. Court has estimated will be needed to complete the job.

The Department of Justice supports the joint resolution. There are no minority views.

Mr. Speaker, I urge the adoption of the rule.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ROGERS of Colorado. 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 joint resolution (S.J. Res. 88) to create a Commission To Study the Bankruptcy Laws of the United States.

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

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 joint resolution (S.J. Res. 88) with Mr. YOUNG in the chair.

The Clerk read the title of the joint resolution.

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

The CHAIRMAN. Under the rule, the gentleman from Colorado (Mr. ROGERS) will be recognized for 30 minutes and the gentleman from California (Mr. WIGGINS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, the bill before us today, Senate Joint Resolution 88, represents a major step in bringing about a sorely needed reform in our bankruptcy system—a system which has grown obsolete, highly uneconomical, and incapable of meeting the requirements of our modern economy.

Under the terms of this proposal, a Commission would be established to study, analyze, and evaluate the present bankruptcy laws and to recommend the changes that are necessary to conform the bankruptcy system to the demands of modern, technical, financial, and commercial activities.

The Commission would be directed to

include in its study a consideration of the basic philosophy of bankruptcy, the causes of bankruptcy, possible alterations to the present system of bankruptcy administration, and the applicability of advance management techniques to achieve economies in the administration of the bankruptcy laws.

The life of the Commission would extend for 2 years and its membership would include nine members—with three appointed by the President, two appointed by the President of the Senate, two appointed by the Speaker of the House and two appointed by the Chief Justice of the United States.

In considering the need for this Commission, it is important to note that more people appear in our bankruptcy courts than in all other Federal courts combined, and that the number of bankruptcies has increased more than 1,000 percent over the last 20 years. Yet, despite the current importance of the bankruptcy system, our bankruptcy laws have remained archaic and impractical.

As was pointed out in our committee report, the present Bankruptcy Act was enacted in 1898 and was later revised in 1938. There have been no major revisions of the law for more than 30 years. Yet, during the last 30 years, the population of our country has grown from 130 million to more than 200 million and installment credit has increased in that same period from approximately \$4 billion to more than \$93 billion. As a result of this expanding population and overwhelming increases in installment credit, our judicial system is currently coping with bankruptcies at an annual rate in excess of 200,000.

Although the bankruptcy system was originally designed with a heavy emphasis on the problem of business bankruptcies, the crisis that is now developing occurs to a large extent in the area of so-called consumer bankruptcies. In short, in our modern economy of credit cards and charge accounts, it is the wage earners and the heads of families who are coming more and more into the bankruptcy courts. Under the circumstances, it is essential that the bankruptcy system be overhauled and modernized.

In recommending the establishment of a Commission, let me emphasize two highly significant advantages that will be realized:

First, the Commission will make a major contribution to the modernization of our bankruptcy laws and to the improvement of our judicial system. This will result in more equitable treatment for both creditors and debtors.

Second, the Commission will be called upon to recommend procedures and techniques for eliminating the large amount of economic waste that now occurs in the administration of the bankruptcy laws. The resulting improvements in the system will be reflected in savings in administrative costs. These savings will far outweigh the cost of the Commission.

In addition to these advantages, let me also emphasize still another feature of the bill as reported by our committee which I believe is desirable. In the form that the bill was sent to us by the Senate, it contained a provision allowing

for an open-ended authorization of appropriations. In that form, the bill would call for appropriations from general tax funds.

Our committee considered this matter carefully. After holding hearings on the proposal and receiving testimony from the Administrative Office of the U.S. Courts, we decided to limit the authorization of funds to \$600,000 for the 2-year life of the Commission. We also noted that since 1946 our bankruptcy system has been self-supporting as the result of a statute which requires the salaries and office expenses of referees in bankruptcy to be paid out of filing fees and charges collected from the assets of bankrupt estates. To be consistent with this policy of a self-supporting bankruptcy system, we have approved an amendment to the Senate bill which requires that the Commission also receive its appropriations from the salaries and expense fund. As a result, the expenses of the Commission would also be borne by the bankruptcy system and not by taxpayers generally.

In closing, Mr. Chairman, there is another committee amendment to this bill which I would like also to call to the attention of the Members. In the form that the bill passed the Senate, and was reported by our committee, no limitations were imposed on the powers of the Speaker of the House and the President of the Senate to appoint members of the Commission. Subsequent to our reporting of the bill in this form, both the Speaker of the House and the Vice President called this matter to our attention and requested that the bill be amended so as to limit the appointments of the Speaker and the Vice President, respectively, to Members of Congress from each of the major political parties. Our committee has approved an amendment along these lines and has directed that it be offered on the floor. I believe that amendment is highly desirable and will remove any confusion that may have been created by the bill in the form that it passed the Senate. I shall offer the amendment when the bill is read under the 5-minute rule.

Mr. Chairman, this measure, together with the amendments approved by the Judiciary Committee, will make significant improvements in our judicial system—improvements which will be brought about at a minimum cost to the taxpayers. Senate Joint Resolution 88 has the support of the Judicial Conference of the United States, the National Bankruptcy Conference, the National Conference of Referees in Bankruptcy, the American Bankers Association, the American Industrial Bankers Association, and a wide variety of lawyers, businessmen, and consumers throughout the United States. Therefore, I strongly urge that the bill be given favorable consideration by this body.

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

Mr. ROGERS of Colorado. I am delighted to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

In the last portion of his oration, the

gentleman pointed out that the Judicial Conference has recommended this, in slightly different terms, and generally approves it. I have become familiar with that Conference, and I recall at least two different things they have recently recommended which I disapproved. Of course, I have read the committee report in its entirety, including the statement by the Deputy Director, whom we all recall on this floor as counsel to the Committee on the Judiciary in the past.

Mr. ROGERS of Colorado. May I correct that? The William E. Foley who is Deputy Director was not counsel for the Judiciary Committee.

Mr. HALL. He never has been?

Mr. ROGERS of Colorado. No, sir.

Mr. HALL. Well, I am glad to learn that.

Mr. ROGERS of Colorado. It is a different William E. Foley. We had a William Foley who served with distinction for many years as general counsel.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, it is his opinion whether it was with distinction or not.

Mr. ROGERS of Colorado. Yes, sir.

Mr. HALL. But I am glad to have the correction that this is not the same William Foley.

Be that as it may—and I accept the correction, and I know the gentleman must assuredly be correct—the Judicial Conference has a habit of recommending that the legislative branch endorse commissions or endorse policies with the so-called veto in reverse which I think is unconstitutional and which has certainly not been ruled upon. Is there anything in here that would make the findings of this Commission binding upon the legislative branch of the Government if one or the other bodies of the Congress did not make a negative vote against the findings within 60 or 90 days?

Mr. ROGERS of Colorado. All this does is require them to make an analysis and report back to the Congress of the United States. That is the objective of the Commission.

Mr. HALL. There is no way they can have a finding in their report that would have the effect of law under the Reorganization Act or anything else, unless the veto in reverse were put into effect by one or the other body.

Mr. ROGERS of Colorado. May I assure the gentleman from Missouri, there is no provision of that type in this resolution, nor do we contemplate any amendment that would give it such a status.

Mr. HALL. I thank the gentleman for his reassurance. Perhaps I am just almost reflexly alerted to some of the recommendations that come out, because I do not believe additional commissions, or Government by commission or crony appointments or anything else, should be authorized or consummated; when we have whole bureaus and departments and committees of the legislative branch and secretaries of the Department of Justice who, it seems to me, should be doing this without spending additional money.

That leads up to the second question I have of the distinguished gentleman from Colorado, which is this: Is it contemplated that the \$600,000 authorized

in this bill would meet the necessary pay for these commissioners who will be serving as other than Government employees for the 2-year duration? I presume they will be paid \$100 a day plus expenses plus per diem when on duty, although the other day there was a bill through here to pay \$300 a day for people serving on a like group.

First, what is the amount they will receive? Second, will the \$600,000 cover it all?

Mr. ROGERS of Colorado. It is anticipated that the \$600,000 would be sufficient to cover the entire matter. As indicated, we have allocated on the basis of the estimated number of days of hearings and meetings, on the basis of days per month, with about 30 days of annual per diem for the five private members. There will be four members, two from the House and two from the Senate, who will not draw the \$100. We would allocate \$30,000 for that purpose. Transportation to attend meetings, appearances, and other incidentals, \$50,000. Per diem in lieu of assistance, \$20,000. These are the contemplated expenditures of the Commission.

Mr. HALL. In other words, the gentleman feels, Mr. Chairman, that \$600,000 will cover it for the lifetime of the Commission?

Mr. ROGERS of Colorado. There is also the staff salaries and expenses, which will run to about \$200,000.

Mr. HALL. Is that in addition to the \$600,000?

Mr. ROGERS of Colorado. No, no. It is \$200,000 a year for that and \$100,000 for the members, which makes \$300,000 for 1 year, and for 2 years it is \$600,000.

I may point out, as I did in the original statement here, that all of these funds are paid from the salaries and expense fund that has been created under the bankruptcy law and does not come out of the taxpayers' money at all.

Mr. HALL. I appreciate the gentleman's statement. That is more reassuring.

One final question, if the gentleman will bear with me and yield further.

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. HALL. Many citizens of the United States, including this Representative from Missouri, have long been concerned about our country's general bankruptcy situation. I am more concerned about the moral stamina and fiber of those who now accept bankruptcy willingly and almost at the drop of a hat, than I am about any legislation we can pass or what any commission can do about it. I wonder how come public opinion no longer frowns on such proceedings? In the opinion of the distinguished gentleman from Colorado, will it come under the purview of the Commission to try to find some remedy from excessive redress and flight under the existing bankruptcy laws?

Mr. ROGERS of Colorado. As I understand it, that is one of the studies that is going to be made by this Commission; namely, to see if it is possible to bring about a system whereby there will be less bankruptcies and less likelihood of individuals being compelled to go to court and take bankruptcy.

After all, as you point out, if individuals whose moral character may not be of the highest grade were permitted to take bankruptcy at certain intervals, this could lead to a very undesirable situation. If possible, we would like to do away with that.

Mr. HALL. I certainly agree with the gentleman. I think we want to do away with it as a way of business life. I do not think we can pass legislation or establish any commission that can take the place of the law of supply and demand and competition in the open marketplace. I certainly believe, though, we ought to do something to restore the stigma or reverse public opinion that it is "all right" for people to seek refuge under the bankruptcy laws.

Mr. ROGERS of Colorado. I cannot agree with the gentleman more thoroughly.

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

Mr. ROGERS of Colorado. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Let me ask the gentleman about the members of this new commission. I understand there would be three appointed by the President. Are any of those to be public members? There is no specification in the resolution.

Mr. ROGERS of Colorado. That is at the will of the President.

Mr. GROSS. Yes. So the public may well be excluded.

Mr. ROGERS of Colorado. That is right only if the President so decides.

Mr. GROSS. As far as the appointees of the President of the Senate and the Speaker of the House are concerned, they may be Members of the Congress or non-Members of Congress. Is that correct?

Mr. ROGERS of Colorado. No. I have an amendment that I will offer later. We originally reported this so that the Speaker and Vice President could select anybody they desired. I have an amendment which I will offer under the 5-minute rule to restrict that. Appointments made by the Speaker and the Vice President will be restricted to Members of the House and the Senate.

Mr. GROSS. Does the gentleman not think there ought to be some public members on the Commission? The public is vitally affected by any recommendations of any sort that come from this Commission.

Mr. ROGERS of Colorado. The President is authorized to name the Chairman and he has the authority to name three members. Certainly any man who is President would be doing that. Those three plus the four who may be appointed by the Vice President and the Speaker we hope would be sufficient.

Mr. GROSS. Is it contemplated to load this Commission with lawyers as most of them are?

Mr. ROGERS of Colorado. No.

Mr. GROSS. I would dislike that this Commission be made a bonanza for the lawyers, but there is no specification in the resolution as to whom the appointees may be.

What about the \$100 per diem and

expenses? Does this resolution not short-change these attorneys? The bill to follow, dealing with the arts and humanities will provide for about \$136 a day, plus expenses.

Surely the committee would not want to establish a brandnew Commission and pay the members less than the oncoming bill for a far less worthy purpose, in my opinion, and I certainly question the need for this. Surely the committee wants to take care of the lawyers on a better basis than that.

Mr. ROGERS of Colorado. I am delighted that the gentleman is looking out for the attorneys and for the interests of the lawyers, but we are trying to limit them to at least \$100 so they will not be getting this additional compensation—

Mr. GROSS. I did not write this legislation. I was just wondering how the gentleman is going to explain this to the lawyers who are going to be on this Commission.

Mr. ROGERS of Colorado. I am sure we will not have any trouble in explaining it to the lawyers on the Commission.

Mr. GROSS. When the arts and humanities bill comes up, we are going to try to find out about the \$136 a day for the travel agents for the arts and humanities, or whatever they are.

Let me ask the gentleman this question: Has the Judiciary Committee given any kind of consideration, serious or otherwise, to the establishment of a Commission to go into the reasons for this unholy increase in the number of bankruptcies across the country, the reasons for the economic and financial conditions that have caused such an increase in the number of bankruptcies?

Mr. ROGERS of Colorado. May I say to the gentleman from Iowa that we have required this Commission to go into that very thing. As outlined on page 2, line 15, the causes of bankruptcy will be a part of the study.

Mr. GROSS. So, the Commission is going to go into the reasons for the erosion of the value of the dollar, inflation, the Federal debt, and all the rest that goes into this business of the pressure that is being put upon the taxpayers across the country to try to finance this juggernaut that has been built up; is that correct? That is the mission of this Commission?

Mr. ROGERS of Colorado. I think the gentleman is getting a little confused because we are not going into the question of inflation or excess spending. We are only dealing with the individuals and corporations who may have to take bankruptcy.

Mr. GROSS. Well, does the 37-cent dollar have something to do with the increase in bankruptcies?

Mr. ROGERS of Colorado. No; not that I know of.

Mr. GROSS. I thank the gentleman.

Mr. WIGGINS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Senate Joint Resolution 88, which would establish a Commission To Study the Bankruptcy Laws of the United States, has as its objective an analysis of the bankruptcy situation as it exists in America today.

During the course of the hearings, Subcommittee No. 4 heard testimony and received statements from a host of knowledgeable people and organizations. The establishment of a Commission to study our bankruptcy laws has a broad base of enthusiastic support: The Department of Justice; Securities and Exchange Commission; National Conference of Referees; National Bankruptcy Conference; the Administrative Office of the U.S. Courts, plus many private practitioners and referees in bankruptcy.

The preamble to Senate Joint Resolution 88 points out the importance and seriousness of the problem:

The number of bankruptcies in the United States has increased more than 1,000 percent annually in the last 20 years;

More than one-fourth of the referees have encountered problems in their administration of the Bankruptcy Act and have made suggestions for improvements;

The technical aspects of the Act are interwoven with the rapid expansion of credit in this country; and

There appears to be little experience or understanding by the Federal Government and the commercial community in evaluating the need to update the technical aspects of the Act.

We all are aware of how easy it is today to obtain goods on credit. Not only can most people receive credit cards on request, but numerous cards are given out unsolicited. The broad economic, social and legal consequences nourished by an overextension of low-quality credit are quite serious. The obvious consequence of an overextension of credit is the financial distress that is encountered by numerous individuals and businesses who eventually end up in the bankruptcy court.

In 1957 there were 74,000 cases in bankruptcy. Since that time the number of bankruptcies has reached an annual rate of more than 200,000. Individual wage earners, as opposed to business, account for over 90 percent of the total yearly bankruptcies. Our present bankruptcy system was not designed with the individual consumer in mind. The House Judiciary Committee is of the opinion that the basic objectives and philosophy of the existing bankruptcy statute—the manner in which it is functioning and the effectiveness of its administration—must be studied and analyzed in the light of the present day social and economic needs of our society.

I am sure that there are some Members who shy away from the idea of another commission. I understand and appreciate their position. However, I am convinced as is the House Judiciary Committee that a commission is the only feasible way to examine the complex social, economic, and legal aspects of our present bankruptcy laws.

Our present Bankruptcy Act is based upon a statute which was passed in 1898. This act has been amended 81 times, most extensively in 1938. These amendments were made on a piecemeal basis. It would appear advisable and more realistic if the present law is in need of a major overhaul—and the overwhelming majority of experts say it is—that Congress approach this task only after a comprehensive study and analysis of the existing problems has been made, rather

than amend the act by a piecemeal process over an extended period of time.

This commission will not cost the taxpayer anything. Senate Joint Resolution 88, as it passed the other body, had an open-ended authorization. The committee amendment would limit the authorization of funds to \$600,000 and provide that the study not be funded out of tax revenues. As this body knows, the bankruptcy system has been self-supporting since 1946, as a result of a statute which requires that the salaries and office expenses of referees in bankruptcy be paid out of filing fees and charges collected from the assets of bankrupt estates. The committee amendment requires that the commission receive its appropriations from this salary and expense fund. It is estimated that for fiscal 1970 this fund will contain a surplus of \$1,582,000.

It is my firm belief and that of the committee that only a commission which has the power and authority encompassed by Senate Joint Resolution 88 can make the in-depth study which is needed in order to determine what changes should be made in the basic objectives of the existing Bankruptcy Act. Only such a commission can decide whether these objectives are still appropriate, and whether the act is being administered in conformity therewith.

I believe that Senate Joint Resolution 88 is meritorious and I recommend that Members vote favorably for its passage.

I would like to assure the gentleman from Iowa (Mr. Gross) particularly, that this Commission is specifically charged with the responsibility of developing alternatives to absolute discharge, particularly in the expanding field of the consumer bankruptcies. I agree there should not be an inducement for a person to go into bankruptcy; rather, it must be the last resort in order to salvage his financial difficulties.

Also the Commission will not be loaded with lawyers. Indeed, if the gentleman from Iowa will refer to the resolution itself, the subcommittee amendments and committee amendments have stricken the requirements that there be practitioners in the field only on the Commission because we felt that it was being overloaded with specialists, and the appointing authorities would be denied the option of giving presence to the public on this Commission.

I assure the gentleman that it is not the intent of the committee that the Commission be overloaded with lawyers.

Mr. GROSS. Mr. Chairman, if the gentleman would yield, I wish that the committee had specified in the resolution that a certain number of these commissioners be from the public sector. It is wide open now. The appointees can be from any sector.

I assume—and I have no quarrel with the legal profession—but I can see from where I sit here that lawyers will be well represented on this Commission.

Mr. WIGGINS. Indeed, that may be, I will say to the gentleman, but this colloquy establishes the intent of the subcommittee, that the appointing authorities, the President, the Speaker of the House, the President of the Senate and

the Chief Justice, shall not overload the Commission with lawyers.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. WIGGINS. I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, the thing that intrigues me about legislation of this type is that every time we get in trouble another commission is established to spend some more money to find out what has gone wrong. We never seem to have the in-house, on-the-payroll capability—although Federal employment is increasing every cockeyed day—we never seem to have people in numbers or competence, on the payroll to do these jobs. We have to go and spend another \$1, \$2, or \$3 million in order to find out what has gone wrong—what has gone sour. This is becoming almost unbearable, this appointing of special commissions to study the obvious.

Mr. WIGGINS. Mr. Chairman, I would say to the gentleman from Iowa that I am sympathetic with the gentleman's comments. The report and the hearings before our committee indicate some consideration of the problem the gentleman has raised.

The fact is that bankruptcy is a very narrow, specialized field, and if the Congress itself were to undertake an investigation of the total causes of bankruptcy and how the act might be improved we would end up appointing a staff substantially equivalent to this Commission.

The Commission will involve not only Members of Congress and staff, but also practitioners in the field, the referees in bankruptcy and others vitally concerned. I do not believe that the Commission would have the support of this Member of Congress, at least, if I were not convinced that this Commission is absolutely essential.

Mr. Chairman, this is important legislation, and I urge the Members to give it their prompt and overwhelming support.

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

Mr. BROWN of Michigan. Mr. Chairman, I speak today in support of Senate Joint Resolution 88, creating a Commission To Study the Bankruptcy Laws of the United States.

I have long felt that a streamlining and codification of existing laws in this area is a desirable objective, but I am hopeful that the Commission envisioned by this legislation will give particular attention to the wage earner plan, incorporated in chapter XIII of the Bankruptcy Act, such that usage of this constructive debtor rehabilitation plan would be encouraged when a personal bankruptcy situation arises.

Mr. Roger H. Nielsen, a highly respected attorney from Battle Creek, Mich., with many years of experience in this area, has concisely set forth the need for reform in this area. By way of establishing legislative intent, I endorse and commend to the proposed Commission the wisdom of Mr. Nielsen's experience, which follows:

STATEMENT OF MR. ROGER H. NIELSEN

I am one of the attorneys who has always attempted to encourage financially pressed debtors to go the route of Chapter XIII with a Wage Earner Plan, rather than straight

bankruptcy when the financial circumstances of the debtor would warrant it. As a matter of fact, I have one pending now where the Plan is for the debtor to merely pay 50% of his unsecured creditors, which is all that he can manage to pay because of his financial circumstances.

It has always struck me that the stigma of bankruptcy still attaches to a Chapter XIII Plan because of the following reasons:

1. The Court is entitled a Court of Bankruptcy.
2. It is heard by the *Referee in Bankruptcy*.
3. Invariably it is reported by a credit reporting agency as a "bankruptcy".
4. A Wage Earner Plan is a bankruptcy proceeding.
5. The section of the law is Chapter XIII of the *Bankruptcy Act*.

I think that all debtors should be encouraged to try to rehabilitate themselves rather than to "take the easy way out" of straight bankruptcy, particularly when their circumstances will warrant it.

When you read the papers and see all of the "debt pooling services" for which tremendous fees are charged by the debt pooling agency and who cannot offer any real protection to the debtor from garnishments, attachments, and the like, it brings home more forcibly the need to look at constructive improvement of wage earner proceedings.

I would like to see the Referees in Bankruptcy have a new title of "Referee in Bankruptcy and in Rehabilitation Proceedings", or some other title more euphonious than "Referee in Bankruptcy". I would like to see Chapter XIII transferred to a different section of law.

We all remember when the Michigan Unemployment Compensation Commission was changed to the Michigan Employment Security Commission, whereby the emphasis was changed from paying people not to work to a constructive attempt to get unemployed people back in employment again. I would like to see the same shift in emphasis in Chapter XIII Wage Earner Proceedings so that instead of the emphasis being on the fact that it is in a Court of Bankruptcy, emphasis is placed upon the fact that this is an attempt to provide debtor security and financial rehabilitation.

I have just about given up trying to educate credit reporting services that in a Wage Earner Plan the debtor is trying, at great odds usually, to get his debts paid up, for which he should be complimented, rather than having the emphasis placed upon the fact that he has been forced into a Court of Bankruptcy for civil relief. The debtor honestly trying to pay off his creditors is subject to the same type of slurs that a person who has been guilty of bankruptcy fraud is subject to. I do not think this is right.

Because we sometimes get into stereotyped rationalization rather than pursuing pure deductive logic, I think there is a real importance in changing the name of the proceedings and even the title of the Judge who hears the proceeding so that it can be referred to as a Court of Debtor Rehabilitation, rather than a Court of Bankruptcy; also, that the Referee is Referee in Bankruptcy and Debtor Rehabilitation.

I think the recent shift in Michigan of emphasis of Probate Judges also being Juvenile Court Judges has been of some help in dealing with juveniles.

Then there is another aspect of the situation. In Chapter XIII proceedings, one of the real problems met by debtors in trying to work out a satisfactory, workable plan, is the fact that certain types of retailers exercise no restraint in selling large items with a retained security interest to improvident purchasers. It is not the corner super market that is the violator in this regard, it is the seller of the large ticket items who get consumers to agree to pay more monthly pay-

ments than they can possibly afford to handle. This not only hurts the debtor, but it makes the debtor unable to buy things on cash that he should be buying for cash, forcing him deeper and deeper into the mire. I think that a Chapter XIII, or similar proceeding Judge should be able to determine what monthly payments the debtor should be required to pay in order to be permitted to retain the household refrigerator, the household stove, and similar *essential* items. Let them repossess the color television set, the living room pieces, and so forth, but make it possible for the debtor to keep the baby bed and beds to sleep on, and refrigerator and stove, so his family can exist without the family cook being deprived of means of preparing meals for her children. And if the Referee in debtor proceedings finds that \$10.00 a month is an adequate amount to be paid to the appliance store, that should be a risk the appliance dealer takes when he sells the merchandise. He shouldn't overload the debtor with debt."

Mr. HALPERN. Mr. Chairman, I rise in support of Senate Joint Resolution 88—a joint resolution to create a Commission To Study the Bankruptcy Laws of the United States. These laws are desperately in need of study.

The present Bankruptcy Code was enacted in 1898. Its first major revision occurred some 40 years later with the enactment of the Chandler Act in 1938. At that time, the act represented what was then regarded as modern bankruptcy law. In modernizing debtor relief and rehabilitation, it took into account the social and economic changes that had transpired since 1898.

Since 1938, little attention has been given to incorporating the changes into the Bankruptcy Act that are dictated by the ever changing social and economic environment. And this inaction has come in the face of an overwhelming increase of 1,000 percent in the number of bankruptcies. This increase did not occur gradually over the 32-year period since the act's last major revision, but in the period of 1950 to 1970—a 20-year period during which the social and economic advancements made immeasurably outdistanced our total social and economic advancements from the day of our Nation's founding.

Thus, it seems wholly inconsistent and anachronistic that the financial well-being of our citizens and business community should continue to be regulated by laws tuned in to the social and economic conditions of a time that has long since faded in our memories.

Now, more than ever, a modernization of the bankruptcy laws is needed to conform its procedures and administration into a system of laws that recognizes and utilizes modern social and economic concepts in partnership with the latest technological advances to the attainment of an economical administration of bankruptcies and the sound rehabilitation and relief of debtors at a minimum of cost to them.

The urgent need of reform and modernization can be further illustrated.

Over the past several years, the Congress has enacted numerous consumer protection laws designed to curb and curtail certain fraudulent, unfair, and deceptive business practices. While doing so, however, we have all but ignored con-

sumer credit. The business world has not been similarly negligent, however. Credit continues to be available on easy and easier terms, and to assure an ever-increasing supply of even easier credit, the business community, always equal to its take, has come up with that most sophisticated of credit devices, the credit card. Inherently uneven, its ubiquity and abuse has resulted in the development of an "easy rider" credit psychology that can only have the horrendous result of further increasing personal or consumer bankruptcies which even now amount to 90 percent of the bankruptcies filed.

This tide cannot be stemmed by laws designed, as our present bankruptcy laws are, to cope with business bankruptcies. As the social and economic changes of the past 32 years indicate, and as the bankruptcy statistics dictate, now is the time for an informed Congress to act in the field of consumer bankruptcy, in particular, and the field of bankruptcy, in general. I wholeheartedly support the commission concept of Senate Joint Resolution 88. Staffed with persons having a wide variety of diversified experience and particularized skills in consumer affairs and bankruptcy practice, the Congress can be assured that it will be adequately informed and advised not only of the changes needed to avert an impending and serious crisis that will be brought about through the continued requirement of administering consumer bankruptcies with laws designed to cope with business bankruptcies, but also informed of the basic philosophy and other causes of bankruptcy as well as possible alternatives to the present system of bankruptcy administration.

Mr. RYAN. Mr. Chairman, I rise in support of Senate Joint Resolution 88, creating a commission to study the bankruptcy laws. The mandate of this Commission is broad, and I think this wise, since there are numerous problems to be examined.

The Commission's study, analysis, and evaluation are to include, in accordance with section 1(b) of the resolution, "the possible alternatives to the present system of bankruptcy administration, the applicability of advanced management techniques to achieve economies in the administration of the act, and all other matters which the Commission shall deem relevant."

I hope the Commission will undertake a thorough, in-depth examination of the present system whereby bankruptcy referees and trustees are appointed, and that it will make recommendations for reform to insure that the potential for abuse of this system is eliminated.

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

The Clerk read as follows:

S.J. RES. 88

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the Commission on the Bankruptcy Laws of the United States (hereinafter referred to as the "Commission").

(b) The Commission shall study, analyze, evaluate, and recommend changes to the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United

States", approved July 1, 1898 (30 Stat. 544), as amended (title 11, United States Code), in order for such Act to reflect and adequately meet the demands of present technical, financial, and commercial activities. The Commission's study, analysis, and evaluation shall include a consideration of the basic philosophy of bankruptcy, the causes of bankruptcy, the possible alternatives to the present system of bankruptcy administration, and all other matters which the Commission shall deem relevant.

(c) The Commission shall submit a comprehensive report of its activities, including its recommendations, to the President, and the Congress within two years after the date of enactment of the joint resolution. Upon the filing of such report, the Commission shall cease to exist.

SEC. 2. (a) The Commission shall be composed of the following members appointed as follows:

(1) three members appointed by the President of the United States, one of whom shall be designated as Chairman by the President and two of whom shall be active practitioners in the field of bankruptcy law;

(2) two appointed by the President of the Senate;

(3) two appointed by the Speaker of the House of Representatives; and

(4) two active full-time referees in bankruptcy appointed by the Chief Justice of the United States.

(b) Five members of the Commission shall constitute a quorum.

(c) A vacancy in the Commission shall not affect its powers. Any vacancy shall be filled in the manner in which the original appointment was made.

(d) Referees in bankruptcy and any other employees of the Federal Government who are members of the Commission shall serve without additional compensation. Each member from private life shall receive \$100 per diem for each day (including traveltime) during which he is engaged in the actual performance of his duties as a member of the Commission. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 3. The Commission shall have the power to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this joint resolution. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

SEC. 4. To carry out the purposes of this joint resolution, the Commission shall have the authority, within the limits of available appropriations—

(1) to obtain any research or other assistance it deems necessary;

(2) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(3) to enter into contracts or other arrangements, or modifications thereof, and such contracts or other arrangements or modifications thereof may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(4) to make advance, progress, and other payments which it deems necessary without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(5) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code; and

(6) to acquire by lease, loan, gift, bequest, or devise, and to hold and dispose of by sale, lease, or loan, real or personal property of all kinds necessary for or resulting from the exercise of authority under this joint resolution.

SEC. 5. Any office, department, agency, or instrumentality of the executive or judicial branches of the United States Government shall furnish to the Commission, upon a reimbursable basis, such advice, information, and records as the Commission may require for the performance of its duties.

SEC. 6. There are authorized to be appropriated to the Commission such sums, as may be necessary to carry out the provisions of this joint resolution.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that the Senate Joint Resolution 88 be considered as read and printed in the RECORD.

Mr. HALL. Mr. Chairman, reserving the right to object, does that include, open for amendment at any point?

Mr. ROGERS of Colorado. Yes.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 16, after the word "administration", insert the following: "the applicability of advanced management techniques to achieve economies in the administration of the act."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 20, after the word "President", insert the following: ", the Chief Justice of the United States."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 6, strike out the word "designed" and insert in lieu thereof the word "designated".

The Committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, lines 7 and 8, strike out the phrase: "and two of whom shall be active practitioners in the field of bankruptcy law"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 12, strike out the phrase: "active full-time referees in bankruptcy"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 3, after the word "appropriated", insert the following: "out of the Salaries and Expense

Fund created pursuant to Section 40c(4) of the Bankruptcy Act (11 U.S.C. 68c(4))"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 4, after the word "sums", insert the following: ", but not more than \$600,000,"

The Committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Chairman, I offer two amendments, amendment No. 1 and amendment No. 2, and ask unanimous consent that they be considered en bloc.

Mr. HALL. Mr. Chairman, reserving the right to object, can we hear the amendments before that request is granted?

Mr. ROGERS of Colorado. Mr. Chairman, I will withdraw my request.

The CHAIRMAN. The Clerk will read the first amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 3, line 14, after the word "two" insert the following: "Members of the Senate, one from each of the two major political parties,"

PARLIAMENTARY INQUIRY

Mr. WIGGINS. Mr. Chairman, a parliamentary inquiry.

I have before me a copy of the bill and I am unable to find the page and line references as to the amendment offered by the gentleman from Colorado.

Mr. ROGERS of Colorado. It is on page 3, line 14, to the language of the Senate. What we add is "Members of the Senate, one from each of the two major political parties."

That is all we do. So we divide it up equally. If the gentleman will look at line 14, after the word "two", we insert the language that has just been read. That is the way the amendment would be.

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

Mr. Chairman, if the gentleman would answer, is it his intention to submit further at the end of line 16 the same clause as to two appointed by the Speaker of the House of Representatives?

Mr. ROGERS of Colorado. Yes.

Mr. HALL. These are the two separate amendments the gentleman wanted considered en bloc?

Mr. ROGERS of Colorado. Yes, those are the two amendments.

Mr. HALL. Then, Mr. Chairman, I suggest he replace his unanimous-consent request now that we know what it is.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that the two amendments be considered en bloc.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 3, line 15, after the word "two" insert the following: "Members of the

House of Representatives, one from each of the two major political parties."

The CHAIRMAN. The question is on the amendments offered by the gentleman from Colorado.

The amendments were agreed to.

The CHAIRMAN. Are there further amendments?

PARLIAMENTARY INQUIRY

Mr. WIGGINS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WIGGINS. Since the committee amendments, which were taken from the first page of the report, do not correlate with respect to page and line in Senate Joint Resolution 88, I am fearful that the record is going to be confused. For example, in the report the second committee amendment is shown as page 2, line 20, when there is no line 20 on page 2. It is on page 3.

Mr. ROGERS of Colorado. These are amendments to the original Senate joint resolution.

Mr. WIGGINS. If the gentleman will assure me that there is no confusion—

Mr. ROGERS of Colorado. There is no intent to confuse. The page and line numbers refer to the print of the Senate joint resolution as it passed the Senate.

Mr. WIGGINS. And this is a House print of that Senate joint resolution, is that correct?

Mr. ROGERS of Colorado. That is correct.

Mr. WIGGINS. I thank the gentleman from Colorado.

The CHAIRMAN. The Clerk will report the preamble of the Senate Joint Resolution.

The Clerk read as follows:

Whereas the number of bankruptcies in the United States has increased more than 1,000 per centum annually in the last twenty years; and

Whereas more than one-fourth of the referees in bankruptcy have problems arising in their administration of the existing Bankruptcy Act and have made suggestions for substantial improvement in that Act; and

Whereas the technical aspects of the Bankruptcy Act are interwoven with the rapid expansion of credit which has reached proportions far beyond anything previously experienced by the citizens of the United States; and

Whereas there appears to be little experience or understanding by the Federal Government and the commercial community of the Nation in evaluating the need to update the technical aspects of the Bankruptcy Act and the financial policies pursued by the Federal Government and the commercial community; Now, therefore, be it

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

Mr. Chairman, with what resolution are we dealing? Are we dealing with Senate Joint Resolution 88, Union Calendar No. 430, Report No. 91-927? What are we here dealing with?

Mr. ROGERS of Colorado. The gentleman is correct. That is the Senate joint resolution that we are considering.

Mr. GROSS. How can we amend a line in a joint resolution that does not exist? How can we amend a line in a joint resolution that is not before the House?

Mr. ROGERS of Colorado. Our answer to that inquiry is simply this. The joint

resolution was referred to us by the House, and it is the original Senate joint resolution as reported that we are considering.

Mr. GROSS. I do not understand the procedure at all.

Mr. ROGERS of Colorado. It is the reported Senate joint resolution that we are considering.

Mr. GROSS. Yes, but you cannot amend line 20 on page 2 when there is no line 20 on page 2 of the Senate joint resolution.

The CHAIRMAN. The Chair will state that, when the report was filed, the committee amendments refer to the original Senate joint resolution as it was referred to the committee. The amendments as offered are applicable to Senate Joint Resolution 88 as referred to the Committee on the Judiciary.

Mr. GROSS. Mr. Chairman, with all deference to the Chair, I am still confused, and I am sure other Members are confused.

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

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

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding.

I wish to propound a parliamentary inquiry. Mr. Chairman, would it be in order and appropriate for a unanimous consent request to be made in order by all Members of the House that the technical corrections of Senate Joint Resolution 88 insofar as correlation between the report and the bill before us is concerned, and would this help the situation in engrossing and final drafting of the bill?

The CHAIRMAN. The Chair will advise the gentleman from Missouri that the report applies to the resolution as originally referred to the committee.

The Chair further advises that the unanimous consent request the gentleman suggested would not be in order at this time.

The Chair also advises that such a request could be in order in the House.

Mr. HALL. Mr. Chairman, I thank the Chair for his opinion as well as his consultant, the Parliamentarian.

I think it might be erstwhile that this be asked for by some Member of the committee in the House, because I certainly agree with my colleague, the gentleman from Iowa, that insofar as the second committee amendment is concerned, there is no line 20, and we cannot amend something that is not before the House.

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

Mr. Chairman, the Clerk has read the preamble, the so-called whereas clauses. I would like to inquire of the gentleman from Colorado why it is that these "whereas clauses" have not been stricken. Ordinarily as I recall, it is the policy of the subcommittee to strike out the "whereas clauses" from resolutions. Why is it that the "whereas clauses" are being carried along in this one?

Mr. ROGERS of Colorado. Mr. Chairman, may I offer this as an explanation. Ordinarily the "whereas clauses" that our subcommittee strikes are stricken for

the purpose of saving costs in connection with the printing thereof, and the storage of it in the Archives.

Under this circumstance, inasmuch as this is a rather important piece of legislation, we believe that the information set forth in the "whereas clauses" is important and that the Commission in their study should have it before them. That is the reason why we did not offer a motion to strike. I have no pride of authorship in connection with it, and if the gentleman wants to strike it, I have no objection.

Mr. HUTCHINSON. I just wanted to have the gentleman's explanation as to why the "whereas clauses" were being carried here while usually it is the policy to strike them.

Mr. Chairman, I would be inclined to agree with the gentleman that it is useful in this particular case to have some justification and explanation as to the need for such a commission and what its purpose should be.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Boggs) having resumed the chair, Mr. Young, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution—Senate Joint Resolution 88—to create a commission to study the bankruptcy laws of the United States, pursuant to House Resolution 970, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. 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 third reading of the joint resolution.

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

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 334, nays 12, not voting 83, as follows:

[Roll No. 196]

YEAS—334

Abbutt	Andrews, Ala.	Betts
Abernethy	Annunzio	Bevill
Adams	Arends	Blagel
Addabbo	Ashley	Blester
Albert	Barrett	Bingham
Alexander	Beall, Md.	Blackburn
Anderson	Belcher	Boggs
Calif.	Bennett	Boland

Bolling
Bow
Brademas
Brasco
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Casey
Chamberlain
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corman
Cowger
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dennis
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Fascell
Feighan
Fish
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford,
William D.
Foreman
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallifanakis
Gallagher
Garmatz
Gaydos
Gettys
Glaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover

Gubser
Gude
Hagan
Haley
Halpern
Hamilton
Hammer-
schmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hébert
Hechler, W. Va.
Heckler, Mass.
Heistowski
Henderson
Hicks
Hogan
Hollifield
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
King
Kleppe
Kluczynski
Koch
Kyros
Landgrebe
Langen
Leggett
Lennon
Lloyd
Long, Md.
Lowenstein
McCarthy
McClary
McCloskey
McCulloch
McDade
McDonald,
Mich.
McEwen
McFall
McKneally
McMillan
Macdonald,
Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Matsunaga
Mayne
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Mills
Minish
Minshall
Mizell
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patten
Pelly
Perkins
Pettis

Philbin
Pickle
Pike
Pirnie
Poage
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Roberts
Rodino
Roe
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Schadeberg
Scheuer
Schneebell
Schwengel
Scott
Sebelius
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watts
Welcker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wolf
Wright
Wyatt
Wylder
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—12

Ashbrook
Brown, Ohio
Chappell
Devine

Gross
Hall
Kyl
Miller, Ohio

O'Konski
Rarick
Scherlie
Wylie

NOT VOTING—83

Adair
Anderson, Ill.
Anderson,
Tenn.
Andrews,
N. Dak.
Aspinall
Ayres
Baring
Bell, Calif.
Berry
Blanton
Blatnik
Bray
Brock
Cabell
Carey
Cederberg
Celler
Chisholm
Clancy
Clark
Clausen,
Don H.
Conyers
Corbett
Coughlin
Cramer
Daddario
Dawson

Denney
Dickinson
Edwards, La.
Evins, Tenn.
Farbstein
Findley
Flowers
Frey
Gilbert
Hansen, Idaho
Hastings
Hawkins
Hays
Horton
Hosmer
Jarman
Jones, Tenn.
Keith
Kirwan
Kuykendall
Landrum
Latta
Long, La.
Lujan
Lukens
McClure
Mailliard
Mann
Mathias
May

Meeds
Mink
Mize
Mollohan
Montgomery
Morton
Passman
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Pepper
Podell
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Pollock
Powell
Purcell
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Rivers
Robison
Roudebush
Saylor
Sikes
Smith, Iowa
Stephens
Tunney
Vander Jagt
Watson
Wilson,
Charles H.
Wold

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Adair.
Mr. Edwards of Louisiana with Mr. Dickinson.
Mr. Daddario with Mr. Ayres.
Mr. Carey with Mr. Horton.
Mr. Long of Louisiana with Mr. Bray.
Mr. Blatnik with Mr. Findley.
Mr. Aspinall with Mr. Anderson of Illinois.
Mr. Jones of Tennessee with Mr. Kuykendall.
Mr. Blanton with Mr. Don H. Clausen.
Mr. Cabell with Mr. Frey.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Passman with Mr. Hansen of Idaho.
Mr. Patman with Mr. Brock.
Mr. Rivers with Mr. Hastings.
Mr. Sikes with Mr. Hosmer.
Mr. Tunney with Mr. Bell of California.
Mr. Jarman with Mr. Cederberg.
Mr. Baring with Mr. Berry.
Mr. Clark with Mr. Corbett.
Mr. Hawkins with Mr. Pollock.
Mr. Meeds with Mr. Mathias.
Mr. Mollohan with Mr. Clancy.
Mr. Charles H. Wilson with Mrs. May.
Mr. Pepper with Mr. Coughlin.
Mr. Mann with Mr. Keith.
Mr. Anderson of Tennessee with Mr. Denney.
Mr. Montgomery with Mr. Cramer.
Mr. Smith of Iowa with Mr. Latta.
Mr. Stephens with Mr. Lukens.
Mr. Kirwan with Mr. Powell.
Mr. Farbstein with Mr. Conyers.
Mr. Flowers with Mr. McClure.
Mr. Celler with Mr. Morton.
Mr. Landrum with Mr. Poff.
Mr. Podell with Mr. Reifel.
Mr. Gilbert with Mr. Robison.
Mr. Purcell with Mr. Roudebush.
Mr. Mailliard with Mr. Saylor.
Mr. Lujan with Mr. Vander Jagt.
Mr. Mize with Mr. Watson.
Mr. Dawson with Mr. Wold.

Mr. ZION changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Senate joint resolution just passed and to include extraneous matter.

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

There was no objection.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1118 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1118

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. 16065) to amend the National Foundation on the Arts and the Humanities Act of 1965, as amended. 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. After the passage of H.R. 16065 it shall be in order in the House to take from the Speaker's table the bill S. 3215 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 16065 as passed by the House.

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

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

Mr. Speaker, this rule is an open rule with 1 hour of general debate. The only unusual provision in the House—and it has become relatively customary—is that it provides for getting the bill to conference by taking the Senate number and putting the House-adopted language under it.

There is some controversy over this matter, but I understand that the bill was reported out of the Committee on Education and Labor—which is not always known for its bipartisanship—by a strong and even overwhelming bipartisan majority.

I understand it is also strongly supported by President Nixon in its present form.

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

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

Mr. GROSS. The gentleman referred to the language to be found on page 2 of the resolution which makes this bill in

order. I might call it monstrosity, but I call it a bill at present.

Would it not be possible to go to conference without this language?

Mr. BOLLING. It would be possible to go to conference without this language, but this expedites going to conference.

Mr. GROSS. That is what I thought. It might expedite it if the Senate passed a bill for \$80 million or something of that kind. It might expedite getting that bill through. Does the gentleman agree?

Mr. BOLLING. I do not see how that could happen. In the event the Senate turned up with a larger figure somehow, which I cannot conceive in the legislative circumstance, since the Senate has passed a bill, on the question of the conference, if the Senate came up with a larger figure, it would have to come back to the House again.

Mr. GROSS. At any rate, without this language the bill could get to conference. Is it merely to expedite the passage of this legislation?

Mr. BOLLING. To expedite the passage not of this particular bill but to expedite final action on the whole matter.

Mr. GROSS. In view of some of the economy talk we have heard around here, was there any representation made to the Rules Committee, by the sponsors of this latest raid on the Treasury, as to the position of the administration on this 100-percent increase to \$40 million in the authorization for this particular purpose?

Mr. BOLLING. It is the understanding of the gentleman from Missouri that the administration supports the provisions of this bill that this rule makes in order, H.R. 16065, and that includes the money. I understand that the administration—in fact, the President himself—is specifically on record as favoring the provisions of this bill.

Mr. GROSS. So this is quite different, then, from the construction of hospitals and other medical and health facilities. This is a quite different situation. The administration does support this 100 percent increase without any reservation whatever.

I just wanted to be clear about it, because I want to be guided as to what my position might be if the President vetoed this legislation.

Mr. BOLLING. Is the gentleman trying to put the gentleman from Missouri in the position of defending a veto, as to which the gentleman from Missouri voted to override?

Mr. GROSS. No; not at all, because the gentleman from Iowa also voted to override the veto.

Mr. BOLLING. I believe these are two separate subjects. That would be the point.

Mr. GROSS. I should like to know where I am going when I start, that is all, I say to my friend from Missouri.

Mr. BOLLING. I do not want to appear to extend the colloquy, but the President's position on the one matter is clear to me. On the other matter it was unclear. I take it that the gentleman from Iowa and I do not quite agree on this bill, but we did on the other.

Mr. GROSS. My position is clear to me on this bill.

Let me ask this question: Was it de-

veloped in the hearings whether this 100-percent increase is budgeted?

Mr. BOLLING. Not to my knowledge. It was not developed in the hearings before the Committee on Rules.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

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

Mr. REID of New York. I should like to address myself to the two points raised by the gentleman from Iowa.

First, on March 31 of this year the President said:

In urging the Congress to approve a \$20 million program for the National Endowment for the Arts, and an equal amount for the National Endowment for the Humanities, I maintained that few investments we could make would give us so great a return in terms of human satisfaction and spiritual fulfillment. More than ever now, I hold to that view.

Further, I would say to the gentleman, we do have a letter dated June 29, 1970 from the Bureau of the Budget, from Richard P. Nathan, Assistant Director, in which he confirms the administration's support for a \$40 million funding level for the National Foundation on the Arts and Humanities in the fiscal year 1971.

Mr. Nathan says:

This will confirm the Administration's support for a \$40 million funding level for the National Foundation on the Arts and the Humanities in fiscal year 1971. We understand that you requested such a confirmation of the Administration's proposals.

In his December 10, 1969, Message on the Arts and the Humanities the President asked that "the Congress approve \$40,000,000 in new funds for the National Foundation in fiscal 1971 to be available from public and private sources." These funds were requested in the President's 1971 Budget which was submitted to the Congress on February 2, 1970 (see pages 482-89).

The President reiterated his support of the Foundation in his Messages of February 19 and March 31 transmitting the annual reports of the Humanities Endowment and the Arts Endowment.

The President has gone on record approximately four times in support of the bill and the Bureau of the Budget has agreed to it.

Mr. BOLLING. Does the gentleman from Iowa desire me to yield to him further?

Mr. GROSS. For one comment. I just wanted to get the President on the record for the fifth time. The gentleman from New York says he is on the record four times. I want to get him on record the fifth time.

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

Mr. BOLLING. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. I wonder if my colleague from New York, who read the excerpt of the President's speech, would give us some idea of the peculiar standards observed by the President in vetoing the hospital bill and in being for this bill? I can support this bill, but I am somewhat intrigued by this double standard.

Mr. REID of New York. Will the gentleman yield to me?

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

Mr. REID of New York. I thank the gentleman for yielding for the purpose of answering the question of the gentleman from Illinois. The President said relative to this general point on December 10:

At a time of severe budget stringency, a doubling of the appropriations for arts and humanities might seem extravagant. However, I believe that the need for a new emphasis to the understanding and expression of the American idea has a compelling claim on our resources. The dollar amounts involved are comparatively small. The Federal role would remain supportive, rather than primary.

I think the President's position is clear on the record on this. He recognizes that the funds here are supportive and that Federal seed money generates four or five times the amount of actual Federal funds in matching funds, private gifts, and State support.

Mr. PUCINSKI. With all due respect to the explanation, I must say that I am still unable to get an answer on how the President arrives at the double standard of saying that the medical needs of the country are not as compelling, so he vetoes that bill and then tells us that we ought to go ahead and double the appropriation for this particular bill. All I want to know is what is the rationale and how do they arrive at the double standard for meeting human needs.

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

Mr. Speaker, House Resolution 1118 provides an open rule with 1 hour of debate for the consideration of this bill, H.R. 16065, to amend the National Foundation on the Arts and Humanities Act of 1965, as amended.

As the gentleman from Missouri (Mr. BOLLING) stated, on passage of the House bill the language of S. 3215 would be substituted.

The purpose of the bill is to authorize funding for 3 years—through 1973 of the National Foundation on the Arts and Humanities, and to make several amendments in the basic Act.

For fiscal 1971 the bill authorizes \$40,000,000. Such sums as may be necessary are authorized for each of 1972 and 1973.

The committee has made several recommendations for the Foundation to consider in its future operations: First, each State arts council should receive at least \$75,000 per year; second, museums, symphony orchestras and dance groups should receive more assistance than heretofore.

No agency letters are included in the report.

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

Mr. SMITH of California. I am glad to yield to the gentleman.

Mr. BUCHANAN. I wonder if the gentleman will tell me if there is any mandatory spending in this legislation.

Mr. SMITH of California. Not that I know of.

Mr. BUCHANAN. Then, the President's position on a mandatory spending clause in other legislation would have no pertinence to this matter.

Mr. SMITH of California. That is the way I understand it, but I am not speaking for the President. Does that answer your question?

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Speaker, we are asked today to approve an authorization for the National Foundation on the Arts and Humanities that will cost us a minimum of \$180 million over the next 3 fiscal years. The bill for fiscal 1971 alone will amount to \$40 million—a 100-percent increase over last year's authorization.

I want to know and the taxpayers of this country want to know—why? What justification can we offer for voting such a giant increase in this program?

Throughout this session of Congress, we have been urged, coaxed, cajoled, and threatened with economic disaster if we did not pare spending to a minimum. Time and time again President Nixon has reiterated the urgent need for fiscal responsibility—in his budget message, when he vetoed the HEW appropriations bill and the hospital construction bill, and when he asked for a higher debt ceiling. He spoke of "the need to determine priorities in the use of limited Federal dollars in holding down Government spending to avoid a large budget deficit in fiscal year 1971." He said:

I want, and indeed I must have, the support of Congress to stay within this budget.

Total inconsistency. Why not include this bill? What is so sacred here?

Our distinguished minority leader (Mr. FORD) reminded us only last week:

Excessive Federal spending has caused the inflation we are experiencing today, today those who vote to increase Federal spending can be charged and charged legitimately with helping to increase inflation.

As the gentleman from Michigan knows, the people of his own district voted overwhelmingly in favor of balancing the Federal budget rather than increasing the level of spending for Government programs. I am convinced that the vast majority of the people in all our districts feel just as strongly about this as Mr. FORD's constituents.

We are not a culturally deprived nation. The gentleman from New York (Mr. REID) would have us believe that, compared to other, less wealthy nations, we are miserly with our contributions to the arts and humanities. I submit that this is not the case. America's cultural heritage is rich and flourishing. It fills me with a sense of pride in the national accomplishment to realize that American private enterprise supports fully one-half of the world's symphony orchestras. We have the most vigorous and prolific publishing industry in the world. Our musicians and dancers are second to none and our artists are trend setters the world over. These cultural achievements have been accomplished for the most part in the true American tradition, independently of Government support, supervision or control, and I am proud of them.

The Federal Government, moreover, has not pinched pennies in its contributions to the arts and humanities. The budget for the National Foundation of that name by no means tells the whole story. Proponents of the 100 percent increase like to point out that New York

State alone voted \$20 million for the arts and humanities. But the State of New York includes many items in its budget for the arts and humanities, such as libraries, which the Federal Government funds under separate programs.

Virtually every department of Government subsidizes the arts in one way or another, and I can itemize these contributions chapter and verse for any interested Members. The State Department spent \$31.5 million on cultural exchange programs last year. The Smithsonian Institution received \$33 million. The Kennedy Center for the Performing Arts got \$56.7 million of the taxpayers' money. The National Gallery of Art has a budget of \$3.5 million. HUD financed a \$13 million housing project for artists and their families in New York City. The list is endless, and the hidden generosity of the Government to the arts and humanities almost bottomless.

In view of these contributions, I find the pleas of poverty very strange and the demands for huge increase in Federal funding exorbitant. In the name of economic austerity we have repeatedly slashed funds for programs vital to the Nation's interest—defense, education, health, agriculture and veteran benefits. Is this what we have cut them for—budget?

The National Foundation on the Arts and Humanities wants to double the outlay for opera in 1971, and give an extra \$5 million to symphony orchestras. Yet it has been estimated that if everyone in this country and Europe were given the opportunity to attend classical music concerts free of charge, only 3 to 5 percent of the population would take advantage of it.

The Foundation plans to increase its staff by 30 full-time permanent employees—an increase of 36 percent—in order to cope with the expected additional funds. Yet one of the justifications offered for the new budget is the bigger payroll—clearly a case of the tail wagging the dog. It is difficult to see just how these new bureaucrats will spend their time. Relatively few new programs have been recommended for fiscal 1971.

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

Mr. SMITH of California. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa.

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

Mr. Speaker, most of the additional money will go in larger lumps to the same recipients. But if it takes one man to write out a check for \$1 million, it does not take two men to write out a check for \$2 million.

The Endowment for the Humanities has spent millions of dollars for black studies programs. Yet the director of one of these programs, The Conference on African and Afro-American Studies attacked black studies as "irrelevant, white-oriented courses with black labels." And black leaders themselves have questioned the validity of such courses to help disadvantaged blacks to get good jobs.

Both the Endowments for the Arts and Humanities have funded numerous proj-

ects of dubious value. Perhaps the best known of these is the \$750 award for the seven-letter poem "light."

That is the entire poem.

Mr. MAYNE. Mr. Speaker, will the gentleman yield on that particular point?

Mr. SCHERLE. Not at this time. I am sorry. But I can furnish a long list of other examples. Suffice it to say that the track record of the Foundation is not all that it might be. This Representative remains unconvinced of the necessity or the justifiability of granting the Foundation a 100-percent increase in funds at a time when the Nation is holding us gravely accountable for every precious tax dollar.

And I want to make a statement here and now that I am totally opposing the President as far as his stand is concerned.

Mr. MAYNE. Mr. Speaker, will the gentleman yield at that point?

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

Mr. MAYNE. Mr. Speaker, I heartily agree with the gentleman from Iowa that spending \$750 for a poem consisting of one word is absolutely indefensible and I join with him in his condemnation of such a boondoggle, but I am sure that the gentleman did not wish to leave the impression with this House that any such foolish expenditure as that can be charged to the present administration of the National Endowment for the Arts, or to the very efficient and charming Chairman of the Endowment, Miss Nancy Hanks. The gentleman did not mean to leave that impression, that this occurred during her administration, did the gentleman?

Mr. SCHERLE. Yes, I do. And I want to tell my colleagues this—

Mr. MAYNE. But that expenditure occurred more than 2 years ago, long before Miss Hanks took over.

Mr. SCHERLE. If my friend, the gentleman from Iowa, will let me continue just a moment, I will try to explain this.

This program was refunded during the year of December 1969, after this charming lady took over, to whom the gentleman has referred.

Now, if I may continue, if you think that is bad I repeat that I will—

Mr. MAYNE. Mr. Speaker, if the gentleman will yield further, I would like to respond further on this point about the one-word poem.

Mr. SCHERLE. Mr. Speaker—

The SPEAKER pro tempore. The House will be in order.

Does the gentleman wish to yield further to the gentleman from Iowa (Mr. MAYNE)?

Mr. SCHERLE. No, I do not.

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

Mr. SCHERLE. Yes, I will yield to my colleague, the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I want to commend my colleague from Iowa for the outstanding statement that he has made. I for one entertain no ifs, ands, or buts about this legislation. It is a monstrosity, an unjustified raid on the taxpayers for the benefit of a comparatively few people regardless of what my colleague, the gentleman from Iowa (Mr. MAYNE) may think about it.

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

Mr. SMITH of California. I understand that the gentleman has 10 minutes in general debate, but I will yield 30 seconds to him to complete this very interesting discussion.

Mr. MAYNE. Mr. Speaker, will the gentleman from Iowa yield so that I can respond to his statement?

Mr. SCHERLE. I am sorry I do not have the time at this point. However, I do want to say to the House, if you think the poem or word "light" is expensive, you wait until I get through enumerating what we have in these books, these anthologies that have been published and when you see what we have there, I am sure you cannot support this legislation.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding. I do so just for the purpose of talking about the anthology, that has been brought up.

First of all, this program was established in 1967 to create an annual anthology of the best writing in poetry, criticism, essay, and short fiction which appeared during the prior year in all of America's small literary magazines of limited circulation. Second, the poem was chosen by a jury of three established poets, two of whom were winners of the Pulitzer Prize. More than that, the anthologies which have been published were done so on a rotating basis by the major U.S. publishers on a nonprofit and no-cost basis to the Government. Endowment funds went directly to the writers and editors.

But more to the point, the Endowment has terminated—and I repeat—has terminated its support for future anthologies and in the future funding will only be to finance future creative activity rather than to give recognition for past accomplishments. So, the new chairman is making a change.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Speaker, for the purpose of clarifying the record, I think the gentleman from Iowa (Mr. SCHERLE) should be interested in learning, and apparently for the first time, that the one word poem to which he and I both object was selected by the American Literary Anthology, way back in 1968. The payment for it using endowment funds also occurred in 1968, more than 2 years ago, and a very considerable time before the present chairman of the endowment, Miss Nancy Hanks was appointed by President Nixon in the autumn of 1969. I am certainly satisfied from the very efficient and businesslike way in which Miss Hanks has been operating the office that she would have no part in making any such ridiculous grant in the future. It would be highly unfair and inaccurate for anyone to leave the impression that Nancy Hanks was in anyway responsible for the 1968 grant to the author of the poem "light" which occurred under a previous chairman.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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. 16065) to amend the National Foundation on the Arts and the Humanities Act of 1965, as amended.

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. 16065) with Mr. YOUNG 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 New York (Mr. REID) will be recognized for 30 minutes.

The gentleman from Kentucky (Mr. PERKINS) is recognized.

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

Mr. Chairman, I am pleased to present to the House today H.R. 16065, a bill to amend the National Foundation on the Arts and Humanities Act of 1965.

This measure was voted out of our committee by a vote of 22 to 1. The Arts and Humanities Act of 1965 has had broad bipartisan support since its first enactment and the bill we present today continues to receive broad support from citizens throughout the country, from organizations and from members of both parties.

In urging extension of the laws authorizing the National Foundation on the Arts and Humanities, President Nixon last December said:

The attention and support we give the arts and humanities . . . represent a vital part of our commitment to enhance the quality of life for all Americans.

In an age when there is no commercial or economic activity which is not in some fashion subsidized from Government financial resources, it would be tragic indeed if we did not give some measure of stimulation and encouragement to the work of the artists and scholars so that their works might be broadly available in every area of the land to all citizens to enrich their lives.

In this respect H.R. 16065 extends the life of the National Foundation on the Arts and Humanities Act of 1965 for 3 years authorizing modest levels of funding.

The bill contains the following major provisions:

First, it provides an authorization of \$40 million for fiscal year 1971 and such sums as may be necessary for fiscal years 1972 and 1973.

Second, it provides for a minimum allotment of \$75,000 for each State arts council. These are the agencies created within the 1965 act by the State to encourage arts programs within the respective States.

Third, it provides for the establishment of executive committees on the arts and

humanities within the larger national councils in order to provide a mechanism for making interim decisions between the meeting of the national councils—subject to ratification by the national councils upon their meetings.

Fourth, a new provision would allow the chairmen of the two endowments to serve beyond their four-year terms but only until their successors have been named and qualified.

Fifth, the bill contains minor amendments to the basic law permitting changes in the rates of compensation for members of the National Council, providing authority for both endowments to make contracts as well as grants and permitting advance and progress payments to institutes and organizations where appropriate for startup costs.

The 8 days of hearings conducted by the Select Subcommittee on Education of our committee produced evidence which discloses that both endowments have made significant contributions to the effort to encourage art and humanistic study and research and to broaden opportunities for public consumption.

Through the work of the State arts councils alone the arts endowment has made it possible for programs in the arts to reach into the lives of more than 30 million Americans.

These have included projects in every one of the arts disciplines—the visual arts, theater, literature, dance, architecture, music, and arts education.

Mr. Chairman, the congressional district that I am privileged to represent in the Congress is, as my colleagues know, a part of that greater community of our Nation which we refer to as Appalachia.

Because of my intimate acquaintance with this area I have always been greatly touched by the talent in art that lies in almost every community of Appalachia. Its poetry, its folksong, its dance, are legendary, and I am pleased with the number of projects undertaken through the auspices of this legislation in the arts and humanities in the 13-State area defined as Appalachia. For example, through grants made by the humanities endowment, high school and college students and teachers at Beech Mountain folklore training program at East Tennessee State University, Johnson City, Tenn., and Alice Lloyd College at Pippa Passes, Ky., and Lees Junior College in Jackson, Ky., will collect and make available, for the first time, an enormous amount of oral history tracing the folk songs and lore of the two-State region.

A unique mountain heritage program has been undertaken by the West Virginia Arts and Humanities Council, to introduce Appalachian young people and many of their parents to long-neglected aspects of their genuine cultural heritage and develop their appreciation for it. Matching funds for this purpose—and for upgrading the teaching of music, dance, and literature from the early periods of Appalachian history—have been made available by the humanities endowment.

While I have not had the privilege of personally reviewing some of the activities in the arts and humanities stimulated by the endowments, I have received quite a few favorable reports, one of

which involved a grant of \$7,500 to the West Virginia Arts and Humanities Council to aid in the development of a new kind of outdoor drama.

This was to be a play based upon the legend of the Hatfields and the McCoys. I am told that instead of emphasizing pageantry and pomp the script to be developed was to concentrate on the human beings involved in the story.

Let me share with you reviews from two of the Nation's major newspapers after the production opened a week and a half ago. Writing in the Post, drama critic Richard Coe ends his reviews by saying:

In sum, "Hatfields and McCoys" is a rich, wholly professional and impressive addition to the outdoor musical plays which have been finding themes and audiences totally unknown in the more publicized branches of our theatre.

And, from the New York Times:

Far from Broadway, in the mountains of Appalachia, a new chapter in outdoor theater and an image of the mountain man far different from the comic stereotype of cartoons was created here (in Beckley, W. Va.) Saturday night with the premiere of "Hatfields and McCoys".

Written by a native West Virginian, Billy Edd Wheeler, a folk singer, hit-song writer, poet, painter and sculptor, the production was set to music and staged by Ewel Connet, who conceived and built the Louisville, Kentucky Actors Theater and the West Virginia Institute of Performing Arts.

Gone are the Indian dance, the pageantry, the cliché characters, the overture and the chorus amplifying the line of dialogue.

The chorus in this production is essential to advancing the story line. As for the musical drama, it pictures the Appalachian citizen as a man who speaks in the mountain idiom—but, at the same time, it reveals him as a man of worth, pride and dignity, for all his rugged background.

Mr. Chairman, I am told that these regional experiences with respect to the endowments have been the case in every area of our Nation.

For every dollar which the Federal Government has contributed, State councils on the arts and humanities have raised nearly \$3.50.

Federal funds authorized by this legislation have not only brought artistic endeavors closer to the people but have stimulated their support from private and local sources.

I urge my colleagues to join with me in passage of H.R. 16065.

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

Mr. PERKINS. I yield briefly to the gentleman from Iowa.

Mr. GROSS. Does the gentleman agree with the open ended authorizations in this bill?

Mr. PERKINS. It has been the custom of the committee in the past to close those ends, but they have to be a reasonable figure. I have no objection personally to a reasonable figure. But our hearings disclose that it would have to be above the \$40 million.

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

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

Mr. QUIE. I thank the gentleman for yielding, and especially for his comments

in support of the authorization of at least \$75,000 for each of the States art councils. As was pointed out very well in the report, State art councils were not in operation for the most part at the inception of this act. Since then they have been established in most of the States and some of the territories.

Beginning on page 7 there is an indication of State arts council funding in 1970. The State of the gentleman from Kentucky receives more than \$75,000, as does my own State of Minnesota receive more than \$75,000. So it is not a selfish interest of the gentleman from Kentucky or myself that we desire this provision in the act. As it is referred to in page 8, you can see a number of States which would have their State councils supported to a greater amount than they presently receive.

Mr. PERKINS. I agree wholeheartedly with the gentleman from Minnesota. I feel this amount allocated to the States is an amount that is needed. Certainly it will give much stability that the program does not have at the present time.

Mr. REID of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, I hold up before the Committee two books. One book cost the taxpayers \$55,000 to produce, and the second one cost the taxpayers \$53,000 to produce. I do not know how many Members have read these books, but the book on Literary Anthology No. 2 is quite significant. It is impossible for me to read to the Members some of the things the taxpayers have paid for in this book, because it is against the rules of the House to do it. I do invite the Members to come down and look at these books. They compete very well with underground newspaper language.

In response to the gentleman from Iowa, the program which paid for that seven-letter word "Lighth" bill was made refunded in December 1969 when this new administration was in charge.

Let me show the Members one page here which cost the taxpayers of this country \$750, with \$500 to the man who wrote the poem. It did not take a great deal of ingenuity to do it. Has anyone figured out what "Lighth" means? Can anyone even pronounce this poem? At that price, however, it is certainly not free verse.

The total cost of the first three volumes is \$174,000, but I am waiting with bated breath to see what we have in volumes III and IV, because these first two will keep one awake at night—but do not let children read them. The American people and press do not approve of this program.

Mr. Chairman, I insert several newspaper articles and letters about this program:

[From Human Events, Mar. 28, 1970]

TAXPAYERS FOOT \$750 "LIGHGT" BILL

While the House Education and Labor Committee has approved a \$20-million, Administration-backed increase for the National Foundation on the Arts and Humanities Act, Rep. William Scherle (R.-Iowa) has unearthed some highly peculiar projects funded under this legislation.

Scherle has disclosed that in 1966 the National Endowment for the Arts—set up

through the act—began dispensing federal funds to New York "society playboy and jet-setter" George (*The Paper Lion*) Plimpton to hand-pick a panel of judges, who, in turn, select prose and poetry reprints to be published in Plimpton-edited anthologies. At the present time, two volumes have been published and a third is due in June. Plimpton's literary crew is currently editing Volume IV. So far Plimpton's program has been able to tap the public trough for \$200,000, with authors "earnings" as much as \$1,000 for a selected item.

A glance at the operation reveals that the Plimpton-selected judges are extremely generous to Plimpton's friends and literary acquaintances. In the first volume, for instance, six of the 29 winning poems came from the magazine *Paris Review*, which, oddly enough, is edited by Plimpton himself.

The panel's poetry and poem selections, furthermore, are spiced with four-letter words, vitriolic attacks against the U.S. military, our role in Viet Nam and strange-sounding titles like "A-15" and "A-18," which were written by the same author in successive years.

The "topper of this tomfoolery," stressed Scherle, is the awarding of a prize to Aram Saroyan, son of the noted American author William Saroyan.

His masterpiece—printed below—is the seven-letter word "lightht," an exotic spelling of light. The poem cost the taxpayer \$750, or \$107.14 per letter. When an astounded staff member in Scherle's office informed Plimpton the poem left him somewhat bewildered, Plimpton shot back that his "middle-American" background made him "unqualified" to understand it.

Nor is this all. In the soon-to-be released Volume III, the culturally deprived American will be exposed to the literary talents of part-time U.S. senator and full-time poet Eugene McCarthy. The Iowa lawmaker points out that McCarthy tapped the federal treasury for \$500 for poetically describing his Indiana campaign experiences during his quixotic quest for the presidency in 1968. Plimpton, coincidentally, was an avowed and avid supporter of McCarthy's bid.

"This brazen project," charges Scherle, "is merely one element of the National Foundation of the Arts and Humanities. Congress will consider additional legislation shortly which will increase the funding for the Foundation 100 per cent to \$40 million. Unfortunately, the Education and Labor Committee has granted approval to this tampering of the federal till over my lone negative vote. . . I will therefore offer an amendment to reduce the spending level of that agency below that of last year.

"Culture should not be spoon-fed to an effete elite at the expense of the general public. There exists in this country a thing called free enterprise. If seven-letter poems turn on some people, then they should pay for the joy rather than force our hardworking taxpayers to subsidize their cultural taste."

A minority report on the bill—largely the work of Scherle—points out that when the House Education and Labor Committee approved the \$20-million hike, there were no copies available of the printed hearings or the foundation's 1969 report. Nevertheless, the committee rapidly approved extension of the act for three years, authorizing \$40 million the first year and leaving the authorization open-ended for the second and third.

The report further stresses that arguments for the act are based on the erroneous premise that there is no federal aid to the arts. Yet the federal government is actually making substantial grants and loans to colleges, universities and their students, both graduate and undergraduate, for study, teaching and research into the arts and humanities. Moreover, private foundations contribute heavily to the arts, while the American pub-

lic, through the free enterprise system, supports the arts by purchasing books, phonograph records, musical instruments, etc.

The report also recalls that America's literary geniuses—Mark Twain, Nathaniel Hawthorne, John Dos Passos, George Santayana, etc.—flourished when the federal government provided virtually no aid of any kind to the arts.

Several years ago, while the act was in its infancy, Russell Lynes, one of the editors of *Harper's*, wrote: "I am not worried about creeping socialism in the arts, but about creeping mediocrity. The less the arts have to do with our political processes, I believe the healthier they will be."

[From the Waterloo (Iowa) Courier, Mar. 24, 1970]

THIS SHOULD BECOME GREATEST POEM OF CENTURY

Considerable national attention is being paid to the fact that a poem consisting of seven letters which do not constitute a word has been awarded a \$750 prize by the National Foundation for the Arts.

This is a tax-supported agency established by Congress to pass out your money to promote culture.

A New York playboy by the name of George Plimpton was given \$55,000 of the foundation funds to award poetry prizes and publish the winners in a federal anthology.

The \$750 prize-winning poem was written by Aram Saroyan, son of William Saroyan. This is the poem:

"Lightht."

Some will say that this is not worth a \$750 prize; but we disagree. Our inclination would have been to use an obscene, four-letter word to describe the idea of passing out tax money for poetry which no more than 10 or 20 people read. But Saroyan has obviously been so ingenious as to coin a clean new seven-letter word to describe such nonsense.

Obviously, there is only one meaning for "Lightht." It is a word for something that is so stupid that there is no existing word in the language capable of expressing the stupidity.

WHERE THE TAXPAYERS' MONEY GOES . . .

(By Robert S. Allen and John Goldsmith)

President Nixon is due for a big disappointment if he is counting on Congress' voting the \$40 million he has urged for the National Foundation on Arts and Humanities.

That's double the amount of last year's appropriation for the foundation. And in this highly uncertain election year, with other more urgent priorities being drastically pruned on economy grounds, Congress is not likely to appreciably increase spending for culture and the arts.

In fact, the foundation will be very lucky if it gets as much as was granted last year—\$20 million.

Indicative of that is the backstage uneasiness over the prospects of the bill authorizing a three-year extension of the foundation—with \$40 million for the first year and a blank check for the other two.

Although this measure was approved by the House Education and Labor Committee weeks ago, Chairman Carl Perkins (D-Ky.) has so far done nothing to bring it before the full House.

There has been ample opportunity for him to do that, but he has made no use of it. When he will be conjectural. Perkins refuses to discuss the matter.

Unquestionably, an impelling reason for his wary reluctance is the certainty that this legislation faces a slashing fight. Even with White House backing and strong committee endorsement, the bill is in deep trouble—and Perkins apparently is stalling in the hope that time will enhance its prospects.

So far as the general public is concerned,

the measure is virtually unknown—despite the fact it carries a \$40 million price tag.

Very little has been said or reported about it. But, that little brought a flood of intensely critical and indignant mail.

Reason was the disclosure by Rep. William Scherle (R., Iowa), committee member, that fancy largesses were being dished out by George ("Paper Lion") Plimpton for curious poetry and other remarkable contributions to the American Literary Anthology.

So far, some \$200,000 of taxpayers' money has been spent on this so-called Anthology. It is part of the literature program of the National Endowment for the Arts, an activity of the foundation.

Scherle uncovered that Plimpton, well-known jet-setter and literati, has received around \$30,000 for staff and administrative expenses. He was made head of the literature program by Roger L. Stevens, guiding spirit of the \$50 million-plus Kennedy Center for the Performing Arts being built on the Potomac River near the world-famed Lincoln Memorial.

Through Stevens' zealous lobbying and wheedling, the government has contributed more than \$30 million to this grandiose project.

Highlights of Scherle's Revelations that brought a deluge of outraged mail:

\$500 paid to Sen. Eugene McCarthy (D., Minn.) for a short poem on his campaign in Indiana for the 1968 presidential nomination. Plimpton was an ardent McCarthy backer.

Seven poems and two pieces of prose selected from the "Paris Review," a magazine edited by Plimpton and published in New York. Under the intriguing financial practice of the literary program which Plimpton heads, not only does the Anthology pay the writer but also the publication from which his work is selected. Thus Plimpton profited neatly through his "Paris Review."

\$500 paid to Aram Saroyan, son of author William Saroyan, for a baffling seven-letter poem—"LIGHGHT." The magazine in which it first appeared also got \$250—for a total cost to taxpayers of \$750.

\$500 to Louis Zukofsky for a poem title "A-15," and the same amount for another poem "A-18."

\$500 to LeRoi Jones, a white-hating black militant, author and playwright.

\$1000 to William Penn Warren for an article "Malcolm X: Mission and Meaning." Also \$500 to the Yale Review where it first appeared.

So far, two Anthologies have been published and a third is in production. Their proclaimed purpose is to "encourage and assist writers of merit and the editors who publish their works." Each contains about 75 authors. The 1968 edition sold some 7500 copies, 4500 of them hard-covered at \$6.95 each.

In the van of irate protests are letters from unrequited poets, frustrated authors and others. Following are a few examples.

A six-letter poem from a writer who claimed it was as good as the seven-letter masterpiece for which Plimpton paid \$750 of taxpayers' money. The six-letter creation—"DARARK."

A letter from an editor of a Midwestern poetry magazine: "We have sent Mr. Plimpton copies but have never received any recognition. We have been publishing poetry for nearly 25 years without a penny of government subsidy. No one gets a salary or administrative expense. We plan to continue without asking for government money. We also think our poetry is much better than that published by Mr. Plimpton."

From a California police chief, who submitted what he called the "world's shortest poem with the world's longest title"—"How to Become Brainwashed by Any Number of the Best Possible Suds: Soap, Beer, Seltzer and Other Belch-Producing Effervescents,

Such As Weekly Serials (Cereals?), Broad and Narrow (?) Casters, and Commentators." The poem reads "TV."

A Marquette University associate professor of philosophy wrote he had been trying unsuccessfully for some time to get a literary grant from Plimpton. "It is very dismaying," said the Milwaukee educator, "for serious applicants to see awards meted out in such a frivolous way."

Rep. Scherle has served notice he will vigorously press an amendment to hold the foundation's appropriation down to the same amount as last year—\$20 million.

Declaring he is not against art and culture, Scherle contended there is no reason why they should be singled out for favored treatment when other more urgent needs are being sharply reduced.

"It is ironical," said Scherle, "that at the very time there is no money in the budget for the school milk program for next year, veterans' burial benefits are being reduced, the agricultural conservation program is being cut back, and other high-priority national interests are being curtailed, all in the name of economy, that funds for the Foundation on Arts and Humanities should be doubled to \$40 million."

"Culture should not be fed to an effete elite at the expense of the general public. If seven-letter poems turn on some people, then they should pay for that joy rather than force hard-working taxpayers to subsidize their exotic cultural tastes."

"This program has achieved nothing to justify its existence, to say nothing of increasing its financial support at the expense of the already overburdened taxpayer."

"With the steady increase of inflation, the financing of unnecessary federal programs simply stokes the inflationary flames. We have got to stop that. Every additional penny spent for unnecessary federal programs constitutes virtual robbery from those whose needs are infinitely more urgent."

[From the Chicago Tribune, Mar. 29, 1970]

"LIGHGHT"

Rep. William Scherle, an Iowa Republican, not surprisingly asked if there had been some mistake about the award of \$750 of taxpayers' money to the seven letter poem "Lightht" [here reprinted in its entirety]. The question was directed to George Plimpton, editor of the Paris Review, who had made the award from money provided by the National Foundation for the Arts. Plimpton said there was no typographical error, and that the award was deliberate and intended for "Lightht"—by Aram Saroyan, incidentally, William's son.

Insofar as this award can be understood at all, it helps to know a little about Plimpton. He is the chap who, in order to get material for articles for *Sports Illustrated*, pitted himself against such redoubtable figures as Archie Moore the boxer, Pancho Gonzales the tennis player, Oswald Jacoby the bridge expert, eight major league baseball sluggers, and the field in the National Pro-Am and other golf classics. He put in some time on the Detroit Lions football squad. He also has escorted some notable women [who married other men], including Queen Elizabeth, Jacqueline Onassis, and Ava Gardner.

Plimpton likes to lose. So here he is again, leading with his chin, asking congressmen to take a poke at him for throwing away federal money. But if anyone takes the National Foundation for the Arts seriously, and wants it to get another appropriation, that person should agitate to get Plimpton relieved as a judge. Plimpton is a stunt man, not a steward of either public money or literary values.

"POEM" JUST ONE MISPELLED WORD BUT EARNS \$750

NEW YORK.—Poor spellers of the world, rejoice. Your day may have arrived.

Those shattered words may be poems in disguise.

And if they happen to have prize-winning qualities, well, you, too, may be able to get \$750 in prize money from the National Foundation for the Arts and Humanities.

Consider: A poem that looks like a word from a stuttering typewriter and ranks as a candidate for the dunce cap in a spelling bee actually got poet Aram Saroyan \$750 in prize money.

The poem from the pen of William Saroyan's son goes like this:

"Light."

That's it. Beginning. Middle. End. There is no more.

The award of \$750 figures out to \$107.14 per letter, according to Rep. William J. Scherle, R-Iowa. He's concerned because he's looking after the spending of tax money.

That's right. The foundation operates on money from you, the taxpayer.

George Plimpton, author of "The Paper Tiger," edited the anthology in which the poem appears. The judges: Louis Simpson, Anne Sexton, Robert Duncan, all literary lions.

Plimpton said he can't pronounce "Light."

"I see it as an exercise in concentrating on the effect of a single word," he said. "I think it's effective."

"Saroyan is one of the innovators, admired by fellow craftsmen as an innovator."

[From the Los Angeles Times]

THINGS ARE GETTING VERSE AND VERSE

Some inventive genius—we've forgotten just who he was—once devised a method for synthesizing the world's meaning into one word, to be changed monthly so people could keep abreast of things on a regular basis.

He had discovered that time was getting too valuable for folks to be bothered with reading Books-of-the-Month, or their condensed version, or a monthly short story, or even a paragraph or sentence.

Ergo: one word on the Word that told all. Now comes the annual award of \$750 by the federally-subsidized National Foundation of Arts and Humanities for poetry. Rep. William J. Scherle (R-Iowa) has questioned the validity of the verse that won this prize.

Its author is Aram Saroyan, son of the novelist-playwright William Saroyan.

Ordinarily The Times doesn't publish verse, because it encourages an awful lot of less-than-literary offerings, to the extent that we would run out of space if we used even a representative sampling.

But we think that Saroyan's poem is worth printing in its entirety, as follows:

"Light."

That's correct, "light." Rep. Scherle figures that this little gem, chosen by writer George Plimpton who served as the foundation's judge, runs to slightly more than \$100 per letter.

Going back to the man who synthesized life's meaning in one monthly word, we believe the good congressman has attacked the wrong target. It's not that "light" is such a bad poem (although it may seem so, to those uninformed on the New Literature).

It's just that there must be a better single word than "light" to express the spirit of this doleful era.

"Ugh," perhaps? Or, "Bleagh"?

These might run the cost-per-letter up a trifle. But they seem more to the point. Any suggestions?

[From the Washington Daily News, Apr. 16, 1970]

ARTS & HUMANITIES (By Don MacLean)

Asidems: Rep. William Scherle, R-Iowa, among others, is all but speechless over recent expenditures of the National Foundation of the Arts. Back in 1966, it granted au-

thor and jet-setter George Plimpton \$55,000 to select prose and poetry for federally subsidized anthologies. So far, Mr. Plimpton's project has tapped the taxpayers for \$200,000 and this is what he has selected: In the first volume, six of 29 poems came from a magazine called the Paris Review, edited by (guess who?) George Plimpton. (Writers whose works are chosen receive from \$500 to \$1,000 of public money.) But the caper is a poem written by Aram Saroyan, for which he got \$750, or \$107.14 per letter! The entire poem is this "light." That's it, friends, nothing else. Rep Scherle fully expects a sequel in a future volume. Perhaps, "darark." Mr. Plimpton obviously is pulling the taxpayers' leg and it would be funny, if it didn't cost so much.)

[From the Indianapolis Star, Apr. 17, 1970]

SOCIALIZING THE ARTS

The Federal government's drive to socialize the arts continues, spurred on by inflation and excessive taxation, which to an increasing extent wrest from private hands the means to finance the theater, music, poetry, painting and films.

Why do so many private fund drives for symphony orchestras, museums, art centers and the like fail dismally today whereas not many years ago they succeeded? They fail because high taxation drains dry the financial pools that once sufficed to fill their treasuries.

Why do production costs soar to the point where putting on a single show is more expensive than the total outlay of all producers for all the shows on Broadway in a hit-studded season used to be? They soar because of inflation traceable in large measure to Federal policies.

So government steps in as a super-angel to take the place of private angels who have been bled white by taxation and driven against the wall by astronomic labor costs.

In Sardi's Restaurant in New York the other day, Congressman John Brademas (D-Ind.), chairman of the House Select Education Subcommittee, urged support of a measure proposed by President Richard M. Nixon to extend for three more years the National Arts and Humanities Foundation and to double its budget from \$20 million to \$40 million.

He told a group of theater critics he was optimistic about strong bipartisan support for the bill, sponsored by him and reported last month by the House Education and Labor Committee to carry out the President's recommendations.

It is a lead-pipe clinch that Big Government as patron of the arts will botch things as badly as it does in all of its intrusions into what used to be the private sphere.

It is a dead certainty that Uncle Sam playing impresario, editor and publisher will hatch more turkeys, flops, fiascos, guff, twaddle, treacle and kitsch than all the misfits who blundered into show biz since the founding of the Republic.

It would be a far, far better thing to loosen the tax tourniquet and dampen the fires of inflation than to imprison the arts in the category of Social Security, Medicare and crop control.

A healthy civilization needs the arts, and the more the better, but it needs healthy arts thriving in a climate of freedom and originality and private initiative. The role of government should be confined to letting these flourish—and staying out of the way.

STA, CALIF.

If a letter from a "middle-American" also unqualified to understand the importance of Aram Saroyan's \$750 prize-winner can strengthen your hand in any way, here it is. I hope you are deluged with letters from all over the country protesting this insulating waste of my money and yours. Hopefully a strong reaction to this one award will bring

an end to this ridiculous program and Mr. Plimpton's nepotism.

April 1, 1970.

HON. WILLIAM SCHERLE,
House Office Building

DEAR SIR: Please do all you can to eliminate any and all money from the bill sponsored by George Plimpton for the National Foundation on Arts and Humanities.

At this time when the necessities of life are so expensive for us, at the economic bottom, we do not support such folly as fine art, performing arts, nor memorials, like the J.F.K. memorial.

MAY 4, 1970.

HON. WILLIAM SCHERLE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: We heartily endorse your stand against the frivolous expenditure of \$40 million tax dollars for the National Foundation on Arts and Humanities HR 16065. In these difficult days of inflation, we cannot afford such spending programs for such questionable poetry and the like. Keep up the good work!

Sincerely,

Bewilderment . . .

2nd prize—\$500???

DEAR REPRESENTATIVE SCHERLE: Please forward my "poem" to the National Foundation on the Arts and Humanities. Shockockock!

APRIL 30, 1970.

HON. WILLIAM J. SCHERLE,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I wish to express my personal appreciation for your efforts in curbing the absurd expenditures of the National Foundation on Arts and Humanities. We have already seen the so called privately financed Kennedy Center for the Performing Arts eat up some \$30 million of tax money.

Although I am too illiterate to understand the meaning of Aram Saroyan poem "Light," I fully understand the squandering of taxpayers' money for the sole benefit of those who are turned on by such literary masterpieces.

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

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

Mr. CARTER. Mr. Chairman, since our Government has seen fit to spend so much on this literature, I would like to ask the gentleman from Iowa if he finds much in these that is uplifting and inspiring and good for the youth of our country?

Mr. SCHERLE. Mr. Chairman, I would like to reply to the gentleman from Kentucky in this way. When Mr. George Plimpton in New York was called and asked about "Light," he said, "You are from the Midwest. You are culturally deprived, so you would not understand it anyway." I may not understand what "Light" means, but if my kid came home from school spelling that, I would have stood him in the corner with a dunce cap.

I used to be in the "darark" about what this poem means. But now I know what it means: a great deal of money is appropriated for stupidity.

Mr. CARTER. Good literature has been described as words written in such endearing charm that men treasure them and will not let them die. I will ask the

gentleman from Iowa (Mr. SCHERLE) if the three- and four-letter words fit this description of good literature or not?

Mr. SCHERLE. No, regrettably, they contain the typical four-letter words that can be found today that have suddenly become highly popular in the more "sophisticated circles."

For the taxpayer to pay for this kind of tripe in this kind of anthology is not understandable to me.

Mr. CARTER. Are we going to be paying for such pornographic filth to put before the youth of our country and let our Government subsidize it?

Mr. SCHERLE. We should discontinue that program by reducing this appropriation.

Mr. CARTER. Mr. Chairman, I am greatly disturbed by this anthology.

Mr. SCHERLE. Mr. Chairman, a very interesting and curious development has occurred just recently in the employment of the hierarchy of the Arts and Humanities chieftans. Last week, Miss Nancy Hanks, Chairman of the National Endowment for the Arts and the Humanities, named one R. Douglas Richards of the State of Arizona as her special assistant. Mr. Richards ascended to his \$28,226 a year throne of authority after spending 11 years as the manager of the Phoenix Symphony Association. However, a few short years ago special assistant Richards played quite a different tune when he testified before a congressional committee concerning Federal subsidies to the arts and humanities. At that time, when Mr. Richards was not employed in his present lucrative position with the National Endowment for the Arts and the Humanities, he sharply criticized the Federal Government's involvement in such subsidizing. So staunchly opposed to this concept of Federal spending, Mr. Richards put forth a three-point objection to this program:

(1) We do not believe that it is a proper function of the Federal Government to finance the arts in the United States.

(2) It is generally accepted that in our form of democracy, the arts flourish best in an atmosphere of complete freedom, imagination, initiative, and local autonomy. We do not believe that it would be possible to conserve these strengths if the fine arts were to enter into partnership with the Federal Government.

(3) We believe that Federal tax subsidy for the arts would result in greatly reduced voluntary support at the local level, and voluntary support is one of the cornerstones of our arts as well as our charitable organization financing. It is conceivable that volunteer support might eventually cease entirely and the fine arts would then find themselves in the undesirable position of having to depend entirely upon Federal tax dollars to replace the revenue lost from volunteer support. Eventually the fine arts might find themselves with problems far greater than those they presently face.

The nature of financial support for the Arts and Humanities has not changed much since Richards testified except he is now employed on the other side of the issue.

There we are. It is a continuation of one thing after another.

Let me continue: A cultural clique, financed by the American taxpayers, is operating clandestinely within so-called

literary circles of this Nation. The scheme was initiated in 1966 when the National Foundation for the Arts appropriated \$55,000 to New York society playboy and jet-setter George Plimpton to play the role of this country's cultural czar. With his dictatorial power, Plimpton is allowed to hand pick his own panel of judges who in turn select the prose and poetry that are published in the federally subsidized anthologies that he edits. At the present time two volumes have been published and a third is due this June. Plimpton's literary lackies are currently editing volume IV. So far his preposterous program has tapped the public treasury for \$200,000.

A glance at the Plimpton operation reveals a selfish and sinister pattern of support to the same individuals and magazines. The chosen few receive \$500 to \$1,000 for their work by a mere nod of George's handmaidens. In the first volume published, six of the 29 winning poems came from the magazine *Paris Review*, which to no one's surprise is edited by none other than our George Plimpton. The doubledealing does not stop here. Two authoresses for example, one in poetry and one in prose, each were awarded top prizes in both volumes I and II, and then appointed by Plimpton as judges for what will appear in volume III. Continuing this bizarre shakedown, Plimpton also appointed his pal and protege, Philip Roth, author of the shocking and scarlet novel entitled "Portnoy's Complaint" as a judge.

The pompous panel's selections, which are spiced with four-letter words, range from the ridiculous titles of "A-15" and "A-18," which were written by the same author in successive years, to the sublime essay praising the black militant Malcolm X. However, the topper of this tomfoolery is the awarding of a prize to Aram Saroyan, son of the noted American author William Saroyan.

In the soon-to-be-released volume III, the "culturally deprived" American public will be exposed to the literary talents of part-time U.S. Senator and full-time poet GENE McCARTHY. McCARTHY tapped the Federal Treasury for \$500 for poetically describing his Indiana campaign experiences during his ill-fated 1968 quest for the Presidency.

This brazen project is merely one element of the National Foundation of the Arts and Humanities. Congress will consider additional legislation shortly which will increase the funding for the Foundation 100 percent to \$400 million.

It is difficult for me to try to understand, as a Member of the Congress, our foolhardy establishment of such ridiculous priorities.

This past week we are asked to vote down hospital construction, yet here we are asked now to fund a program for 100 percent increase. How does one tell this to the poor people? That is my concern. They are the ones I care about, not the arts and humanities.

Mr. REID of New York. Mr. Chairman, I yield myself 1 minute.

Specifically, I believe the point here in this colloquy is first that the anthologies have been terminated and that the policy is changed to provide grants only

to advance future creative work rather than to recognize past accomplishments.

Second, it is a question of keeping total separation between the arts and the Federal Government. Grants are and must continue to be made solely on artistic and academic merit by the Arts and Humanities Councils. The Congress must play no role in artistic judgment; this is solely the province of the councils and will insure that there will be no Federal domination of the arts.

I yield to my distinguished colleague from Arizona who I think may want to make a comment about Mr. Richard in that connection.

Mr. RHODES. Mr. Chairman, I think I should say something about Mr. Richard, since he is my constituent. He came in on the airplane with me Sunday. He said that he had been against this program some years ago but he had become a convert. He felt his original reason for opposing it, possible Federal domination, no longer existed. He is a staunch advocate of the program and has been for some time. I might say that my correspondence with him for the last several years bears this out. He is not a recent convert but he is a convert.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS), the author of this legislation.

Mr. BRADEMAS. Mr. Chairman, I rise to urge passage of the bill, H.R. 16065, to amend the National Foundation on the Arts and the Humanities Act of 1965.

The House Select Subcommittee on Education, which I have the honor to chair, heard eight full mornings of testimony, three jointly with a Senate subcommittee, on this legislation from 37 individual witnesses. These included people of stature in business, science, private foundations, and State and local government agencies, as well as in the arts and humanities themselves. We came to three broad conclusions:

First, Federal assistance for the arts and humanities is clearly not a politically partisan matter.

Second, the testimony documented abundantly the importance of supporting a wide variety of activities in the arts and the humanities.

Third, the evidence showed plainly that the arts and humanities in this country are facing a stark financial crisis.

On the matter first of bipartisanship, I want to note here that of the 37 Members of the House who have joined as sponsors of this or similar legislation in support of the arts and humanities, fully a third are on the other side of the aisle. They include both the distinguished chairman of the Committee on Education and Labor, Mr. PERKINS, and the distinguished minority leader, Mr. FORD.

Federal concern for the arts and humanities has been strongly bipartisan from the first. In his state of the Union message in 1955 President Eisenhower declared that—

The Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

In 1963 President Kennedy said in a letter to his special consultant on the arts:

Government surely has a significant part to play in helping establish the conditions under which art can flourish. . . .

In 1965, President Johnson, who had supported the proposal for a National Foundation on the Arts and the Humanities, signed the bill creating it. And last December 10, in a special message to the Congress, President Nixon urged that the Foundation be reauthorized for 3 more years with a significant increase in funding. He made clear the standing of this proposal as a significant part of one of the major concerns of his administration when he said:

Americans have long given their first concerns to the protection and enhancement of Life and Liberty; we have reached the point in our history when we should give equal concern to "the Pursuit of Happiness." This phrase of Jefferson's, enshrined in our Declaration of Independence, is defined today as "the quality of life."

The full message follows:

EXPRESSING THE AMERICAN SPIRIT

Americans have long given their first concerns to the protection and enhancement of Life and Liberty; we have reached the point in our history when we should give equal concern to "the Pursuit of Happiness."

This phrase of Jefferson's, enshrined in our Declaration of Independence, is defined today as "the quality of life." It encompasses a fresh dedication to protect and improve our environment, to give added meaning to our leisure and to make it possible for each individual to express himself freely and fully.

The attention and support we give the arts and the humanities—especially as they affect our young people—represent a vital part of our commitment to enhancing the quality of life for all Americans. The full richness of this nation's cultural life need not be the province of relatively few citizens centered in a few cities; on the contrary, the trend toward a wider appreciation of the arts and a greater interest in the humanities should be strongly encouraged, and the diverse culture of every region and community should be explored.

America's cultural life has been developed by private persons of genius and talent and supported by private funds from audiences, generous individuals, corporations and foundations. The Federal government cannot and should not seek to substitute public money for these essential sources of continuing support.

However, there is a growing need for Federal stimulus and assistance—growing because of the acute financial crisis in which many of our privately-supported cultural institutions now find themselves, and growing also because of the expanding opportunity that derives from higher educational levels, increased leisure and greater awareness of the cultural life. We are able now to use the nation's cultural resources in new ways—ways that can enrich the lives of more people in more communities than has ever before been possible.

Need and opportunity combine, therefore, to present the Federal government with an obligation to help broaden the base of our cultural legacy—not to make it fit some common denominator of official sanction, but rather to make its diversity and insight more readily accessible to millions of people everywhere.

Therefore, I ask the Congress to extend the legislation creating the National Foundation on the Arts and Humanities beyond its termination date of June 30, 1970, for an additional three years.

Further, I propose that the Congress approve \$40,000,000 in new funds for the National Foundation in fiscal 1971 to be avail-

able from public and private sources. This will virtually double the current year's level.

Through the National Foundation's two agencies—the National Endowment for the Arts and National Endowment for the Humanities—the increased appropriation would make possible a variety of activities:

We would be able to bring more productions in music, theatre, literature readings and dance to millions of citizens eager to have the opportunity for such experiences.

We would be able to bring many more young writers and poets into our school system, to help teachers motivate youngsters to master the mechanics of self-expression.

We would be able to provide some measure of support to hard-pressed cultural institutions, such as museums and symphony orchestras, to meet the demands of new and expanding audiences.

We would begin to redress the imbalance between the sciences and the humanities in colleges and universities, to provide more opportunity for students to become discerning as well as knowledgeable.

We would be able to broaden and deepen humanistic research into the basic causes of the divisions between races and generations, learning ways to improve communication within American society and bringing the lessons of our history to bear on the problems of our future.

In the past five years, as museums increasingly have transformed themselves from warehouses of objects into exciting centers of educational experience, attendance has almost doubled; in these five years, the investment in professional performing arts has risen from 60 million dollars to 207 million dollars and attendance has tripled. State Arts agencies are now active in 55 States and territories; the total of State appropriations made to these agencies has grown from \$3.6 million in 1967 to \$7.6 million this year. These State agencies, which share in Federal-State partnership grants, represent one of the best means for the National Endowment to protect our cultural diversity and to encourage local participation in the arts.

In this way, Federal funds are used properly to generate other funds from State, local and private sources. In the past history of the Arts Endowment, every dollar of Federal money has generated three dollars from other sources.

THE FEDERAL ROLE

At a time of severe budget stringency, a doubling of the appropriation for the arts and humanities might seem extravagant. However, I believe that the need for a new impetus to the understanding and expression of the American idea has a compelling claim on our resources. The dollar amounts involved are comparatively small. The Federal role would remain supportive, rather than primary. And two considerations mark this as a time for such action:

Studies in the humanities will expand the range of our current knowledge about the social conditions underlying the most difficult and far-reaching of the nation's domestic problems. We need these tools of insight and understanding to target our larger resources more effectively on the solution of the larger problems.

The arts have attained a prominence in our life as a nation and in our consciousness as individuals, that renders their health and growth vital to our national well-being. America has moved to the forefront as a place of creative expression. The excellence of the American product in the arts has won worldwide recognition. The arts have the rare capacity to help heal divisions among our own people and to vault some of the barriers that divide the world.

Our scholars in the humanities help us explore our society, revealing insights in our history and in other disciplines that will be of positive long-range benefit.

Our creative and performing artists give free and full expression to the American spirit as they illuminate, criticize and celebrate our civilization. Like our teachers, they are an invaluable national resource.

Too many Americans have been too long denied the inspiration and the uplift of our cultural heritage. Now is the time to enrich the life of the mind and to evoke the splendid qualities of the American spirit.

Therefore, I urge the Congress to extend the authorization and increase substantially the funds available to the National Foundation for the Arts and Humanities. Few investments we could make would give us so great a return in terms of human understanding, human satisfaction and the intangible but essential qualities of grace, beauty and spiritual fulfillment.

RICHARD NIXON.

THE WHITE HOUSE, December 10, 1969.

The response has demonstrated that culture is not the special preserve of an exclusive few. Miss Nancy Hanks, the able new Chairman of the Arts Endowment, reported in her testimony that—

Letters and telegrams have come to the President from all corners of the nation, from presidents of corporations and trade unions officials, school superintendents and deans of universities, mayors of great cities and music lovers in the smallest communities. . . .

Editorial support came from papers ranging from the Washington Evening Star to the Wichita, Kans., Eagle to the Kennebec Journal in Maine.

The breadth of support was evident to us at the hearings. Charles C. Tillinghast, Jr., chairman of Trans-World Airlines, testified from a businessman's viewpoint, as did Frank Stanton, president of CBS, who said:

What is good for society is, in fact, good for business, and we know that a healthy society is one where artistic expression flourishes.

David P. Billington of Princeton University, a civil engineer, testified to the need for "close collaboration between engineers and humanists and a fresh context for the teaching of technology."

And Dr. Glenn T. Seaborg, the distinguished Chairman of the Atomic Energy Commission, testified that—

Our scientific and technological age was forcing us into a new philosophical age . . . a vast number of the scientists in this country are strongly in favor of increasing federal aid to the arts and humanities.

Other witnesses in a wide variety of cultural fields documented what President Nixon called a growing need for Federal stimulus and assistance:

The annual cash loss of our 90 symphony orchestras has risen from \$169,000 in 1963 to \$8.5 million this year, and by 1972 will rise to more than \$13 million, jeopardizing the existence of many outstanding orchestras in this country. Between 1966 and 1968 average gross expenditures among resident professional theaters rose 17 percent, while gross ticket income increased only 8 percent, despite rising attendance figures. For America's major nonprofit institutions of the traditional arts, the difference during 1968-69 between total costs and earned income was \$100 million. The Belmont Report on museums, prepared for the Federal Council on the Arts and Humanities in 1968, cited minimum needs in those institutions alone of \$15,250,000

minus capital outlay and research.

Witnesses reported that national support for research in the humanities is in a 2-percent ratio to support for research in other fields.

In fiscal 1969 the humanities accounted for only a small fraction of the \$2.4 billion that the Federal Government spent on research, while over 90 percent went to the natural sciences. Museum fellowships and internships from the Humanities Endowment have assisted some 332 students and professionals, which has been "of inestimable aid," in the words of the director of one State historical society. But such aid barely begins to meet nationally the need for trained museum personnel that he called "our No. 1 priority."

Inevitably it is asked, why must these needs be met with the aid of Federal funds? One answer was given by President Nixon:

The need for a new impetus to the understanding and expression of the American idea and expression of the American idea has a compelling claim on our resources.

Another answer is economics.

First of all, public demands for cultural resources are rising rapidly. Museum visits have risen to more than 560 million a year. In 1969 more than 30 million tickets were sold for nonprofit professional arts performances in contrast to 13 million 5 years ago. Community arts councils have grown from 75 10 years ago to more than 600 in every State in the Union today.

But costs have risen far faster than receipts from the new demand for the arts. Public service activities have increased; symphony orchestras for example gave 3,500 concerts last year for children and students. Costs of labor and materials have risen sharply, leaving a gap between expenditures and earned income that private philanthropy has been unable to fill. It must be recognized, as more than one witness noted, that more production to meet increased public demand in the arts almost invariably results in greater losses because labor-saving methods have little application in the arts. There is no way to decrease the human effort in a work of art short of truncating the work itself. And as the violinist Isaac Stern testified:

The higher the standards in the arts, the greater will be the deficits in production.

If these cultural programs, whether in the universities or on the stage, close the income gap by increasing their charges, the arts and humanities will be beyond the reach of all but the well to do. The actual costs of each visit to a museum, for example, range from \$1 to \$8; one can easily imagine the results if museums charged such fees for admission.

President Nixon declared pointedly in his message on the arts and humanities that—

The full richness of this Nation's cultural life need not be the province of relatively few citizens centered in a few cities.

The National Foundation on the Arts and Humanities has already demonstrated its ability to reach the American public broadly.

The Endowment for the Humanities

has initiated a national humanities faculty, which sends university scholars to work with teachers in the schools who request help in improving humanistic education. The faculty is currently working in 15 school systems in 13 States and the District of Columbia. The Endowment-supported national humanities series of touring programs in the humanities has just been launched. It will reach more than 30 small communities in 22 States this year. Endowment fellowships and grants for research, for humanistic education, and for public programs have gone to every State in the Union.

The Endowment for the Arts has successfully fostered the creation of State arts councils, which now exist in all 50 States and five territories. In more than half of those States the arts councils now receive more funds from State legislatures than the amount each receives in Federal assistance.

A coordinated dance residency program assisted by the Arts Endowment spread this year to 68 communities in 22 States. Other touring professional arts companies will reach nearly a quarter of a million people in the Rocky Mountain States. The Arts Endowment's "Poetry in the Schools" program has expanded from six metropolitan areas to eight States of the Midwest.

The endowments stimulate rather than supplant private support for the arts and humanities, through their authority to match private gifts. In this way, President Nixon noted:

Federal funds are used properly to generate other funds from state, local, and private sources.

From fiscal 1967 through fiscal 1969, the Humanities Endowment received 200 gifts totaling nearly \$1.7 million from foundations, civic organizations, corporations, and individuals. The Arts Endowment has generated approximately \$3 in State, local, and private giving for every Federal dollar expended.

The two endowments thus have demonstrated both their worth and their workability. This bill, H.R. 16065, would enable them to build on the base they have now established.

There are a number of small changes amending the wording of the language of the basic act, many of them simply to clarify that language or make it more explicit. I shall cover briefly the more important changes.

The legislation would be amended to allow specifically for projects to assist artists to achieve wider distribution of their works and enable them to work in residence at educational or cultural institutions. That will help artists find a broader base of income for their work, and an increased public.

The legislation would be amended to permit the Chairman of each Endowment to serve beyond his regular term of office until a successor is appointed. That would eliminate the sort of situation we had when the Arts Endowment was temporarily without a Chairman and the powers of the Deputy Chairman were unclear.

The legislation would be amended to permit the Councils on the Arts and on

the Humanities to establish executive committees so that emergency action could be taken to accept a gift or approve a grant at times other than when the full 26-member Councils are meeting.

The legislation would be amended to extend to the Humanities Endowment the same powers the Arts Endowment has had to use contracts and loans as well as grants in supporting certain programs—research and study.

The legislation provides for a minimum of \$75,000 to be allotted by the Arts Endowment to each of the State arts councils. It also authorizes the appropriation of such amounts of matching funds as may be necessary during the next 3 fiscal years. And it authorizes appropriations of \$40 million for the fiscal year ending June 30, 1971, and such funds as the Congress may deem necessary to carry out the provisions of the act during the next 2 fiscal years.

The amount provided in this bill for fiscal 1971 meets the President's request for a substantial increase, relative to the appropriations the Foundation has had in the past. But in relation to the need and to the total budget, the dollar amounts, as the President also said, "are relatively small." As the President's support for the measure makes clear, the proposed appropriations, representing about two-hundredths of 1 percent of the Federal budget, will have no measurable impact whatever on inflation.

Prominent witnesses at our hearings informed us that the government of Hamburg, Germany, spends more on its opera than the U.S. Government does on all the performing arts, and that if the U.S. Government spent as much on the performing arts per capita as the Swedes do on their city opera in Stockholm, the Arts Endowment here would have some \$125 to \$150 million a year.

Mr. Amyas Ames, the chairman of the Ad Hoc Committee of Presidents of Symphony Orchestras, testified:

We are not asking that our Federal Government assume responsibility for 75 percent of the total operating costs of symphony orchestra, as is customary in Europe, nor even for 20 percent of the costs, as is done in England. We are asking that our Federal Government assist the orchestras in an amount less than 10 percent of the current costs of our orchestra's gross operations—\$8.5 million, an amount barely equivalent to the costs of one-third of a modern traffic circle.

This Nation can, I think, afford to invest such modest sums in the quality of American life. We will lose much more by not recognizing, in President Nixon's words that—

We are able now to use the Nation's cultural resources in new ways—ways that can enrich the lives of more people in more communities than has ever before been possible.

I hope very much that the bill before us today is passed, and without reduction of the funds authorized or shortening of the authorization period.

Mr. Chairman, in conclusion, I wish also to take just a moment to express a warm word of tribute to two persons who have contributed much to the progress of the National Foundation for the Arts and Humanities. First, I wish to salute the distinguished Chairman of the

National Endowment for the Humanities, Dr. Barnaby C. Keeney, a man of wit and learning combined with extraordinary devotion and ability. His leadership is in large measure responsible for the outstanding achievements which have been demonstrated by the National Endowment for the Humanities.

Second, Miss Nancy Hanks, Chairman for the National Endowment for the Arts, has brought both great personal charm and wide knowledge of the arts to bear on her important responsibility. Already, during her service she has inspired confidence, respect, and affection from Members of the House on both sides of the aisle.

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

Mr. BRADEMAs. I yield to my colleague from Indiana.

Mr. DENNIS. I would like to say to my colleague from Indiana that I, of course, cannot agree with him more, that this is in no sense a partisan matter. However, the difficulty I have with this bill stems much less from finances or priorities—although one can make that argument—than from the question of philosophy. I just wonder if the field of the arts and humanities is not preeminently a field which ought to be left—and almost has to be left—to the free and untrammelled individual human spirit, and whether the dead hand of bureaucracy and this subsidy and control has any place at all in this field. That is the question that gives me cause for concern. I do not know whether under these circumstances we would ever have had a Michelangelo—

Mr. BRADEMAs. I appreciate the depth of my friend's concern. I would respond to the gentleman by making these two points: First of all, when he cites great figures like Michelangelo, I think we are all aware of the fact that many of those titanic figures of the past received patronage, enjoyed the financial favor of some wealthy sponsors.

Mr. DENNIS. May I remind the gentleman—

Mr. BRADEMAs. If I may complete my response to the question of the gentleman, because I do not have time to yield further and I have yielded to the gentleman but I want to respond to his concern.

There is a second way in which I would respond to him. I refer to the statement made by my friend, the gentleman from Iowa (Mr. SCHERLE) in which he alluded to the testimony in 1962 of Mr. Richards of the State of Arizona to whom the gentleman from Arizona (Mr. RHODES) also made reference.

I have in my hand, as my friend from Iowa so eloquently put it, a letter to me from Mr. Richards in which he notes that in August 1962 he did appear before a Senate subcommittee to testify in opposition to this program for precisely the kind of reasons that my friend from Indiana (Mr. DENNIS) has voiced. But he says he has changed his mind with respect to his apprehension that support by the Federal Government for the arts and humanities would involve Federal control, and I quote as follows the letter to me from Mr. Richards:

WASHINGTON, D.C.
June 29, 1970.

HON. JOHN BRADEMAs,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BRADEMAs: On August 30th, 1962, I was privileged to appear before the Sub-committee on the Arts of the United States Senate Committee on Labor and Public Welfare. The purpose of my appearance was to present testimony in opposition to Federal assistance for the arts in the United States. Although the testimony I presented was based on the attitude of my Board of Directors, and a resolution from the Board was included in my statement, I also shared the Board's view.

Our opposition to proposed legislation which would provide subsidization of art groups with Federal tax dollars was based upon the following areas of concern:

1. We did not believe that financing the arts in the United States was a proper function of the Federal Government; we believed that in our form of democracy the arts could not flourish in an atmosphere of complete freedom if a partnership with the Federal Government was established.

2. We also believed that Federal tax subsidy for the arts would result in greatly reduced voluntary support to the point that volunteer support might eventually cease entirely and the arts might then become totally dependent upon the Federal Government for support.

History and experience have proven that our fears were totally unfounded.

The "partnership" enjoyed between the fine arts and the Federal Government through the National Endowment for the Arts has been a most satisfactory one. The arts have flourished in an atmosphere of complete freedom since the establishment of the Endowment in 1965 and matching funds provided by the Endowment for programs and projects presented in every state in the Union have resulted in the generation at the local level of \$3.00 to \$4.00 for every Federal dollar allocated; these results dispel our 1962 fears. Cries of Federal "interference" and "control" heard in 1962 are not heard in 1970! Since the Endowment was established in 1965 there has not been one legitimate claim of Federal interference or control of the art groups assisted that I know of.

A large portion of my testimony eight years ago concerned itself with our own situation in Arizona and specifically the Phoenix Symphony Orchestra. In 1962, when the Orchestra's budget was \$145,000, with three successive years prior to 1962 having closed "in the black," I predicted that "within the next five years, due to the rapid growth of our area which will result in an increased demand for more service from the Orchestra, we may experience the same financial difficulties that are besieging other orchestras today." I predicted also that "if that day arrives, we believe that the situation can be handled at the local level."

How did we do? How accurate were my predictions?

Due to the rapid growth of our market area, we did in fact increase our Orchestra's service to the area. We were able to finance the modest expansion program at the local level and from the 1962-63 season through the 1964-65 season the Orchestra ended each year with a modest surplus. Commencing with the 1965 season however, our costs began to escalate at such a rapid rate, that our sources of income could not keep pace. Our 1965-66 season deficit was \$5,500; 1966-67, \$26,700; 1967-68, \$31,300 and our 1968-69 season deficit increased to \$51,700.

It became increasingly apparent that we could not handle the situation at the local level alone. Since 1966, the Phoenix Symphony Board of Directors has requested and received Federal funds from the Department of Health, Education and Welfare (Title III funds from the Education Act) for

young people's concerts in our state, from the Bureau of Indian Affairs for concerts in B.I.A. schools on Indian Reservations in Arizona and New Mexico during the 1968-69 season, from the National Endowment for the Arts for additional concerts on the Indian Reservations during the 1969-70 season and through the Arizona Commission on the Arts and Humanities for four concerts presented in small cities around the state. More than \$100,000 in Federal funds received from the sources listed above has been expended since 1966. Even with Federal assistance the Orchestra has not been able to operate "in the black" since the 1964-65 season. The financial picture would look far worse, however, if these Federal funds had not been made available to us.

A portion of my 1962 statement urged increased assistance from state, county and municipal governments. The need is even greater today than it was eight years ago. Federal dollars allocated by the National Endowment for the Arts can and have helped stimulate an increase in funds from these sources for support of art groups.

Increased financial support from these sources which, as history has shown, will stimulate increased voluntary giving at the local level, will help preserve the fine arts in our country for today's citizen and for future generations.

Sincerely,

DOUGLAS RICHARDS,
General Manager,
Phoenix Symphony Association.

I am now glad to yield to my distinguished chairman, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Let me first compliment the distinguished gentleman from Indiana for his response to his colleague from Indiana. But I personally feel in this case that we are not trying to infringe upon the ideas of anyone's art or anything else, but what we are creating is a situation in this bill where the States, all of them, are going to take over more responsibility. In the future much of the funds may be expended for better stages or concert auditoriums, exhibition halls, which we do not have at the present time, and for which none of the funds can be expended at the present time. So we will be preserving art according to the individuality.

Mr. BRADEMAs. I thank my distinguished chairman for his response. I might also say to my friend, the gentleman from Indiana (Mr. DENNIS), that I think the case for the passage of the bill before us today has been put eloquently not only by President Nixon but also by four colleagues on his side of the aisle in a splendid letter that was sent by them—

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield 2 additional minutes to the distinguished gentleman from Indiana.

Mr. BRADEMAs. Mr. Chairman, I thank the chairman.

Mr. Chairman, I shall at the appropriate time express the hope that my colleagues on that side of the aisle will insert the text of their letter in the Record, signed by the gentlewoman from Illinois (Mrs. REED), the gentleman from Minnesota (Mr. QUINN), the gentleman from Michigan (Mr. ESCH), and the gentleman from Iowa (Mr. MAYNE), in which they indicated, not unlike the view ex-

pressed by Mr. Richards of Arizona, to whom reference has been made here earlier, that some of them had also had earlier apprehensions about the appropriateness of support by the Federal Government of the arts and humanities. But our Republican colleagues declare that they have now been persuaded by the record of the Arts and Humanities Endowments so far that, rather than cut back on the programs at this time, we should indeed, as President Nixon has urged, extend the life of the programs and make it possible to bring the benefits of the programs funded by the Arts and Humanities Endowments to many more Americans in small communities as well as large.

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

Mr. BRADEMAs. Of course I yield to my colleague from Indiana.

Mr. DENNIS. But would my friend, the gentleman from Indiana, agree with me that if this does turn out to be a situation where governmental subsidy carries no governmental control, that it will be unique in that respect—

Mr. BRADEMAs. No; I would not agree. And I will tell the gentleman why. I have served for 12 years on the Committee on Education and Labor, and in those 12 years these same points that the gentleman has expressed with respect to a number of initiatives on the part of the Federal Government to support education have been made in other areas of legislation reported by our committee. But the fact of the matter is that there is a strong tradition of bipartisan support for Federal aid to colleges and universities in our country, and also increasingly a tradition of strong bipartisan support for Federal aid to elementary and secondary schools—

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

Mr. PERKINS. Mr. Chairman, I yield 1 additional minute to the gentleman from Indiana.

Mr. BRADEMAs. For Federal aid to elementary and secondary schools. Yet all of these fears and apprehensions about Federal control following Federal aid were raised against these measures when they first came before Congress, and these fears and apprehensions have for the most part been eroded. I think the proof of the pudding is in the fact that today a majority of both Republicans and Democrats in this House and in the other body give strong support to Federal aid to education programs. I do not know of anyone who is campaigning on a program of wanting Federal control to follow Federal aid.

Indeed, Mr. Chairman, it might be well for me at this time to reply to the criticism of the poem "Light," which was referred to by Mr. Scherle in his discussion of the American Literary Anthology.

I do not believe that it is our duty as legislators to debate the artistic merits of particular works of art which have been funded by the National Endowment. We are not literary critics or critics of painting or drama. Each of us has different standards of taste, and what one Member of Congress may like

in the way of poetry, painting, or sculpture may have no appeal at all for another Member.

I believe it is, therefore more appropriate and more responsible for us here to discuss the procedures used by the National Endowment for the Arts in making awards to individual artists or institutions. I say this because it is a mistake to contend, as the program's opponents often do, that Federal employees are sitting in judgment and deciding what constitutes good art or bad art.

This is simply not the case. The National Endowment for the Arts appoints independent panels of distinguished artists who represent a variety of points of view. These panels, each of which represents a different field of art, review all applications and make recommendations to the staff of the National Endowment for the Arts. The staff then takes the recommendations of the independent panels and prepares them for review by the governing body of the Endowment, the National Council on the Arts.

The National Council on the Arts, which consists of 26 distinguished citizens appointed by the President, then meets, in sessions lasting 2 or 3 days, to accept or reject the recommendations of the independent panels.

Based upon the decisions of the National Council, the Chairman of the National Endowment for the Arts makes the grants to the selected recipients.

Mr. Chairman, at every step along the line, efforts are made to keep the selection process highly professional and free of the imposition of Federal standards.

I should mention that among the members of the present National Council on the Arts, the body responsible for the final decisions, are the great singer, Marian Anderson; Isaac Stern, the distinguished violinist; the outstanding pianist, Rudolph Serkin; Lawrence Halprin, noted architect; the actor, Gregory Peck; and Paul Engle, poet, writer, and teacher from the University of Iowa.

Mr. Chairman, I do not expect my colleagues to agree with every decision made by this distinguished group of Americans. I may not agree with every decision myself. But the standards of poetry or painting or drama are not as easy to agree on as the workability or failure of a new weapons system. There are too many variables involved, and the issues are much more complex.

What we ask, and what the opponents of this legislation should agree to, is that there be no Federal control over the awards made by the Arts Endowment. Art has many forms, and I see little point to our taking time here to argue about the esthetic acceptability of individual works.

Mr. REID of New York. Mr. Chairman, I am very happy at this time to yield 4 minutes to the gentleman from Minnesota (Mr. QUIE) whose leadership in drafting legislation has been invaluable.

Mr. QUIE. Mr. Chairman, I rise in support of the bill, H.R. 16065, and while in the past I had some objections to the legislation as well as objections to the way the Endowment of the Arts administered some of their programs, I believe

that we have corrected those objections at this time and I support this legislation without reservation.

Mr. Chairman, I must admit I favor the Endowment of the Humanities more than the Arts—mostly because I recognize better the need in the humanities than I do in the arts.

I think it is of the utmost importance that man learn to live in grace with his fellow man and studies in the humanities should assist man's capability to do so. Our country still does not know how to do that. We have made tremendous technological advances, but we need to permit the scholars in the humanities to assist us in making some breakthroughs in man's ability to live in peace with himself.

What in fact does the humanistic scholar do? That question was posed by Richard Schlatter, general editor of the Princeton Studies on Humanistic Scholarship in America, in a foreword to those volumes. His answer, I think, is as good as it is simple:

The job of the humanist scholar is to organize our huge inheritance of culture, to make the past available to the present, to make the whole of civilization available to men who necessarily live in one small corner for one little stretch of time, and finally to judge, as a critic, the actions of the present by the experience of the past.

It is precisely that kind of work that the Foundation, through the National Endowment for the Humanities within it, has been fostering, and will extend if we enable it to do so.

In fiscal 1969 alone, the Endowment devoted more than \$145,000 to 13 projects in research or education applying the humanities to the problems of our cities. Included were studies of "Human Values in Community Design," of the "Process of Municipal Growth in America," and of "Law and Ethics in an Urban Society."

I might point out here that we have added to the definition of humanities the terms "ethics and theology." I will have an amendment to change "theology" to "comparative religion."

In another area of humanities I think it is of the utmost importance that we understand the history of the cultures of other parts of the world.

One of the problems we have had in Vietnam is the fact that we have not understood those people well. So the Endowment for the Humanities made 29 grants totaling \$322,535 for Asian studies involving the histories and cultures of Southeast Asia—Korea, Japan, India, Tibet, and China both past and present.

I would like to quote to you a passage from an article by Robert F. Goheen, president of Princeton University, in the winter 1969-70 issue of University, a Princeton quarterly.

President Goheen said:

The kind of hot water in which our country finds itself ten and twenty years from now may depend to a significant degree on the scholarly work which is being done—or not being done—in university classrooms and libraries and laboratories today. America's experience in Viet Nam ought to have convinced us of the need for further vigorous work to build up our educational and re-

search capability for dealing with other regions that may become important to us.

That is all I am going to stress right now on the humanities. But before leaving, I want to indicate my support also goes for the Endowment on the Arts but I hope that the humanities will not be shorted in any way and they will at least get \$20 million of the \$40 million that we hope to authorize here for both the humanities and arts.

The best I can point out to you on the needs for the arts is from the testimony of Miss Agnes De Mille before the subcommittee chaired by the gentleman from Indiana (Mr. BRADEMAS). If I have the time, I would like to read some of it to you.

She said:

We are a romantic people, if violent, and we like to persuade ourselves that we love art and cherish it. We go to the most extraordinary public relations inventions to persuade the rest of the world of that, but it is not true. We have not loved art. It is a historic fact that we have despised it, and if that were not so, these hearings would not be necessary.

We have considered it a frivolity, a plaything, but less desirable than other playthings like, for instance, competitive sport which we have come to realize is good for our health and our character. We concede no such virtues to art. Because of the years of hardship and deprivation in our beginnings, we have learned to place ultimate value on what is useful, and because we have eschewed all vestiges of aristocracy, we have built up an overwhelming admiration for material wealth.

But art, being magic, is a part of religion and vital to human experience. We must have release for our emotions, and if we do not find proper catharsis in acceptable channels, we will find it in improper and uncontrollable ways, which is just what our youth is doing.

And she points out that if a small black boy in the dreadful conditions of the ghetto can learn to play a violin, not just as a toy, but as an instrument of power—

Let him play superbly well, let him see what happens to other people's faces when he plays, give him that sense of power and glorious domination. He is not going out into the street and throw a rock through the window.

Art is the best therapy. Men all through the ages have known this. Scientists are admitting this now. Art is the best means of education—the church has always known this. Our colleges and civic bodies are learning it. Art is the best means of communication.

I believe it is important to all of us to recognize the importance of art and indicate I am supporting this legislation providing \$40 million which I hope all my colleagues will do.

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

Mr. QUIE. I yield to the gentleman.

Mr. HARVEY. Mr. Chairman, as we consider H.R. 16065, it is imperative that we realize that this legislation has greater significance than mere amendment of the National Foundation on the Arts and Humanities Act of 1965.

We must remember that the arts and humanities have always reinforced man's desire for achievement and expanded his vision and understanding of life. In this

time of anxious search for solutions to longstanding national and international problems, we cannot overlook the contributions of the arts and humanities. The desire and understanding which they help to sustain are essential to man's growth in a world of growing complexity.

As the committee has noted, recent Presidents have expressed deep concern for our Nation's cultural development. In 1965, President Johnson proposed that "we honor and support the achievements of thought and creations of art." He noted that "we must recognize and encourage those who can be pathfinders for the Nation's imagination and understanding." President Nixon has further emphasized that "need and opportunity combine to present the Federal Government with an obligation to broaden the base of our cultural legacy—to make its diversity and insight more readily accessible to millions of people everywhere."

This accessibility is the very essence of the legislation before us. The time has come for the Federal Government to bring the gift of cultural understanding to all Americans. Through its support of the State arts councils in all 50 States, this bill helps to reach even the most culturally deprived. In the past 5 years these State councils have shown great ingenuity in developing highly effective programs using minimum funds. State programs have included touring productions of the performing arts, educational programs, exhibitions of the visual arts, and other equally exciting cultural experiences. While these programs have cultivated the financial interest of State governments and private citizens, there is still great need for further expansion of these programs.

Further, H.R. 16065 authorizes a necessary administrative change. Under the provisions of the 1965 act, it is not possible for the Foundation to accept gifts or issue grants in excess of \$10,000 without the recommendation of the Council on the Arts or the Council on the Humanities. Since these Councils meet few times a year, significant administrative delays result. This bill would authorize each Council to create an executive committee which could serve as a full-time administrative force, better enabling the Foundation to meet the needs of its expanding program.

There are many who express concern over the \$40 million the committee has recommended for fiscal year 1971. However, the record shows that previous Federal Government investment in State arts councils has shown a return of approximately 450 percent. Likewise, national programs in the arts and humanities have stimulated private support of almost three times the Federal contribution. This return coupled with the intangible reward of increased sensitivity and understanding, makes this legislation a sound investment in America's future. I know of no legislation more deserving of bipartisan support than this which influences the cultural future of our country.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr.

Chairman, I rise to express my support for H.R. 16065, a bill to extend the life and the authorization of the National Foundation on the Arts and the Humanities. This bill expands and continues our legislative commitment to enrich the cultural life of our people, a commitment which was made by the Congress in 1965.

As one of the authors of the original legislation establishing the Foundation, it is extremely gratifying to see this present bill come before the House. The Members should recognize that this bill is largely the result of the industry and vision of my close friend and able colleague, the distinguished Member from Indiana (Mr. BRADEMAS), the gentleman from New York (Mr. REID), and the other Members of the Select Subcommittee on Education.

Having said this, I wish to speak briefly about certain technical provisions of the pending bill which concern me. I believe these provisions set a somewhat dangerous precedent for the Foundation.

My first concern is the manner in which the authorization is written. H.R. 16065 authorizes a flat \$40 million to the Foundation, without any allocation to the respective endowments or programs. In the past, the authorization bills have always broken down the total figure into equal allotments for the two endowments. Within that 50-50 breakdown, there was specific earmarking of program areas in which the funds could be used: State programs, national programs, and matching fund programs. I believe that this was a good method of authorization because it recognized the important principle of equality of funding between the endowments, while giving general congressional guidance to the priorities of programs and to the allocation of funds. I am therefore distressed that the present bill departs from this past pattern.

But I am most concerned with the bill's amendment of section 3(b) of the present law; this amendment on its face guarantees a minimum of \$75,000 for each State arts council. I do not believe this provision is wise.

The Members should know that one of the most successful programs engendered by the original 1965 legislation was the State arts programs. At the time the 1965 bill was passed, there were five viable State arts councils; today there is one in each State and territory. The Federal funds which have been authorized and appropriated have been fully matched by each State, and in fact 31 political entities have not only matched the Federal funds, but have overmatched the Federal funds.

Further, this flat advance guarantee will greatly restrict the highly prized flexibility which the Foundation has enjoyed throughout its short life. In the original legislation, the Congress wisely created the National Council on the Arts to set priorities and to recommend grants. It is this Council which is responsible for balancing the contending needs in the various areas of the arts—the visual arts, the dance, literary programs, symphonies, and museums. This Council and its advisory councils have engaged in months of planning to meet the overwhelming needs in the arts. By artificial

cially guaranteeing State arts council funds at a minimum level, this careful planning is frustrated. This would be especially true in the situation, which I think we can all envisage, where there is an appropriations cut. Such a cut would force a disproportionate reduction in the amount of money available for national programs, because H.R. 16065 would guarantee a fixed amount to the State programs.

Finally, in this connection, it is interesting to note that this particular provision was not requested by any witness who testified during hearings on the bill. The distinguished Chairman of the National Endowment for the Arts, Miss Nancy Hanks, has indicated her strong support for the State arts programs, but to my knowledge she has never requested this specific provision. Of the 10 representatives of state arts programs who testified during the hearings, all ten urged more funds for state arts programs, but not one urged this particular course—a flat guarantee of a certain amount—as a way to achieve it.

Mr. Chairman, I strongly support the National Foundation on the Arts and Humanities and this legislation which will extend its life. But I believe it is incumbent upon those of us who supported this Foundation in the past, who have carefully nurtured its legislative growth, and who have looked with pride on its auspicious early life, to consider carefully any provision which could establish a bad precedent.

Mr. Chairman, I note that the other body has declined to accept these two provisions which concern me. I would hope that the House would consider whether the interests of the arts and of the Foundation might not be better served by taking similar action.

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

Mr. THOMPSON of New Jersey. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, does Mr. B. Keeney "Bikini" or whatever his name is, have any caricatures on his cards?

Mr. THOMPSON of New Jersey. No; but he would welcome, I am sure, any suggestions. He is a very open-minded person.

Mr. HALL. I thought as a result of that grant he handed out a few years ago for the study and backgrounding of caricatures maybe at least he would grace his personal cards not only with some appropriate scantily clad cartoon or caricature appropriate to the name situation, but also maybe he would have been let out of government by this time.

Mr. THOMPSON of New Jersey. Dr. Keeney does not approve of scantily clad things, especially at his present age. He is leaving very soon, as a matter of fact, which is why I pause to pay tribute to him, and I meant just to have some fun with relation to his name. In all seriousness, Dr. Keeney is leaving the Endowment. You may criticize an isolated grant or so, but any fairminded person will acknowledge Barnaley's brilliance and dedication. I am proud to call him a great friend.

Mr. HALL. I appreciate that, and I appreciate the gentleman yielding, and I am

encouraged by the gentleman's departure.

I wonder if the gentleman who is known on the floor of Congress as "Mr. Culture" will answer a question?

Mr. THOMPSON of New Jersey. Is the gentleman referring to the gentleman from Indiana (Mr. BRADEMANS) or the gentleman from Iowa (Mr. SCHERLE)?

Mr. HALL. I am referring to the gentleman from New Jersey personally, my warmblooded friend for whom I have the greatest affection. In connection with the so-called word which has been bandied about today so much, I would like to ask first of all what is a word?

Mr. THOMPSON of New Jersey. I would rather leave the interpretation of that word to the gentleman who studied it so assiduously, the gentleman from Iowa (Mr. SCHERLE).

In speaking of the gentleman from Iowa and speaking of warm friends, I might note that today is the birthday of our distinguished colleague, the gentleman from Iowa, Mr. HAROLD ROYCE GROSS.

Mr. HALL. Mr. Chairman, if the gentleman will yield, I am cultured enough to lead in the "happy birthday" salute.

Mr. THOMPSON of New Jersey. Those who have researched carefully will find the gentleman admitted to his birthdate when he first came here, but I do not find it in today's RECORD. Nevertheless, I could point out that our friend and colleague, the gentleman from Iowa (Mr. GROSS) was engaged in the Mexican War skirmishes. In about 1919 he still skirmished. It has been suggested the gentleman will offer an amendment later today to add \$100,000 for each year of his life to this authorization, and I intend to support that. I hope the gentleman will offer it.

Mr. HALL. Mr. Chairman, I think the gentleman chooses his battle armaments well, and I know the Old Skirmisher will be in there pitching for I understand he is "age 39—and holding"—but the gentleman from New Jersey has very astutely avoided defining the definition of "word."

Mr. THOMPSON of New Jersey. I have done my best. Also, I am certain that everyone joins us in wishing Mr. GROSS a truly happy birthday and many more to come.

Mr. HALL. Mr. Chairman, I have taken the trouble to look up the definition of "word." A "word" is that which is said or written or spoken, according to the biggest dictionary I can find. Today we have bandied about the fact that a group of consonants and one lonely vowel—"Lighgt" is very much like a word. I am not sure it is a word, but if the gentleman thinks it is, maybe it is related to the old Scotch song about: "It's a braw bricht moon-licht nicht, tonight."

Mr. THOMPSON of New Jersey. I do not think it is Scotch. I think it is Welsh, perhaps something like the name Llewellyn or the name of that famous Welsh town.

Mr. HALL. I am wearied by the "lack of culture" in that repetitive retort to the economy of the country in decrying and defining the so-called poem. It is not human, let alone prohumanity—it is pro-taxpayer.

Mr. THOMPSON of New Jersey. I might say the gentleman from Iowa repeated it so many times in the RECORD that the cost of its reprinting will probably exceed that which he complains about.

Mr. REID of New York. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Chairman, I urge support and passage of H.R. 16065 extending the life of the National Foundation on the Arts and the Humanities.

My colleague from Minnesota (Mr. QUJE) has effectively emphasized the significance of stronger support of the humanities and I join him in that emphasis. Let me now discuss the contribution to the arts.

No part of our national heritage is more important than the preservation and encouragement of our great national culture. We have a uniquely American culture of which we should be proud. The National Foundation on the Arts and Humanities is the national expression of that pride.

I have seen examples of the successful work of the Foundation in my own State, and many of my constituents have expressed to me their appreciation of the Foundation's programs. The fact is that the Michigan State Council on the Arts has had a great impact on the cultural life of our State. One of the examples of the Michigan council's imaginative work is the "Michigan Artrain." This unique project will take art exhibitions to many communities throughout Michigan during the next few years. The artrain is an innovative and interesting concept in the field of traveling exhibitions, and its background indicates how effectively funds from the National Endowment of the Arts can be used.

In the past some of us have feared that a national contribution to the arts and humanities would discourage private donations. The artrain is one of many examples that have contradicted these fears. The inventive mobile museum was granted a total of \$16,700 for the development of the project.

The Michigan council with the support of the railroad industry, Eastman Kodak, which provided equipment and services, and many other private sources developed the artrain. With these donations, the arts council staff reports that every dollar provided by the National Endowment for the arts will have been matched by an estimated \$300 from the private and business sector in Michigan.

The artrain is just an example. Throughout the Nation, State councils on the arts have encouraged private support of cultural programs rather than cut back on private interest.

When the legislation was first approved concern was expressed about the truly national nature of the Foundation. In the past 5 years, however, the National Foundation has brought our culture to the entire nation and made it available in smaller cities and towns through such means as artrains, community orchestras, and traveling galleries. In Michigan, for example, \$156,655 in grants to the Michigan State Council on the Arts has assisted more than 100

projects in virtually every area of the State.

No doubt there will be discussion on the floor of some abuses which took place in the establishment of the program. I do not condone those abuses and believe that administrative steps are being taken to assure that they do not recur. On a broad perspective, however, I feel that the thrust of the National Foundation has been extremely constructive in enhancing our great national heritage.

The funds in this bill are modest in comparison with so many other programs which we consider. I believe they are vital. As President Nixon said in his message to the Congress:

Few investments we could make would give so great a return in terms of human understanding, human satisfactions and the intangible but essential qualities of grace, beauty, and spiritual fulfillment.

I feel strongly that the National Foundation on the Arts and Humanities deserves this continued support of the Congress. I urge my colleagues to consider it favorably, today.

Mr. REID of New York. Mr. Chairman, I yield 4 minutes to the gentlewoman from Illinois (Mrs. REID).

Mrs. REID of Illinois. Mr. Chairman, I rise in support of H.R. 16065. Although I originally shared the doubts of many of my colleagues about Federal support of the arts and humanities, in my judgment the Foundation has made a creditable record and H.R. 16065 merits favorable consideration.

One of the principal concerns I had was that the appropriation of Federal money would replace outside funding. This has not proven to be the case. Indeed, the National Endowment for the Arts has established a remarkable record of stimulating, rather than supplanting, other sources of funding for the arts. The Endowment's national programs have served as "seed money" and generated funds at the rate of about \$3 for every \$1 they have invested. Furthermore, the Endowment's Federal-State partnership program of direct grants to State arts councils has helped State legislatively appropriated funds to more than quadruple in the past 5 years.

While I am on the subject of State councils, I would like to say a brief word about that of my own State, the Illinois Arts Council. Under the leadership of its chairman, George Irwin, this council has launched an impressive series of programs benefiting the entire State. The National Endowment has made direct grants totaling over \$300,000 to the council over the past 5 years, joining Federal and State governments in a partnership for further development of the arts in Illinois. I think it is significant that, during the past 3 years, the Illinois State Legislature has increased its appropriation sixfold, from \$100,000 to \$600,000. In addition the council has done an excellent job of attracting private funds as well.

A few examples may help illustrate the National Endowment's proven ability to generate other funds outside of Government. A \$25,000 grant 3 years ago to the Radcliffe Institute to assist outstanding women writers was quickly fol-

lowed by a \$300,000 grant from a private foundation. A \$5,000 endowment grant this year for a poetry-in-the-schools program in Minneapolis-St. Paul was so successful that a major local foundation has offered \$35,000 to extend and continue this program in the future. The present Chairman of the National Endowment for the Arts, Nancy Hanks, in her Senate confirmation hearings made it abundantly clear that one of her major aims is that the Endowment be active, in her own words, "particularly in encouraging private resources of funds to come in with a much more vital partnership role with the Government."

Originally, I shared the same concern expressed by my good friend from Indiana, Mr. Dennis, that Government support of the arts might result in government control but I feel that this fear has proven to be unfounded. During the recent hearings on H.R. 16065, private citizen representatives of music, the visual arts, film, arts administration, classics, and others were asked about the danger of Federal control. All stated that they saw no such danger, particularly because pluralistic support of the arts—individuals, corporations, foundations, and municipal, county, and State governments, as well as the Federal Government, precludes any single dominant force.

In my opinion, H.R. 16065 is worthy legislation and I urge my colleagues to support it.

Mr. REID of New York. Mr. Chairman, I yield 2 minutes to the distinguished minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, when this program was first submitted to the Congress in 1965 I had reservations in two respects. First I was concerned about the initiation of a new program, admittedly small in comparison to many of the other Federal programs and one that had a potential of growth at a time when we were beginning to feel the squeeze and the pinch of some fiscal problems in the Federal Government. Second, I was concerned about the potential controls that a Federal establishment might have over the individual initiative and talent of those who were in the field of the arts and humanities.

Nevertheless, from the outset I have supported the program although on each occasion or on most occasions I have voted to make reductions in the amounts that were available in the appropriations or in the authorizations.

I support this program today and this authorization to the full extent because it seems to me that as we are hopefully emerging from our international problems at least in Southeast Asia we can look forward to more Federal resources for the arts and humanities. But let me talk about the impact of the program, if I might, on a local area.

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

Mr. REID of New York. Mr. Chairman, I yield the distinguished minority leader 2 additional minutes.

Mr. GERALD R. FORD. I thank the gentleman from New York.

Mr. Chairman, my home is Grand Rapids, Mich., a city of approximately 200,000. We, like many Middle Western communities of comparable size, have had our share of local citizens who have been actively interested in the arts and in the humanities. We have an outstanding civic theater, we have a superb museum, we have an outstanding local symphony. We do extremely well in the field of cultural interest and achievement on a comparative basis with any other community of a similar size.

Mr. Chairman, back a few years ago just after this program was initiated a number of local citizens came to me and asked for my help in trying to get some Federal funds for an outstanding piece of outdoor sculpture. I must confess that I am not an expert in deciding whether one piece of sculpture is good or another one bad. But there were outstanding citizens in the community who had a vision and they convinced me that their project which was to be an integral part of our Vandenberg Center urban renewal area. In this magnificent Vandenberg Center, we have a new county building, a new city hall, two new banks, a new hall of justice and, hopefully, a new Federal office building and a new State office building. The local cultural leaders recommended a piece of outdoor sculpture. The recommendation was submitted to the proper Federal authorities on the basis that the local authorities should raise their fair share to match the Federal funding. Such funds were raised and the Federal grant was made.

We now have I am proud to say what is called a Calder at the civic center area, the Vandenberg Center, at Grand Rapids. This startling example of outdoor sculpture is a great addition to our community. There were misgivings at home about this particular piece of art initially and there was some criticism. But I think the consensus and the overwhelming view today is that this was a new shot in the arm for our community, a combination of good local initiative and Federal cooperation.

Mr. Chairman, I am proud to say that Grand Rapids is now one of the three communities where there has been joint expenditure through the work of arts in public places program. It has been good for the community. It has been a good illustration of what can be done by the city, local leaders and the Federal Government working together. It is indicative of what we should do in the future.

Mr. PERKINS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Chairman, there is a certain gentle irony surrounding our consideration of a bill authorizing more generous appropriations for the National Foundation on the Arts and Humanities.

President Nixon is firmly behind this bill—and so, apparently, is the Democratic Study Group.

But what about the majority of our friends on the other side of the aisle? How will they respond to Mr. Nixon's call for sufficient funding to—and I

quote—"help broaden the base of our cultural legacy?"

In 1968, when this controversial Foundation was last up for congressional renewal, our Republican colleagues were not very enthusiastic. In fact, the Foundation would have ceased to exist if the Republicans had had their way.

That year, House Republicans voted 158 to 19 to cut a committee-proposed authorization from \$135 million over 2 years to only \$11.2 million for a single year.

In rather stark contrast, only 136 or 137 nonsouthern Democrats recorded on the same rollcall favored the reduction.

Later, after the Senate had restored some of the money, GOP forces in the House voted 102 to 62 against a compromise conference report, which was saved from ultimate defeat by Democratic votes.

Now all this seems slightly ridiculous to me. For who really reaps the benefits of the Foundation's subsidies to performing artists? Traditionally, it has been the person who can afford a ticket to the symphony or the opera, the sort of affluent individual who typically resides in a comfortable Republican congressional district.

Yet our Republican colleagues, who would appear to have the most to gain, are on record as overwhelmingly opposed to the Foundation.

Consider the cultural situation in my own San Diego area. In recent years, Foundation grants have gone to such local institutions as the Old Globe Theater, the San Diego Symphony and the Ballet of San Diego. These are worthy activities—but who patronizes them? The preponderance of theatergoers in San Diego, as elsewhere, come from the plusher parts of town, from well-heeled areas such as La Jolla, Point Loma, and Mission Hills—all, naturally, GOP bastions.

On reading committee hearing transcripts, I am encouraged to hope that the new legislation will lead to some free performances, especially for children. However, in view of our earlier track record, I think we Democrats should avoid taking part in another bailout operation for the National Foundation on the Arts and Humanities.

At the very least, we should withhold our support until we are sure the Republicans are with Mr. Nixon on this.

Normally, I do not take my cue from the GOP, but I am going to make an exception today. I shall wait to see how our Republican friends are lining up before deciding how to cast my own vote.

And I do hope Mr. Nixon has better luck with his fellow Republicans than President Johnson did during the near debacle of 1968.

The CHAIRMAN. The Chair will announce that the majority has 2 minutes remaining, and the minority has 3 minutes remaining.

Mr. REID of New York. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I would simply like to point out to the Members here that, conceding and agreeing that there has been no problem with Federal control in this program to date, the po-

tential is there, and cannot help but remain there, because you have here grants of large sums of Federal money with the power to grant or to withhold. The power to withhold is the power to discourage; it is the power to suppress; it is the power to censure, if you ever get an administration in control which wants to do that sort of thing.

The trouble with this bill is that it is bad in principle for the reason stated, and it is just as bad under a Republican administration, I may say to my friend, the gentleman from California, as under a Democratic administration; and as one interested in and sympathetic to the arts and the humanities I say keep them free.

Mr. REID of New York. Mr. Chairman, I yield myself the balance of my time.

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

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

Mr. REIFEL. Mr. Chairman, I am pleased that our minority leader is in support of this legislation. I have had reservations from the very beginning with respect to this, but in an entirely different connotation. There are communities all over our country that need this kind of program, and I have been for this from the very beginning.

Mr. Chairman, I rise in support of H.R. 16065, to point out in particular what the existence of the National Foundation on the Arts and the Humanities means for the development of this country's young scholar-teachers.

On the average it has been taking graduate students in the humanities 2 to 5 years longer to complete their doctoral program than students in the natural sciences. Part of the reason is a difference in programs; but part of it is in the easier time science students have had in finding support. Once they complete their doctoral programs, science students have found more money as well for postdoctoral research, in large part from the Federal Government. If the National Endowment for the Humanities could award postdoctoral fellowships to as high a percentage of academic humanists as the percentage of academic scientists receiving Federal support, it would make some 2,000 awards annually. In fiscal 1969 the Endowment was actually able to award only 85 fellowships and 100 summer stipends.

Nonetheless, those few awards have been of great encouragement to our humanistic scholars and teachers, for they have been a substantial addition to what is available in the humanities. In congressional testimony W. McNeil Lowry, vice president of the Ford Foundation, recently explained:

In general, from sources outside the research funds of individual universities and colleges, humanistic scholars in the United States have had access in recent years to post-doctoral fellowships totaling no more than 300 in any one year.

A report in 1969 by the National Academy of Sciences on postdoctoral education in the United States showed that awards in the arts and humanities totaled only approximately 2.1 percent

of all postdoctoral awards. In contrast, 15.5 percent of the total went to chemists alone, and 55.5 percent, more than half, went for work in the "life sciences."

The Endowment for the Humanities has given its awards to young, teacher-scholars in particular, those under 40 who have not had a chance to make progress on the major contributions to knowledge they hope to make during their careers, or who have had no chance to take a few months out for study and reflection on how to do a better job of teaching. Younger faculty members aided by the Endowment have worked on such topics as contemporary American jurisprudence, the historical background of urban development, and the cultural and historical contributions of several American minority groups. In several cases a few months on an Endowment award has enabled young teachers to complete planning for entirely new courses at their colleges. One young thinker found the time he was able to spend studying the philosophy of law on an Endowment fellowship "the most intellectually exciting period thus far in my academic career."

Fellowships have been awarded in every State in the Union. They are given competitively, with the initial screening done by the colleges and universities themselves, for each school is limited to just one applicant per year for a younger-scholar fellowship, and one for a summer stipend.

From fiscal 1967 through 1969, 31 percent of the Humanities Endowment's budget was devoted to its fellowships and summer stipends. In the future, the Endowment hopes to continue this program, but also to provide fellowships in particular areas of special need—such as specifically for the humanities teachers in our mushrooming junior colleges, who have even less time free for self-improvement and development than university instructors do.

This kind of support is not an expense, but an investment in the development of the Nation's brainpower, for in the next 10, 20, 30 years today's young humanistic scholars will have come to maturity as thinkers, writers, teachers. As a young scholar wrote after winning an award, "the Endowment has filled a crucial gap in the fellowship structure."

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

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

Mr. MAYNE. Mr. Chairman, I also rise in support of H.R. 16065, which will increase the authorization for both the National Endowment for the Humanities and the National Endowment for the Arts.

I was pleased to note that the President, in supporting this legislation, placed particular emphasis on the need for extending cultural opportunities throughout our country broadly.

Both of the two agencies comprising the foundation—the National Endowment for the Arts and the National Endowment for the Humanities—have developed programs that go far beyond the major cultural centers, "reaching more

people," as the President put it, "than has ever before been possible."

The Arts Endowment has been active in helping outstanding performing groups tour widely in the Nation. The Humanities Endowment as well has found ways to reach the public, making knowledge in such fields as history, literature, and philosophy more widely available to our citizens.

One of these methods is of particular interest; it is highly experimental and has just begun. It is the national humanities series, supported by the Humanities Endowment and operated by the Woodrow Wilson National Fellowship Foundation, which for more than a decade has conducted a number of educational programs.

Through its contacts on college and university campuses throughout the Nation, the Wilson Foundation recruited four teams of three to five persons each—people who not only know the humanities but can communicate well to general audiences. These teams have prepared special programs under the general theme: "Time Out for Man: The Humanities in Action." They are currently traveling to present these programs in four different regions of the country, spending several days in each of more than 30 communities in 22 States. The communities selected cannot provide easy access to major cultural institutions such as large libraries, museums, and universities. But local interest was a major factor in selection, and committees of local citizens join in the planning. These are smaller cities, such as Liberal, Kans.; Dalhart, Tex.; Raton, N. Mex.; Toms River, N.J.; Whitesburg, Ky.; and Cherokee, Iowa, one of the most progressive communities in the district which I have the honor to represent.

The teams spend time with schools, with civic clubs, with women's groups, and so on. The program is being evaluated thoroughly as it progresses. Already there are indications that the people being reached are welcoming the opportunity. Certainly that was the experience in Cherokee where the remarkable success of such a team was widely reported in the press. I will refer to only two of the newspaper articles which appeared at the time attesting to the enthusiastic reception the program received in Cherokee.

First, Maxine Burnett wrote in the *Sioux City Journal* for March 29, 1970 as follows:

Cherokee area residents took "time out for man" recent and they'll concentrate again on man, his society and his environment during programs at the end of March and the first of May.

The Cherokee community is one of 30 throughout the nation that are benefiting from a series of three presentations attempting to make the humanities—literature, philosophy, art, music, film—relevant to the every day life of "rural" residents.

The National Humanities Series was developed by the Woodrow Wilson Fellowship Foundation and was funded by the National Endowment for the Humanities, a federal program. During the series, three, three-member teams, each consisting of a professor and two performing artists, visit each community for a two-day period.

Cherokee is a logical choice for a program such as the series. It's a town of 8,000

that has already demonstrated its interest in the humanities. Since 1951, it has had a planetarium and museum, with a professionally done display on the natural history of Northwest Iowa.

There's a new community center where such performances as the humanities series are presented. The city has its own symphony orchestra and an active theater group which present both plays and musicals. There are small, but active, artists, writers' and archeologists' groups.

Annually, there is a Cherokee Arts Festival. The second program will focus on "The Private Sphere—Man's personal relationships, exploring loneliness, loyalty and love." The first program of its humanities series was presented in Cherokee on March 2 and 3 and was titled "The Human Community—Everyman and his fellowman, cooperation, conflict, rights and responsibilities."

The developer of the first Cherokee performance was Dr. Maurice Brown, a professor of art and filmmaking at the State University of New York at New Paltz. Performers with Dr. Brown were Rod Arrants, and "actor, director, singer and guitarist," and Constance Simmons, an "actress, singer and musician."

The first day and a half of their stay in Cherokee was spent in individual sessions with various high school and civic groups. The first evening's individual performances were open to the public.

Arrants spent much of his time with the high school audiences in folk singing performances. He also discussed poetry with the students, answering such questions as why the students should be required to read such literature as Greek tragedies and pointing out why they would be useful to them.

Miss Simmons spent one of her high school sessions criticizing the work of music students. Miss Simmons is a former member of Fred Waring's Pennsylvanians and the high school music teacher is also a former singer with that group.

Dr. Brown's meetings at the high school included one with an art class. Through the use of slides shown out-of-focus, Dr. Brown conducted a practice session in perception. He told the students to just react to the forms they saw, not to attempt to copy exactly or go for details.

Mrs. Lyle Midland, chairman of the Cherokee committee that arranged the series of meetings with the three performers, said that their sessions were very unstructured and fluid. The three interacted with their audiences all of the time, rather than performed, she said.

Commenting on Brown's first evening session, which was held at the Sanford Museum and was open to anyone interested, Mrs. Midland said, "Everyone was listening to every word."

She said Dr. Brown told his audience to not only look at the content of art, but also at the form it is in.

Mrs. Midland said that the sponsoring Foundation decided to spend most of the available funds on getting the artists to the communities. Little was spent on administering the program, she said.

It was therefore left up to the towns to receive the artists and organize their programs there.

And here are some excerpts from an editorial which appeared March 5 in the *Cherokee Times* following the program under the title "Humanities Series Food for the Soul":

HUMANITIES SERIES FOOD FOR THE SOUL

We think the National Humanities Series is good for Cherokee.

It has stirred people to think.

And though such an observation might seem to some to be innocuous, it is important in these changing times for more people to think more deeply and to seek answers to

questions about themselves and the society around them.

Most of us live in a contained, familiar world—made as comfortable as possible.

On the average, we work eight hours, sleep eight hours and use the remaining time for all other activities: Eating, entertainment, relaxation, hobbies, participating in organizational functions.

Many of us are insulated from changes going on around us—and therefore it is difficult for new ideas to penetrate our patterns.

We do not consciously attempt to stretch our minds, to increase our understanding, to expose ourselves to new concepts.

And, therefore, we miss much of life that is important.

To many of us, poetry is something we studied many years ago during our educational period. So, to us, it's for kids.

Modern art is given short shrift because some of it is not photographic in appearance and time is not taken to appreciate that artistic moods are perhaps more important in their symbolism and inclusion of multiple aspects and broad panorama than instant recognition.

Books are thought to be for people with time on their hands—and not for the busy, involved persons who can pause only for the short plots . . . even though such plots, to be short, must deal with surface subjects in a quick, superficial manner.

Concerts and plays, similarly, draw smaller crowds than, for instance, athletic contests because to understand and enjoy, you must go beyond the role of spectator and become a mood participant.

Change in our way of thinking and way of life is not coming. It is here.

There are people in the streets demanding change—some rational, some irrational.

How the ideas and concepts being promoted are to be handled by an intelligent society will depend on that society's ability to think—and think deeply.

We do not mean here to link the National Humanities Series to street revolution. We simply make the observation that material presented through the series is basically soul food which, if partaken of by us, can give us broader perspective and understanding toward those around us.

The Humanities Endowment has helped humanists "stir people to think" through other kinds of projects as well. Films and television programs using the humanities will reach national audiences of thousands. I am talking of historical documentaries, for example, such as "The Trail of Tears," being produced with endowment aid by National Educational Television. It will explore the history of Indian-white relations as illustrated by the Cherokee, who more than any other tribe in the early 19th century attempted to adopt "white" civilization, but whose achievements were lost in conflict, creating difficulties that trouble us yet today.

The endowment has taken note of the great needs of the Nation's 2,500 historical societies and museums, which serve millions annually. The growth in public use of these institutions has caused enormous problems in finding enough adequately trained personnel. The endowment has funded workshops, conducted by the American Association of State and Local History, which have provided training for 271 workers in historical agencies. The endowment additionally has made possible 10 internships for study in leading museums and 87 fellowships for study in seven universi-

ties with programs of preparation for museum work.

Louis C. Jones, executive director of the New York State Historical Association, testified in congressional hearings that 20 training programs such as the endowment has supported are needed in qualified universities and museums, and that within the Government—

The Endowments on the Arts and Humanities are the only places to which we can turn for support. And this is support to preserve for the generations ahead the actual objects which are part of the fabric of America's heritage.

The examples I have given do not exhaust by any means the efforts the Endowment for the Humanities is making to reach the general public broadly. In fiscal 1969, the endowment made a total of 49 grants through its division of public programs. The total dollar amount was small in relation to the audience to be reached—slightly more than \$1,250,000. But the programs aided do extend the humanities far beyond New York City and Boston to museums, libraries, historical associations, and other agencies conducting special programs for the public in Kentucky, West Virginia, and North Carolina; Oklahoma, Colorado, and South Dakota; Michigan, Wisconsin, and the State of Washington.

The emphasis the endowment has given to its public programs has mounted: In total percentage of the endowment's budgets, public programs grew from 10 percent in fiscal 1967, to 12 percent in fiscal 1968, to 23 percent in fiscal 1969.

Funds from the National Endowment for the Arts have also been put to good use in Iowa through the Iowa Arts Council, which was made a formal State agency by the Iowa Legislature in 1967 with an appropriation of \$50,000. The National Endowment for the Arts has made annual grants to the council on a 50-50 matching basis. These have increased from \$24,608 in fiscal 1967 to \$36,363 in fiscal 1970, and are for arts programs affecting the entire State. The council coordinates the efforts of all arts groups in Iowa and sponsors appearances by groups and individual artists throughout the State, bringing the world's finest music, drama, dance, poetry, and the fine arts to our people. The highly competent executive director of the Iowa Arts Council, Mr. Jack E. Olds, informs me there have been a record number—74—proposals received from music and art groups in Iowa this year, indicating a much greater interest and increased need by artists, institutions, groups, and communities. Selecting those applications which are most worthy has been most difficult and many excellent programs have had to be denied. This situation will be greatly improved and an even more beneficial program provided if the increased funding of this bill is made available.

One of the reasons the Congress created the National Foundations on the Arts and the Humanities in 1965 was, as stated in the act, "that democracy demands wisdom and vision in its citizens." The public programs of the National Foundation on the Arts and the Human-

ities are major means of making more accessible to our citizens the resources for developing wisdom and vision. And those programs are a major reason for reauthorizing the foundations and increasing support for their work.

Mr. REID of New York. Mr. Chairman, in the 60 seconds remaining just let me make a few brief points.

This bill is a bipartisan bill. It is the result of a joint effort by Chairman PERKINS, Subcommittee Chairman John BRADEMAs, and the gentleman from New Jersey (Mr. THOMPSON), who has long been a staunch friend of the arts. On the Republican side, Mr. AYRES, the ranking minority member, Mr. QUIE, Mr. HANSEN, and Mr. ESCH were most helpful and we had the close cooperation of Minority Leader FORD and the gentleman from Ohio (Mr. Bow).

It was reported out of the committee 20 to 1. It enjoys the strong support of the President. It is his bill. It has been approved by the Bureau of the Budget. I think Miss Nancy Hanks of the National Endowment for the Arts and Dr. Barnaby Keeney of the National Endowment for the Humanities have done an excellent job and have shown important leadership in the arts and humanities. Their aid in the drafting of this legislation has been most helpful to the committee.

The funds that have been made available to the State art councils, which now number 55, have increased about nine times. In 1969, \$1.7 million in Federal funds, produced more than \$18 million in State and private outlays.

We have received \$7.4 million in matching gifts for the arts and \$3.6 million for the humanities; these gifts were matched with Federal funds. Arts Endowment matching grants generate three to four times their Federal investment even though the law only requires a dollar to dollar match.

Mr. Chairman, let me say that the arts need help. Mr. Clive Barnes, dance and drama critic of the New York Times, told the committee in his testimony that "American dance, both classic ballet and modern dance, is facing the most severe financial crisis in its history." In 1970, the deficit for our 90 leading orchestras totaled \$8.5 million, according to Amyas Ames, president of the New York Philharmonic. The theater is in similar difficulties, with ticket income up 8 percent in 2 years and gross expenditures up 17 percent.

The problem is not confined to institutional art but affects individuals as well. A recent survey of former participants in the MacDowell Colony showed that 74 percent of the writers, 92 percent of the composers, and 88 percent of the painters and sculptors could not support themselves from the earnings of their art.

For the future, the Arts Endowment plans to spend several million dollars on the expansion and improvement of the public service and quality of 90 major orchestras. Additional funds will also go to museums which might otherwise have to curtail some of their activities. And more money will go to opera companies for new productions and tours to benefit

many Americans who do not live near resident groups.

On the humanities side, additional funds are needed for basic research; for improving education in the humanities; for fellowships for writers, teachers, and scholars; and for expanded use and enjoyment of the humanities by the general public.

Most specifically, there continues to be a grave imbalance between the humanities and the sciences in terms of Federal support. Only 2½ percent of the post-doctoral fellowships awarded in this country go to humanists; and the Federal Government spends \$5 million on the humanities as opposed to \$15 billion for the sciences.

I urge support for this bill, which I think is essential to the quality of American life. I think the funds that are made available will return four, five, and 10 times to the benefit of future Americans.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield to the distinguished gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Chairman, as a cosponsor of the legislation which first established the National Foundation on the Arts and the Humanities in 1965, I rise in support of H.R. 16065, which would provide a 3-year extension of the life of the foundation.

It is imperative that we pass this bill today because the present authorization for the foundation will expire in a matter of hours. The work of the foundation's two cooperating entities, the National Endowment for the Arts and the National Endowment for the Humanities, has been most promising, and the Congress would be fully justified from every standpoint in extending the life of the foundation.

I can attest to the very real assistance that the foundation has given to even such a small State as Hawaii. In fiscal year 1969, Hawaii received a total of \$41,159 in Federal grants from the National Endowment for the Arts and \$10,000 from the National Endowment for the Humanities, and in fiscal year 1970, the State has already received comparable sums. These grants have helped immeasurably to stimulate creative expression in Hawaii, and similar grants have done the same elsewhere in the country. We ought to keep the gains we have realized since the foundation was established, and, by the enactment of H.R. 16065, assure further improvement in the quality of American life over the next 3-year period.

Each of the funding arms of the foundation, consistent with the congressional intent, has extended its activities on a nationwide basis. In the first 4 years of its existence, the National Endowment for the Arts disbursed a total of over \$25 million in Federal funds for more than 300 projects costing nearly three times that sum. In other words, approximately \$50 million for these arts projects came from public and private sources to triple the impact of the Federal appropriations. The significant thing about the arts endowment funds

was that they supplemented rather than replaced existing fund sources.

In Hawaii, for example, the State Arts Council received in 1970 matching funds from the State Legislature in the amount of \$163,579, the 10th largest contribution of its kind among the various States.

Instead of reaching a restrictive audience of upper class Americans as the critics of the 1965 legislation had feared, Federal programs stimulating the arts have reached an ever-widening audience across the country. In these troubled times when both young and old are questioning our national priorities, our task is clear. We ought to continue the vehicle which has already proven itself as a major force in the enhancement of the quality of life for the American people.

The other funding arm of the foundation, the National Endowment for the Humanities, has also had an impressive record during the past 4 years. It has developed to improve the teaching in the humanities in our educational institutions all the way from the elementary school to the college level. Outside of our educational institutions, it has fostered a broader appreciation of the humanities among the general public. Perhaps the most significant result that will flow from this fostering of a better national appreciation of the humanities is the infusion of a humanistic approach in seeking solutions to our most urgent social problems. While it is true that the forces of science and technology must continue to provide the necessary technical basis for our answers, it is only through humanistic studies that we will learn to apply those answers with wisdom and understanding.

Mr. Chairman, the bill to extend the life of the National Foundation on the Arts and the Humanities and to authorize appropriate additional funding in the years ahead deserves our wholehearted support. I urge a unanimous vote on H.R. 16065.

Mr. PEPPER. Mr. Chairman, having introduced a bill to set up a Federal Bureau of Fine Arts—intended to be the equivalent of the National Foundation on the Arts and the Humanities—in 1938 at a time when there was not a favorable climate for this sort of thing, I was naturally gratified when the Congress established the National Foundation on the Arts and the Humanities—of which I was one of the sponsors—in 1965 and has from time to time expanded this program as is evidenced by the pending bill. I hope we shall continue to enlarge this important function of our Government so as to enrich with ever increasing meaning the cultural life of the people of our country.

Now that we have undertaken to establish this program we must work to see that it receives the full support of our financial and human resources. If we fail to do so, this program, which may prove to be one of the most far reaching of our time in providing our country with the cultural temper required of all civilized nations, will suffer and from our neglect and who is to say but that our nations soul may suffer in turn. We are proud to be making progress in scientific, technological, and social fields, but we

have not yet afforded this country the opportunity to fully develop its cultural potential and to make its cultural resources available to all its people. We now have a chance to do this.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 16065, the bill to amend the National Foundation of the Arts and the Humanities Act of 1965, and I want to commend both the Honorable CARL PERKINS, chairman of the Education and Labor Committee, and the Honorable JOHN BRADEMANS, chairman of the Select Subcommittee on Education for their leadership and interest in the National Foundation. These two distinguished legislators have done a great deal to further the cause of the arts and humanities in America. Not only have their committees reported favorably on a bill which proposes to increase Federal support of the arts and humanities, but the hearings which have been held on this bill have helped to focus public attention on the past achievements of the Foundation and have encouraged interest and participation in these areas on many levels.

Five years ago, when the original legislation was enacted which established the National Foundation on the Arts and Humanities, much was said about the relative places science and the arts held in American society. And much criticism was voiced regarding the Federal Government's encouragement of this disparity. There is still a disparity—we allocate much more money to science—but the important thing to note today is that the money authorized for the arts and humanities would be doubled if this bill is passed. President Nixon last December voiced his approval of extending the Foundation for 3 years and doubling the Federal money, from \$20 million to \$40 million, which could result in a considerable increase in funds for the Foundation. Nancy Hanks, Chairman of the National Endowment for the Arts, testified before the Select Subcommittee that:

Every \$1 spent by the Government on the arts generated \$5 in private giving.

In 1965 the need for financial assistance in larger amounts than private giving could supply was emphasized by members of the performing arts, teachers, private citizens, people concerned with the Nation's museums, theaters, and symphonies, and many others. Many of these people came to voice their concern before Congress. At that time I was very proud to be a cosponsor of the initial legislation for the National Endowment for the Arts and the Humanities, and I am even prouder today. During the testimony before the House and Senate Committees on the original National Foundation Act, many points were brought up which illustrated the increasing need for Federal aid in this area. Senator EDWARD KENNEDY was one of the distinguished witnesses before these joint hearings and he put quite succinctly the basic problem being faced by participants in the fields of arts and humanities:

This spread of these institutions of culture in recent years shows that the thirst for culture among the people of our country is tremendous. But this is where the problem lies. We are not able to satisfy this thirst, in

the way that it should be because the artists and performers needed are not getting the economic incentive they need to do the job. . . . Thus, promising young men and women, who could be great performers in the arts, are going into other occupations, not as personally satisfying, not as challenging to their talents, because they cannot afford to do otherwise.

This was 5 years ago, but during her testimony before the Committee on Appropriations, April 7, 1970, Miss Nancy Hanks echoed a similar problem facing arts organizations. She said:

Our Nation's museums continue to experience an astonishing growth in demands placed upon them: The total number of individual visits to museums in 1969 was estimated at 560 million; 5 years ago the total was only 300 million visits. The sale of tickets for nonprofit professional arts performances has increased more than 2½ times in this same 5-year period—up from 13 million tickets sold in 1964 to over 30 million in 1969. In 1960, there were only 75 arts councils in the United States; today they number more than 600—a dramatic demonstration of our rapidly proliferating concern with arts at the local level.

Encouraging though these signs may be, they have presented for arts organizations a number of serious problems. Demand for the arts, the production of the arts, has placed increasing pressure on them, for they are confronted by drastically rising costs and the inability of private philanthropy to make up the difference between expenditures and earned income without outside help.

Though the problem of enough money is still with us—even considering the fact that twice as much money is being requested for the Foundation this year—great strides have been made by the Foundation. In every field of the creative, visual, and performing arts advances have been made. By encouraging research and teaching that are relevant to the important problems of the day the humanities have received more attention. The achievements of the Foundation can be listed in the numbers of grants awarded during the past fiscal year, by the number of performances of symphony orchestras, opera companies, ballet, and plays. Such programs as poetry in schools; special concert series in ghetto areas, parks, schools, and industries; the American Film Institute, and the Laboratory Theatre for Education are just a few of the successful efforts sponsored by the Foundation.

In its "Summary Statement for Fiscal Year 1971" the National Endowment for the Arts sets forth three of its primary goals and explains that the bulk of its funding will be directed to the arts and artist as they relate to audience, including youth. The first goal is to place greater emphasis on encouraging wider distribution of artistic resources throughout the Nation—enjoyment of and benefit from the arts should not be limited by geographic location or economic condition. The second goal is "cultural resources development" which would strengthen established institutions and stabilize new ones. The Endowment for the Arts hopes to enable more professional institutions to adapt themselves more effectively to the changing needs of their publics. They would be aided in this if some of their more pressing financial problems could be alleviated. Because of

its severely limited funds, the Endowment has been unable in the past to aid museums, orchestras, and opera companies under the category of "cultural resources development." It is hoped, however, that in fiscal 1971 limited but effective assistance can be introduced in these fields as well.

The third goal is the advancement of our cultural legacy, focusing on support for innovative projects, and on the need for new services and institutions. Examples of this type of project are the Endowment's archival work, advanced film training, and education to improve standards.

These worthy goals could be implemented to the benefit of all Americans if we agree on the merits and necessity of this bill. The humanities, as in the arts, also have attempted to correct the imbalance of support in society. The three goals of the humanities are similar to those of the arts: advancement of knowledge and understanding in the humanities through grants for research, publication, and fellowships; improvement of humanistic education through universities, colleges, elementary and secondary schools; and the extension of access to the uses and pleasures of the humanities through a variety of public programs. Section 1 of H.R. 16065 amends the National Foundation on the Arts and the Humanities Act by adding an additional phrase which summarizes the real purpose of the humanities in our society today. Amended, the purpose of the act reads:

A high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity, in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

It is my sincere hope that we make the effort necessary to bring the arts and the humanities into a central position in society for they can enable us to enrich our lives and our Nation.

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 16065, to amend the National Foundations on the Arts and the Humanities Act. The legislation would extend the National Foundation for 3 years authorizing \$40 million for its use during fiscal year 1971 and whatever funds are necessary during fiscal 1972 and 1973.

On June 10, 1963, President John F. Kennedy said:

I have long believed that the quality of America's cultural life is an element of immense importance in the scales by which our worth will ultimately be weighed. Government can never take over the role of patronage and support filled by private individuals and groups. But Government surely has a significant part to play in helping establish the conditions under which arts can flourish—in encouraging the arts as it encourages science and learning.

Through passage of the legislation before us today we will continue the commitment outlined so eloquently by President Kennedy.

The National Foundation on the Arts and Humanities was established in 1965 with two cooperating entities, the National Endowment for the Arts and the

National Endowment for the Humanities. Each endowment has a presidentially appointed chairman and an advisory council to oversee the awarding of authorized grants. Grants have been provided in the fields of architecture, education, literature, the dance, music, theater, and films.

Much of the work of recipients of these funds is public service in nature. For example, more than two-thirds of all symphony orchestra activity is not designed for regular paying subscribers. This means that 3,500 concerts are played just for children and students each year and another 4,000 concerts are played for the general public in the form of free concerts in the parks, pops, family, and neighborhood concerts.

In my own State of New Jersey, the Foundation has assisted many worthwhile and enriching projects. For example, the Newark Museum has received \$10,000 under the museum purchase plan in order to obtain works of living American artists. The Garden State Ballet was awarded \$5,000 for regional dance development to produce eight new ballets.

Mr. Chairman, it is my understanding that opponents of this legislation intend to offer an amendment to cut the authorization in half. I shall oppose this amendment and urge my colleagues to do likewise. Passage of H.R. 16065 as reported by the committee is essential to the cultural well-being of our citizens. It will channel needed funds into one of the most rewarding possible investments.

Mr. RYAN. Mr. Chairman, I am pleased to support H.R. 16065, amending the National Foundation on the Arts and the Humanities Act of 1965, as amended. This bill provides a 3-year extension of the National Foundation. In addition, it authorizes \$40 million for fiscal year 1971.

As an original sponsor of the legislation which established the foundation in 1965, I am naturally pleased that the Committee on Education and Labor has recommended an increase in authorizations. However, \$40 million is still an insufficient amount for adequate support of the arts and the humanities. This insufficiency is highlighted by the anomaly which exists in the fact that the State of New York recently approved an expenditure of \$20 million for the New York State Arts Council—an amount equal to that which will be provided nationally for the National Endowment of the Arts, one of the two funding components of the foundation.

New York City, alone, allocated \$75 million this year for the arts and humanities. Of this total, \$15 million went to museums, \$2 million to the performing arts, \$14 million for repairs, maintenance, and so forth, and \$44 million to libraries. This amount represents approximately 1 percent of the city budget. If the same percentage of the national budget were allocated to the arts and the humanities, approximately \$2 billion would be available.

This recitation of figures is not by way of claiming that in New York State and New York City, at least, the arts and humanities are receiving sufficient funds. They are not. Nor are they anywhere in

the country. I realize, of course, that moneys are very scarce and, again, here is another national priority—enacted into law in 1965—which suffers and languishes while billions continue to be poured into the military budget.

Since its creation in 1965, the National Foundation on the Arts and Humanities has lived up to its mandate to help improve the quality of American life. Its creation marked the beginning of a new era for the arts in this country—an era in which the contributions of the arts and humanities to American society and life would hopefully be recognized for their own intrinsic merits an era in which the arts and humanities would finally take their proper high place on our list of national priorities and Federal responsibilities.

Culture, as such, may be an intangible. But the education, enlightenment, and enjoyment of the people across this country who have participated in, and seen, projects funded by the Foundation are very tangible and worthwhile results. And the assistance and encouragement rendered to artists, composers, musicians, dancers, libraries, museums, colleges, and other recipients are equally important.

The \$40 million authorized by H.R. 16065 is not enough. But it is clear that no less is warranted or justifiable, no matter the cavils of the Foundation's critics.

Mr. STOKES. Mr. Chairman, I rise in support of the bill.

For 5 years now the Federal Government has provided minimal support for the continuing development of the arts and humanities in this Nation. Almost \$18 million has been appropriated in this noble effort and this figure has been matched by more than \$55 million on the local level. These added resources have given a tremendous boost to a variety of cultural activities which would otherwise have likely withered on the vine of economic neglect.

One phase of the National Foundations efforts which has been of particular interest to me is the \$1,885,734 that the National Endowment for the Humanities has devoted to scholarship and education concerning the historical and cultural contributions of America's 22,000,000 blacks. This assistance was given primarily in recognition that this rich aspect of our national life has heretofore been shamefully ignored. But it was also provided in realization that never in the history of the Republic has there existed such a desperate need for mutual respect and understanding between persons of all races and colors.

The expenditure was made in the form of six grants for public programs, 17 grants for programs in schools and colleges, 22 grants for summer institutes, 11 grants for research, and 47 fellowship grants—all devoted to increasing knowledge of black culture or to making such knowledge more widely available.

The public programs, aimed at disseminating knowledge to the public at large, included support for the exhibit activities of the Frederick Douglas Institute of Negro Arts and History here in Washington.

The educational programs in schools

and colleges included helping teachers in the Baltimore city schools increase their understanding of Afro-American history and culture for incorporation in their social studies, arts, and literature classes.

The fellowships and research grants are helping scholar-teachers undertake such projects as a biography of the black author, Richard Wright, a history of the NAACP, a historical analysis of Negro housing patterns and social mobility, a study of contemporary black composers, and the editing of the papers of Booker T. Washington.

The summer institutes funded by the endowment were on college campuses where teachers gathered with experts on black history, literature, and art to learn about materials they could use in their courses. Eight of the 22 institutes, lasting 1 to 6 weeks each, were on the campuses of colleges whose enrollments are primarily Negro.

The Endowment has also conducted a program aimed particularly at such black colleges, whose faculties often have been raided by large, white institutions, seeking to increase the integration of their own teaching staffs. The Endowment has awarded 16 faculty development grants to help individual teachers at such schools, or teachers working on joint projects, to increase their own competencies or to improve their instructional programs.

The Endowment has now begun a program of fellowships specifically for minority studies. Individuals who have completed professional training and show promise as scholars and teachers receive aid for a year's work in such fields as Afro-American history. They work under recognized scholars at universities with strong programs in those fields. The intent is to help produce more genuine experts who will be able to add substantial contributions to knowledge about minority peoples in America.

This program to benefit black educational development represents only one of a myriad of meritorious projects which have received support from the National Foundation. You have heard of others from my colleagues on the Education and Labor Committee. The Foundation's work and economic aid on behalf of local symphonies, museums, dance groups, and chamber music societies should by now be well known and admired. As a citizen of a city which holds the deserving reputation as a bastion of cultural progressiveness, I am proud to support the increase in Federal assistance to the arts which passage of this bill will represent.

The Greeks long ago called upon all of humanity to dedicate themselves to one cause above all others: to tame the savagery of man and to make gentle the life of this world. The timelessness of that charge is self-evident, and its ultimate realization is perhaps most dependent upon the creation of an environment marked by civility, not hate; by beauty, not terror; and by mutual understanding, not divisive mistrust. These qualities constitute the essence of the arts, and if the qualities are to flourish, the arts must do likewise. Today's action can be another small step to abet this

development. We must not fail ourselves.

Mr. PRICE of Illinois. Mr. Chairman, the past few years have demonstrated the great success of Government support of the arts and humanities. We now have an opportunity to make the role of the Federal Government even more meaningful in stimulating its further growth. For too many years, the Government played no role in this field—instead, giving emphasis only to the development of the more technical sciences. With the passage of the National Foundation on the Arts and the Humanities Act of 1965, the importance of the arts was finally acknowledged. Now is the time to make our efforts more relevant to today.

The passage of the 1965 act was too long in coming. Our society, long before 1965, required an awareness of the arts and humanities by the Federal Government. The next few years will require an increased awareness. The adoption of this amendment will enable the act to become more relevant to today and to tomorrow.

The areas of theology and ethics, as well as those areas of the humanities already encompassed by the act should be acknowledged for their capabilities for coping with the conditions of today as well as of anticipating those of the future. The arts and humanities, highly developed for centuries, have immeasurable resources for offering insights.

The importance of the arts was recognized for centuries. They are necessary to any great society. Sir Kenneth Clark's series "Civilization" is dramatic evidence of the important role the arts have played in the development of the Western World and indeed, the evolution of all civilization.

The act of 1965 accomplished much. A comparatively small amount of Government funds, stimulated a large amount of private investment. The arts have spread across the country reaching broad audiences. This act achieved much and the amendment can achieve more.

It will allow the arts to reach a wider breadth of people. The artists of our country will have the opportunity to devote more of their talents and time to further their own creative work and expand the public interest in their work especially among the young.

The Government has involved itself in the arts and this involvement has been beneficial to the arts and to the public as a whole. The United States is not a culturally deprived country. That is not the reason for this amendment. Neither is it a stagnant country. There is no reason for the Government to remain satisfied with the success of the act of 1965 when, by increasing its commitment in the field of arts and humanities, the Government can make a further contribution to the artistic expressions of a free people.

Mr. LLOYD. Mr. Chairman, I am heartened by the strong endorsements made by so many Members indicating that this Federal participation in encouragement of the arts and humanities at the grass roots should continue.

To tell the truth, there are some activities which we are hereby encouraging that I find it difficult to personally ap-

preciate to the fullest. But members of my family, my friends, and associates and their families and the communities of my district do find growth and gratification from certain of the arts and humanities which do not have such a strong pull for me, and I am proud that Utah's Second Congressional District, containing our capital city, Salt Lake City, is a rapidly growing center for cultural education and fulfillment which we hereby encourage and sustain. By our action here, we assist in holding higher the torch of encouragement to greater enjoyment and greater education and understanding of great music and human and graceful expression in a variety of the arts, and I am grateful there are responsible citizens in my community and in communities throughout America who are giving so generously of themselves and their resources so that my family and the families throughout our country can be given these shining additional opportunities to a higher standard of civilization.

Mr. Chairman, I wholeheartedly support H.R. 16065—to continue the National Foundation on the Arts and Humanities.

Mr. HANSEN of Idaho. Mr. Chairman, I rise in support of H.R. 16065 to extend the authorization and increase funding for the National Foundation on the Arts and the Humanities. Nearly 5 years ago, the Congress established the Foundation to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States. Since that time, the Foundation has launched and implemented a wide spectrum of programs which have reached directly into every State in our Nation, offering, as President Nixon urged last December, cultural resources in "ways that can enrich the lives of more people in more communities than has ever before been possible."

Contrary to the belief of some that these programs would benefit only those citizens in eastern metropolitan areas, the National Endowment for the Arts has reached from Juneau, Alaska, to Belton, Tex.; from Many Farms, Ariz., to West Branch, Iowa; from Dover, Del., to Crete, Nebr.; from Chickasha, Okla., to Hattiesburg, Miss. The State of Idaho, in addition to receiving over \$100,000 in direct grants, has also benefited from tours by such outstanding performing companies as the Montana Repertory Theatre and Ballet West. In many cases, therefore, the arts endowment's programs have brought professional art to people previously without such opportunities, and have assisted our finest young talents to continue their contributions to America's rich cultural heritage.

Presidents Eisenhower, Kennedy, Johnson, and Nixon all realized that, in the words of Arnold Toynbee, "to give a fair chance to potential creativity is a matter of life and death for any society." They, and the Congress, are to be commended for their recognition of the arts' essential role in establishing a Nation's image abroad, for their demonstrated concern for the human spirit, and for their efforts in behalf of increasing man's depth of understanding and sense

of wonder about the world and its people. As President Nixon said:

Our creative and performing artists give free and full expression to the American spirit as they illuminate, criticize and celebrate our civilization. Like our teachers, they are an invaluable national resource.

And at a low cost indeed. The Metropolitan Opera Co. alone costs as much to operate in one year as is now being requested for all the arts across our Nation. The New York State Legislature has already approved for the State, an amount equal to the amount we discuss today for the Nation. New York State is giving \$18 million in new money for the arts this coming year—more than twice as much new money as is included here for the country.

Thus, for example, the Endowment's proposed orchestra program would provide only a 4-percent contribution towards orchestras' total costs, contrasted with some European nations' 75 percent Federal aid. The investment we discuss here is small; but its implications, in terms of encouraging the artists and those who support their efforts, are vast.

I have attempted to demonstrate that the Arts Endowment, far from restricting its activities to metropolitan areas, has reached directly into numerous smaller communities. I have also tried to show how small an investment is being requested; I might add here that the United States spends about 10 cents per person on the arts, in striking contrast with other nations whose governments make 10, 20, even 30 times as much available for their arts. Figures also prove that far from drying up other resources, the endowment's dollars generate an impressive amount of outside funding.

All of these points are easy to enumerate and to prove: they deal in statistics. What I should also like to discuss briefly is what President Nixon referred to as "the intangible but essential qualities of grace, beauty, and spiritual fulfillment." This is, after all, what the Arts Endowment is all about.

These qualities are what make the arts important in their own right, a fact this age of technology may too often overlook or relegate to some sort of peripheral consideration. We must not allow that to happen. Our young people, and many not so young, rightly or wrongly worry about America's seeming overattention to material concerns.

We might all have done well to listen to Robert Shaw, music director and conductor of the Atlanta Symphony Orchestra, during his eloquent testimony in behalf of this bill:

What we mean is that unnecessary wealth has ceased to be an end unto itself. We produce in order to buy time in order to build a happy healthy physical and social life—and more importantly a life of the mind and spirit. It is precisely in this communication of the arts that lies man's essential being. This is the dream that justifies political and economic activity—validates it . . . These adventures in communication at the highest level of human aspiration shine as a sort of beacon—that it has happened, that it can happen, and that it *must* happen here.

Another important consideration discussed by Mr. Shaw was his group's many tours abroad, including numerous

performances for the Russian people. Their warmth, their emotion, their total delight and gratitude, surely speaks well for the arts' unique ability to bridge age-old barriers erected by political and geographic considerations.

In Mr. Shaw's words:

I will have no traffic with the glib and pious prescription optimist who intones, "The people who sing together will find peace together" . . . But a generous and lively communication of the . . . arts can accomplish some things: it can gain us time, and it can give us the hope that if we understand each other so warmly and naturally in affairs of the spirit we may one day be able to compose political, economic and social differences.

People the world over honor America's artists for their extraordinary creativity, discipline and vitality. We can do no less.

The National Endowment for the Humanities, which is one of the Foundation's two parts, has placed particular emphasis on education, devoting more than 20 percent of its budgets from 1966 to 1969 to educational projects, not counting grants to teachers and scholars or programs in public education. And educational programs in the humanities would receive more than 50 percent of the increase projected for the humanities endowment in this legislation.

The actual dollars remain few. In 1967, the 100 colleges and universities that received the most Federal aid for academic science received more than \$5.5 million each. The Humanities Endowment's grants for education in all 4 years, 1966 to 1969, did not exceed \$3 million in total. An increase for humanistic education now will help restore the balance.

I am particularly pleased that significant shares of the Endowment's aid have gone to undergraduate colleges, often small, in competition with the large universities and other cultural institutions the Endowment must serve.

Taking the Endowment's spending for education, fellowships, research, and public programs altogether, in fiscal 1969 more than one dollar of every five went to undergraduate colleges, as opposed to universities, schools, museums, libraries, historical societies, and other cultural institutions.

This aid extends to the Nation's junior and community colleges. In the current fiscal year and fiscal 1969, the Endowment has approved for award, or has already actually awarded, grants to 11 2-year institutions in the States of Washington, California, Illinois, New York, Kentucky, North Carolina, Mississippi, and Arizona. In addition, the Endowment granted \$50,410 to the American Association of Junior Colleges for a demonstration project in humanistic education involving 10 more 2-year institutions.

The Endowment's educational grants have been chiefly for specific, limited projects for improving instruction in the humanities in innovative ways that could be adopted widely.

Hiram College in Hiram, Ohio, for example, with only some 1,100 students, raised private money with which to secure matching funds from the Endowment for a major curricular change in

the humanities—a new freshman-year program designed to involve the student in planning his own education, and enabling him to get an education with genuine relevance to the problems of the world in which he lives.

The Endowment has been a leader in encouraging small colleges and universities to share resources in the humanities that they cannot afford individually. A prime example is an arrangement, aided by the Endowment, for sharing philosophy faculties among three institutions in the same community—Concordia College and Moorhead State College in Moorhead, Minn., and North Dakota State College across the State line in Fargo.

The Endowment clearly could make good use of additional funds to carry on this kind of work in humanistic education. In fiscal 1969, its Division of Education was able to fund only 71 of the 179 applications it received. And it was able to provide less than \$2 million in response to requests that totaled more than \$13 million.

If the additional funds requested are appropriated the Endowment plans to increase its aid particularly for humanities teaching in junior colleges.

The Endowment would have an opportunity also to make some institutional grants for humanistic education, many of which are likely to go to smaller colleges as models. These grants would not be for limited projects, but for general, balanced programs of improvement for a college's humanities division as a whole. The National Science Foundation has been able to make grants of this kind totaling more than \$133 million for science education since 1964, with results apparent in this country's scientific leadership.

In his message to the Congress of December 10, President Nixon said:

The attention and support we give the arts and the humanities—especially as they affect our young people—represent a vital part of our commitment to enhancing the quality of life for all Americans.

The Endowment's educational programs, extending as they do to young people in small colleges as well as large, and to institutions in every region of the country, have demonstrated what can be achieved. It is vital for the humanistic development of our country that we now build more substantially upon this base of achievement.

Mr. Chairman, I urge favorable consideration of H.R. 16065, and insert in the RECORD the full texts of President Nixon's special message to the Congress of December 10, 1969, and of Robert Shaw's testimony before the House Select Subcommittee on Education on February 6, 1970:

STATEMENT OF ROBERT SHAW

Mr. Chairman and Members of the Committee, my name is Robert Shaw. I am the Music Director and Conductor of the Atlanta Symphony Orchestra. We are classified by the American Symphony Orchestra League as a "major" orchestra, one spending in excess of \$500,000 annually. Our management tells me that in the 1970-1971 season our budget will increase some \$200,000 just to keep pace with costs of operation and contractual obligations, placing that budget at \$1,500,000.

I am here today in response to the invitation of the Chairman to speak with respect to a bill to extend the life of the National Endowment of the Arts and Humanities and the President's proposal to double the allocation of funds to the Endowment. I earnestly support both measures and hope you will act favorably on them.

Others will give testimony dealing more specifically with the critical financial dilemma faced by arts institutions and I would like to leave that matter to them. The matter of financing these institutions has ceased to be merely one of local importance and has become one of national urgency.

I would like to deal for a few moments with art's absolute essentiality to our civilization and our times. To this end I ask myself a series of questions:

First, what are the meanings of art? What is it trying to tell us of man? What is man trying to tell us of himself?

Second, what may be the function or influence of art in a world gone schizo-phrenic, pustulant, sadistic?

What occurred to me immediately was that if we could consider for a moment that anyone who does not live on our block, or Russians and Cubans, and even north by northeast Vietnamese—or people with different colored skin—were also human, then the answers to questions number one might also tell something concerning questions number two. And it occurred to me further that if we were to inquire into the nature of art we might very well end up pondering the nature of man—which is a study proper enough.

In spite of lunar landings, today's room at the top has a view with alarm. First, man stands if not teeters on the brink of self-annihilation; and second, quoting the butcher, baker, candlestick maker, "I don't see what I possibly can do to stop it."

Number One: the sickness of Society. Man has arrived at a position in scientific knowledge and competitive politics where he can reasonably hypothesize his self-extermination. Governments, not for any lack of earnestness or endeavor, probably even without malice, and for reasons which must be disturbingly unknown—even to themselves—engage hourly and horrifyingly in a juggling and counter-juggling of propagandas, munitions, monies, missiles and men uncerifiable even by the laws of average.

And, whereas, some months—or a few years—ago it may have appeared that the threats to our survival were global and nuclear and outside of ourselves—with the release of the report of the Advisory Commission on Civil Disorders and its sequels we are facing the grim fact that we ourselves in our own community—our own block—our own family and our own hearts are hosting parasitic and cancerous death.

And I ask myself parenthetically, "Is man really worth saving?" Certainly all those born last night are. And a ten year old son. And everybody's children in college—none of whom has had the opportunity to merit the wind he inherits. But in spite of Socrates, Jesus, Beethoven, Shakespeare, Lincoln, Bach, Buddha, Ghandi, Martin Luther King and a host of lesser saints, is it not possible to paraphrase the psalmist, "When I consider this earth, the work of my fingers, the horrors I have created, what is man that he is mindful of himself?"

Might it just be that man is not worth saving?

There comes immediately another question, and it's really a half-answer. On the other hand—"Could it be possible that human life itself—unclassified—is a plus on creation's side? Not: is *this* life or *that* life worth saving? Not even: is it worth killing for? But: in view of the timeless, consciousness upward climb of warm mud to cold man, is the life-force in the man-thing of itself a value, and enough to save him from self-destruction?

When the table-stakes are raised from trade-routes and development rights, through spheres of influence, principalities and powers to man himself—absolute or obsolete—the game is not the same.

Fact of life Number Two: the lonely sickness in each man's soul—familiar no doubt as well to kings, prime-ministers and presidents as to students, teachers, musicians and bartenders that there is, indeed, very little that "I can do about it."

"They say this world
Is smaller now.
But not my world.
My world is full
Of hurricane and tide
Of flux and flood
Of thrust and space
I never thought to face.
And still no place
To hide.

"This much moon
I never could bark down—

"In this much pond I fall
At being frog at all."

The jailer of Paul and Silas at Phillippi, originator of, "What must I do to be saved?" was panicked only by an earthquake at midnight, not by "How will you have your cities this morning, with or without people?" or "How do you like your children, crisp—or scrambled?"

Which of us, simply by the accident of being born, and in personal as well as public affairs, does not find himself on a runaway rocket blasting a trackless blackness, speed and destination out of sight, mind and control? "What is man? And, can he be saved?"

I have not to this point listed or defined arts or this art—first, because I feel that we would agree in general where they lie—certainly among the "Humanities", and second, because I have a suspicion, undeveloped as yet, that in the end art may prove to be as much an attitude as an aptitude and a point of view as well as a product. When I say "art", then, know that I mean at least the languages and produce of Beethoven, Shakespeare, Donatello, Bach, Dickinson, El Greco, Stravinsky, Bartók and Picasso.

What does this sort of art show itself to be, why is it important, and how can it help us? I'd like to submit four answers.

First: Art on this scale is the most pervasive, persistent, powerful affirmation of the life-force in the man-thing. Than Sex it is stronger and longer—by centuries and by oceans. It is regeneration, reincarnation and the "agony of resurrection". It is a true transubstantiation: pitch into sonata-form into spirit; paint onto canvas into tears; words onto paper across a proscenium into the heart of man. Essence inferred into substance achieved—in order to communicate Essence. Ally through all time of the evolutionary thrust it is finally the Flesh become Word. Fantastic transubstantiation.

I love that idea. That the "Word became Flesh—and dwelt among us" is the Christian's faith and symbolism of God's gift to man.

But what of that staggering potential reciprocity—man's gift to God: "—And the Flesh became Word."—The work of man's hands becoming spirit. That yard of painted canvas, that 30 seconds of composed Time becoming Truth.

In the second place: in the face of Chaos art is the recognition of isolate identity and the achievement or Order. Facing the myriad phenomena of sensation, it is the ability to isolate the singular and the significant—and so place it in the company of other identities, equally select and positioned that the solo of the Whole is greater than the Chorus of its parts.

"Out of Chaos
A creative spirit moving over the face of
the waters
Out of the random a rule,

Out of countless and contrary
The mark of One
Integrity—entire whole and holy."

The processes of Creation in the Arts are these:

Observation: the recognition of identity—of it-ness.

Juxtaposition: the placing of several identities in relationship to the others.

Communication: the setting of these in Motion—in Time, Space—and in the heart of man.

Form in art is a symbol, and it symbolizes something to which we can only give the name of spirit. We do not explain it away by tabulating its devices and naming its relationships. It exists in spite of our understanding. At some point deep in consciousness pattern will answer pattern, and that will be no crisp intellectual gymnastic but a warm and moving awareness. What we call emotion is surely a part of it. Tears, laughter, and a tensing spiritual tempo are assuredly within the mandate of Form.

A Third aspect of art's meaning I find eloquently stated in a book of an English mathematician, J. W. N. Sullivan, entitled *Beethoven, His Spiritual Development*. It is Mr. Sullivan's contention that during the past few decades the mechanistic theories which ruled man's thinking for some 300 years have been severely shaken. Science has been able to provide knowledge of matter, but not of *essence*. Therefore, matters of *value* which heretofore have been ignored because they were not measurable, may still have something to say concerning the nature of reality.

"A work of art may indeed be a 'revelation', the 'higher consciousness' of the creative artist is evidenced not only by his capacity of ordering his experience but also by his capacity of *having* his experience.

"Beethoven lived in a universe richer than ours, in some ways better than ours, in some ways more terrible. And while he does not communicate his experience to us, he does communicate his attitude towards it. And we recognize his universe; we find it prophetic of our own. It is indeed our universe, but experienced by a consciousness aware of aspects of which we have but dim and transitory glimpses.

"The reason that our reaction to a work of art cannot be adequately described is not that some unique and isolated faculty is involved, but that art is not superfluous, that it exists to convey that which cannot otherwise be conveyed."

The Fourth mark of Art's meaning I find in the simple fact that it is unremittingly an attempt to *communicate*, to establish contact, to find kinship even across centuries and oceans. It does seem to me that political and economic configurations—their facets running hot and cold—are more frequently divisive than comprehensive. For example, it begins to be apparent that the choice does not lie between segregation and desegregation, but between integration and disintegration.

It is to the credit of art and the arts that, except for short periods when they have been subverted by politics or principles not their own—as in Hitler's Germany or Stalin's Russia—they have been a unifying force in the affairs of men, have promoted understanding and affection, rather than half-truth and no-trust. Art has instituted no crusades, has burned neither witches nor books. Indeed, in this respect and perhaps because it has not been so institutionalized, great art, even more than established religion or political organization, has been the open hand of man reaching for this brother, and persistent focus of his good will.

These maybe at least are some of the meanings of art—and advertently of mankind.

There was one question left. It was "What hope can this offer to the abused and acne'd face of this earth?"

Let me report to you what I've seen in recent years.

Short years ago a chorus and orchestra of 60 young professional musicians toured the Soviet Union as a part of our State Department's Program of Cultural Exchange. We were there six weeks. We gave 30 concerts in 11 cities. The program was almost exclusively religious music: Bach, *B Minor Mass*; Mozart, *Psalms*; Schubert, *Mass in G*; Bach, *Funeral Motet, Jesu meine freude*; Schönberg's *Friede auf Erden*; Ives' anthems on Thanksgiving texts; Negro and White Spirituals. All this in a country presumably atheistic.

These concerts coincided precisely with the sharp edge of the Cuban crisis. Where we might have expected demonstrations and picketing there were only "bravo" and "viva" and "ticket, ticket, who's got a ticket?" Cheers and tears of thanks, good-luck and even "God-bless!"

In Leningrad students and workers stood in line all night to receive a coupon which would allow them to stand in line all the next day which would allow them the privilege of standing room at the concerts—so long as it was available.

In the predominantly agricultural center of Lvov, peasants and students stopped the concert three times—bursting open the doors—in order to keep from being crushed by the crowds on the street pressing after them.

In Moscow, the final week there were units of militia stationed behind hastily erected steel fences at ten foot intervals during all daylight hours to keep the public from stowing-away in the halls—or rushing the doors before the gates were open.

An American Embassy official was offered the price of a month's wages or a suit of clothes for one ticket to one performance of Bach's *B Minor Mass*.

The night of the last Moscow concert Bach's *Mass in B Minor* was broadcast not only throughout the entire Soviet Union, but east and west into satellite countries. For three hours, the only fare available to the Communist audience of a hundred million people was this monument of Christian creed and philosophy and art.

A minister of culture, extending an official invitation to return, asked if the repertoire might include Beethoven's *Missa Solemnis*—and—wonder of wonders—Bach's *Passion According to St. Matthew*—the bloody soul and center of Christian evangelism.

Gifts which were proffered in return for the pleasure they said they received were abstract paintings in the manner of Mondrian or Jackson Pollock, and even more poignantly, contemporary ikons—Mary and the Christ—"out of" Mother Russia—"by" a hopeful El Greco in the Twentieth Century. What a strange twist to find the avant-garde, the independent and rebellious young linked to religious expression. A quarter of a century before, in my college days, it was considered advanced to be an agnostic. All this in a country, by its own proclamation and our promulgation presumably materialist and nontheistic.

How does one explain these things?

In the first place—in a snare of mutual mis-information and mistrust what a solace must be the invitation only of good-will. "Blessed is he that cometh in the name of the Lord."

In the second place, possibly this music awakened in the hearts and memories of older people fragments of their unconscious which caused them to weep though they knew not why.

But thirdly, what of the young? What of those without the memories of family or public worship? I submit that one can experience extreme difficulty in attempting to legislate out of existence the Unknown.

And fourthly, consider the possibility what the people of this world are enormously more sensitive to matters of the spirit than their

party pronouncements or our public presses would lead us to believe.

Listen to a fraction of a review published in the Soviet Journal of Arts following our return to the United States:

"In what lies the immortality and eternal beauty of Bach's music? Why does it so excite, please and move people at all times, including us, the people of the middle Twentieth Century? Probably every generation has given and gives its own answers to these questions.

"The spiritual life of modern man is infinitely complicated. His thinking, memory and aesthetic feeling are constantly developing. But still the human principles that are characteristic of man are and remain immutable. They rest on principles simple and eternal as the world itself: humanism, truth, goodness, beauty.

"All this the music of Bach reveals to us in forms which are simple and majestic, clear and infinitely wise. The music sings of life. It uplifts us, forces us not only to rejoice and to suffer but, most of all, to think."

"I never saw it fall," our aged impressario said on the way to the airport, "I was in every audience. Within three minutes after you had begun to sing 'Kyrie Eleison', 'Lord our God have Mercy', there were only silence and tears. And when you came to 'Dona Nobis Pacem', 'Grant Us Peace,' there were night after night the strongest emotional tension and release I ever have witnessed. All sense of performance was gone. Only the spirit of Bach remained."

Atheistic materialism—? My Readers Digest!—Not from where I stood.

Now—what does all this accomplish? In the first place, I will have no traffic with the glib and pious prescription optimist who intones, "The people who sing together will find peace together!"

Bushwa.

Evil is real in this world. Economic and political and social problems exist, both internationally and internally, and they are not going to be solved simply by going singing.

But a generous and lively communication of the liberal and performing arts can accomplish some things: it can gain us time, and it can give us the hope that if we understand each other so warmly and naturally in affairs of the spirit we may one day be able to compose political, economic and social differences.

In general the intellectual and moral climate of our times is agreeable to the proposition that man does not live by bread alone. (In Westchester County, Shaker Heights, the North Shore and other suburbia they have it that man does not live by grass alone.)

What we mean is that unnecessary wealth has ceased to be an end unto itself. We produce in order to buy time in order to build a healthy happy physical and social life—and more importantly a life of the mind and spirit.

It is precisely in this communication of the arts that lies man's essential being. This is the dream that justifies political and economic activity—validates it. Man does not live by bread, grass, economics or politics alone. These adventures in communication at the highest level of human aspiration shine as a sort of beacon—that it has happened, that it can happen, and that it *must* happen here.

"Greatness" is not some private property of some small coterie of hot-house sophisticates in New York or London or Vienna or Atlanta. Great art is great because it calls out to something deep and constant in the human thing, because it carries something so native and true to the human spirit that not even knowledge of how it is done can kill the magic.

"Pop" art is not the people's art. Popular music is *not* the people's music. The people

think so little of it that every 6 to 16 weeks they demand a new tune to dance to, to trade small talk above, to make what some call "love" by.

The "great" art is the most human art. It is the most common art. It's available. The only thing we have to fear is understanding it. If we are not afraid to understand—we can.

In terms of the past—only the best is good enough. In terms of the present—the significant truth is that Art is not really importable. Perhaps. Perhaps it's not even sponsorable or supportable. Each man makes his own—whether he will or not. Each man must be an artist or perish.

For finally the understandings of the spirit are not easily come by. It takes a creative mind to receive the creator's mind. It takes a holy spirit to receive the Holy Spirit. And "Just as I am" is not nearly good enough.

There's no pabulum diet for Truth, and no landscaped approach to Beauty. You knock down the fences in your mind one by one. You finally realize that the mind and the spirit are not poles apart; that intelligence and the heart don't cancel each other; and if you finally can comprehend how a work is constructed, it is not proved to be a machine. You scratch and you scramble over intellectual difficulties, and you get mad and curse your own weak little mind, and cry, and quit daily. But every once in a while running around the bone you see blood; and every once in a while you hear music.

You have it in your power to help us to hold on to the creative arts, to help us find for them new structures and toll unceasingly; for mankind in all his glory is only arrayed by such as these.

PRESIDENT NIXON'S MESSAGE TO THE CONGRESS OF THE UNITED STATES EXPRESSING THE AMERICAN SPIRIT

Americans have long given their first concerns to the protection and enhancement of Life and Liberty; we have reached the point in our history when we should give equal concern to "the Pursuit of Happiness."

This phrase of Jefferson's, enshrined in our Declaration of Independence, is defined today as "the quality of life." It encompasses a fresh dedication to protect and improve our environment, to give added meaning to our leisure and to make it possible for each individual to express himself freely and fully.

The attention and support we give the arts and the humanities—especially as they affect our young people—represent a vital part of our commitment to enhancing the quality of life for all Americans. The full richness of this nation's cultural life need not be the province of relatively few citizens centered in a few cities; on the contrary, the trend toward a wider appreciation of the arts and a greater interest in the humanities should be strongly encouraged, and the diverse culture of every region and community should be explored.

America's cultural life has been developed by private persons of genius and talent and supported by private funds from audiences, generous individuals, corporations and foundations. The Federal government cannot and should not seek to substitute public money for these essential sources of continuing support.

However, there is a growing need for Federal stimulus and assistance—growing because of the acute financial crisis in which many of our privately-supported cultural institutions now find themselves, and growing also because of the expanding opportunity that derives from higher educational levels, increased leisure and greater awareness of the cultural life. We are able now to use the nation's cultural resources in new ways—ways that can enrich the lives of more people in more communities than has ever before been possible.

Need and opportunity combine, therefore, to present the Federal government with an obligation to help broaden the base of our cultural legacy—not to make it fit some common denominator of official sanction, but rather to make its diversity and insight more readily accessible to millions of people everywhere.

Therefore, I ask the Congress to extend the legislation creating the National Foundation on the Arts and Humanities beyond its termination date of June 30, 1970, for an additional three years.

Further, I propose that the Congress approve \$40,000,000 in new funds for the National Foundation in fiscal 1971 to be available from public and private sources. This will virtually double the current year's level.

Through the National Foundation's two agencies—the National Endowment for the Arts and the National Endowment for the Humanities—the increased appropriation would make possible a variety of activities:

We would be able to bring more productions in music, theatre, literature readings and dance to millions of citizens eager to have the opportunity for such experiences.

We would be able to bring many more young writers and poets into our school system, to help teachers motivate youngsters to master the mechanics of self-expression.

We would be able to provide some measure of support to hard-pressed cultural institutions, such as museums and symphony orchestras, to meet the demands of new and expanding audiences.

We would begin to redress the imbalance between the sciences and the humanities in colleges and universities, to provide more opportunity for students to become discerning as well as knowledgeable.

We would be able to broaden and deepen humanistic research into the basic causes of the divisions between races and generations, learning ways to improve communication within American society and bringing the lessons of our history to bear on the problems of our future.

In the past five years, as museums increasingly have transformed themselves from warehouses of objects into exciting centers of educational experience, attendance has almost doubled; in these five years, the investment in professional performing arts has risen from 60 million dollars to 207 million dollars and attendance has tripled. State Arts agencies are now active in 55 States and territories; the total of State appropriations made to these agencies has grown from \$3.6 million in 1967 to \$7.6 million this year. These State agencies, which share in Federal-State partnership grants, represent one of the best means for the National Endowment to protect our cultural diversity and to encourage local participation in the arts.

In this way, Federal funds are used properly to generate other funds from State, local and private sources. In the past history of the Arts Endowment, every dollar of Federal money has generated three dollars from other sources.

THE FEDERAL ROLE

At a time of severe budget stringency, a doubling of the appropriation for the arts and humanities might seem extravagant. However, I believe that the need for a new impetus to the understanding and expression of the American idea has a compelling claim on our resources. The dollar amounts involved are comparatively small. The Federal role would remain supportive, rather than primary. And two considerations mark this as a time for such action:

Studies in the humanities will expand the range of our current knowledge about the social conditions underlying the most difficult and far-reaching of the nation's domestic problems. We need these tools of insight and understanding to target our larger resources more effectively on the solution of the larger problems.

The arts have attained a prominence in our life as a nation and in our consciousness as individuals, that renders their health and growth vital to our national well-being. America has moved to the forefront as a place of creative expression. The excellence of the American product in the arts has won worldwide recognition. The arts have the rare capacity to help heal divisions among our own people and to vault some of the barriers that divide the world.

Our scholars in the humanities help us explore our society, revealing insights in our history and in other disciplines that will be of positive long-range benefit.

Our creative and performing artists give free and full expression to the American spirit as they illuminate, criticize and celebrate our civilization. Like our teachers, they are an invaluable national resource.

Too many Americans have been too long denied the inspiration and the uplift of our cultural heritage. Now is the time to enrich the life of the mind and to evoke the splendid qualities of the American spirit.

Therefore, I urge the Congress to extend the authorization and increase substantially the funds available to the National Foundation for the Arts and Humanities. Few investments we could make would give us so great a return in terms of human understanding, human satisfaction and the intangible but essential qualities of grace, beauty and spiritual fulfillment.

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of this bill. I have strongly advocated the National Foundation on the Arts and Humanities since the original legislation in creating it, which I was privileged to have cosponsored. In considering H.R. 16065, it is important for us to realize that by this act we are supporting fundamentals of life, not just frills and furbelows. The arts and the humanities are not just icing on the cake to embellish the basic elements of our lives. They should be an integral part of the whole.

Through the ages man has needed and searched for beauty to inspire him to strive toward greater accomplishments. All of us, in our lives, and especially the deprived, need the enrichment of beauty—beauty in form and color, in sound, and in the spoken and the written word. The National Endowment for the Arts has accomplished much in this direction. It has given support to those who have the talents to bring beauty to our lives. And in increasing opportunities to enjoy the arts it is expanding and educating audiences who will in turn better support artists because of their increased appreciation. Support from the Endowment has helped encourage the spirit within the members of the arts community and among supporters of the arts. One of the most exciting and rewarding results of Federal support through this act has been the stimulus it has provided for funds for the arts from private sources. Another result has been the proliferation and increased vitality of the State arts councils. These councils have the merit not only of making the arts more widely available but also of bringing the diverse cultural lives of the States to the attention of the people for their appreciation.

In addition, today there are urgent social problems to be solved. But it requires more than all our natural sciences to do this. In our decisionmaking it is more important than ever to be able to

see the picture as a whole. As life becomes increasingly complex, we need a humanistic approach acquired from a better understanding of people and their past. This bill will encourage a broader knowledge and appreciation of the humanities, hopefully to lessen the alienation brought on by modern technology. We must leave no stone unturned in our efforts in this direction. Our future can depend on it.

The National Foundation on the Arts and the Humanities has had a history of nonpartisanship. This is a worthy bill and we can all, with sincerity, support our President with it. I personally endorse H.R. 16065 and urge my fellow Members of Congress to do the same.

Mr. BOLAND. Mr. Chairman, I want to express my support for H.R. 16065, the bill to extend the life and shore up the financial resources of the National Foundation on the Arts and Humanities. This legislation would provide a 3-year extension of the life of the Foundation—now scheduled to expire today. The bill would authorize an ample \$40 million for the fiscal year 1971, as opposed to a relatively piddling \$8.5 million allotted to it this fiscal year. In addition, whatever funds may be necessary for the following 2 years would be authorized.

The bill, still further, would allow the Humanities Endowment to make contracts; increase the compensation of National Council members from \$75 a day to the rate of a GS-18; and require allotments of no less than \$75,000 for each State council.

It is high time—indeed, well past the time—the Federal Government should more vigorously encourage the arts and cultural activities in the United States.

President Eisenhower, as early as 1955, asked that the Federal Government do more to give official recognition to the importance of the arts and other cultural affairs. Presidents Kennedy, Johnson—and, now, President Nixon—have all shown support for new steps forward in the Government's role in the arts. For, without such a program, the United States cannot maintain many of its cultural and artistic institutions. The bipartisan support firmly behind today's legislation reflects its importance to the American people.

When the National Foundation on the Arts and Humanities was established in 1965, it began a new era in which the Federal Government would make the arts one of its national priorities.

Its record during its first 4 years has been striking. Operating on extremely limited funds, the endowment has been able to accomplish much within its short time of existence.

The greatest beneficiary of the arts endowment is the American public. Aesthetic as well as materialistic and capitalistic enterprises must be encouraged to make the United States the society it can be. What kind of a person is the man who knows the closing Dow-Jones average for the day and the technicalities of the U.S. total gross national product, yet has never heard a symphony nor seen a play?

The most astute and objective professional artists support this bill; the ad-

ministration supports this bill. I urge its passage.

With permission, Mr. Chairman, I put in the RECORD a Washington Post editorial outlining the significance of this legislation:

SUSTAINING THE ARTS

Buried in the huge Interior Department appropriation bill which will come before the Senate this morning is a modest—one might fairly say a minute—sum for the National Foundation on the Arts and the Humanities. President Nixon has given warm support to this fledgling and tentative experiment in the encouragement of culture. He asked for \$40 million to sustain the work of the foundation—twice the amount granted last year. Due to some confusion over the authorization of the agency, the House passed its Interior Department appropriation bill without any provision for it. Today it will take up a bill extending the life of the foundation for three years and authorizing a \$40 million appropriation. The Senate Appropriations Committee has recommended \$33.3 million. Approval of at least this sum by the Senate and acceptance of it by the House is imperative if the foundation is to go on functioning.

Support of the arts and the humanities is recognized as an essential governmental responsibility in all the advanced countries of Europe. In the United States, it has only belated and grudging recognition. It is said that the City of Hamburg in Germany spent more on its opera company than the entire budget for the performing arts in this country.

Yet, it is not true, as Europeans sometimes like to allege, that this is a crassly materialistic country, indifferent to cultural values. On the contrary, as the crowded museums and concert halls and theaters and local symphony societies, chamber music groups, dance companies and other grass roots cultural activities in cities all over the country attest, there is a wealth of fervor for the arts and the humanities in America. That fervor needs and deserves financial support from the federal government.

This country has been singularly fortunate, as Isaac Stern, one of the great performing artists of our time, has remarked perceptively, that "so much of the best of so many countries has come here and taken root: teachers, artists, musicians, painters, dancers, poets, architects—no single field in which some of the best minds have not bequeathed us a rare and cherishable treasure. It is, therefore, our responsibility to nourish this treasure and see that it spreads more and more throughout the fabric of the daily life of this country."

The National Foundation shares part of its appropriation with state arts councils through matching grants. Why should the federal government support local cultural activity? Isaac Stern put it this way: "Culture really means growth, and any great society today, any nation which is to leave its mark on history for all time must be concerned with its growth and all the diverse elements of that growth." The appropriation which the Senate is asked to make today out of the common material resources of the American people is an appropriation essential to the common spiritual welfare of the American people.

Mrs. MINK. Mr. Chairman, I respectfully urge my colleagues to support H.R. 16065, which amends the National Foundation on the Arts and the Humanities Act of 1965, extends the foundation for 3 years beyond its present expiration date of June 30, 1970, and authorizes \$40 million for the foundation in fiscal 1971.

The establishment of the national foundation by the 89th Congress was a milestone in Federal support of culture in the United States. For the first time,

the Federal Government assumed a major responsibility for integrating the arts and humanities into the mainstream of American life.

In their 4 years of existence, the foundation and its two cooperating entities, the National Endowment for the Arts and the National Endowment for the Humanities, have more than repaid our faith and modest investment.

Among its many accomplishments, the Arts Endowment has helped make such arts as the theater, the dance and opera widely available in living form to citizens throughout the United States. Traveling exhibitions of the visual arts, touring productions of the performing arts, art appreciation programs and a variety of other projects have been presented to neighborhood groups and students who never before had access to these rich cultural experiences. The American Film Institute, supported by the endowment, has salvaged over 4,000 films previously lost to our cinematic heritage, and it has opened up for youth in economically depressed areas a new world of creative and constructive film activity.

The effects of the Federal-State partnership grants in the arts have been especially heartening. When the national foundation was established in 1965, there were only five functioning official State arts agencies in the Nation. Today, with matching funds available from the endowment, every one of the 50 States has such an agency. These agencies have been markedly effective in disseminating the arts to communities and in forms uniquely relevant to regional and local cultural life.

The State of Hawaii, for example, contributed \$163,579 in 1970 to its State Foundation on Culture and the Arts, to become one of the 31 States and Territories to appropriate more money to their State agencies than the Federal matching contributions. The Hawaii State Foundation has sponsored such projects as a model cities culture and arts program, an art-in-State buildings program, and an environmental and urban design proposals project, which have brought the influence of art to bear at every level of Hawaii's cultural life.

Mr. Alfred Preis, executive director of our State foundation, has stated:

Without the inspiration and support of the National example, the extent to which the Hawaii State Legislature has been able to commit itself to the enhancement of the physical and cultural environment of its people would be unimaginable—regardless of its own dedication to all areas of educational, social and cultural betterment.

The achievements of the Humanities Endowment of the National Foundation have been similarly commendable. Its purpose has been to reduce the imbalance between Federal support for the natural sciences and humanistic studies.

The National Endowment for the Humanities has sought to reach this goal by an educational program to improve humanities teaching and curricula and to apply humanistic studies to immediate social problems. Its public program complements the school program by fostering a broader appreciation of the humanities among the general public,

particularly among those with little access to academic programs and facilities.

In addition, the Humanities Endowment offers fellowships and research grants to scholars, teachers, other humanists, and institutions to improve their capacity to transmit our culture and to increase our knowledge of the past. Noteworthy in this area are investigations of our history for new insights into the American heritage, including the editing of the papers of John Jay, Robert Morris, and George Washington, which should make an invaluable contribution to the celebration of the 200th anniversary of the American Revolution in 1976.

The costs of all these programs have been minimal. And their allocation has engendered much greater outlays for these purposes from other sources. Federal appropriations of \$1.7 million for the State arts programs in fiscal 1969 helped produce \$6.8 million in State appropriations and an estimated \$12 million in private funds. Overall, every dollar of Federal money has stimulated the donation of \$3 from other sources.

The accomplishments of the first 4 years of the Foundation, however, have been only a beginning. The needs are still great. The Humanities Endowment has supplied fellowships to only 707 of 2,754 applicants during the past 3 years, and research grants in 1966-69 were awarded to only 237 of the 1,136 who applied.

Our museums, orchestras, and dance companies are facing grave financial crises and are in dire need of the increased support provided in H.R. 16065. These financial straits occur at a period when the demand for esthetic experience is unprecedented, when attendance at museums, concerts and dance performances is at an alltime high, when the visual and performing arts are enjoying greater audience appeal than ever.

The legislation now before the House, like Public Law 89-209 which established the National Foundation on the Arts and the Humanities, is not designed as a primary means of subsidizing culture in the United States. It is rather supportive and generative, a very necessary means of stimulating cultural growth and disseminating our heritage as widely as possible to every element of our citizenry. Nor is it an artists' and scholars' bill, for its purpose is to assist artists and scholars and the institutions that embrace them in bringing the fruits of their talents and scholarship to the people.

President Nixon, like Presidents Eisenhower, Kennedy, and Johnson before him, has recognized and expressed the need for public support of the arts and humanities. Every segment of our national cultural establishment has endorsed this legislation. The very substantial achievements of the Foundation during the past 4 years are further evidence of its merits.

I urgently request that the House take favorable action on H.R. 16065.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of H.R. 16065 to extend further support for the National Foundations of the Arts and Humanities. This authorization is, I believe, an im-

portant step into a new era of concern about the quality of life here in America. In the words of President Nixon:

It will give attention and support . . . to the arts and humanities . . . which represent a vital part of our commitment to enhancing the quality of life for all Americans.

As a significant part of a renewed national commitment to improving our environment, we are now making a commitment to improving the environment of our minds and our spirits.

America's culture has been blessed with some of the finest minds in the fields of art, music, teaching, dancing, poetry, and architecture. The accomplishments of these people must not be left to gather dust like pieces in a museum; rather, let us support them, let us use them as the foundation for a vital, living culture in which all Americans can participate. We can allow these past programs, which have offered education and enjoyment to so many, to die because of a lack of funds. We in Congress have an obligation to guarantee continuance of these programs and the creation of new ones so that each individual will be availed an opportunity to express himself fully and freely. The pursuit of happiness is a guaranteed right and in passing this bill we are doing nothing less than showing our concern for that right.

Mr. FLOOD, Mr. Chairman, as chairman of the Appropriations Subcommittee on Labor, and Health, Education, and Welfare, I am thoroughly familiar with this Nation's domestic problems. Unemployment, poverty, urban blight, and a whole spectrum of health, education, and welfare priorities demand and deserve our immediate attention. As a Member of the Appropriations Subcommittee on the Department of Defense, since World War II, I am also well aware of our \$70 billion commitment to the protection of this Nation's security and the fulfillment of its commitments abroad. Thus, I do not speak from ignorance, but rather from a deep and considered conviction, when I say that our domestic and international responsibilities increase the need to support the arts and humanities. "Man does not live by bread alone." There must be music, opera, art, dance, ballet, and theater, as well as history, philosophy, literature, and languages if we are to maintain a proper sense of our country's spirit and a proper perspective on its goals. Lorenzo, in Shakespeare's "Merchant of Venice," makes this very point in terms of music and its relationship to the humanity of man:

The man that hath no music in himself
Nor is not moved with concord of sweet
sounds,
Is fit for treasons, stratagems and spoils;
The motions of his spirit are dull as night
And his affections dark as Erebus
Let no such man be trusted.

In recognition of the role which the arts and humanities must play if our Nation is to survive and flourish, I have always supported the need for national cultural institutions. As far back as 1945 I favored the creation of a national arts program, and I have been a strong advocate of Federal support to all the cul-

tural arts ever since. The bill—H.R. 16065—which we are considering here today will play an essential role in fashioning the nature and strength of this Nation's commitment to its unique cultural heritage and potential in the seventies.

H.R. 16065 will authorize \$40 million for fiscal 1971 and such sums as may be necessary for the next 2 fiscal years. It will amend the definition of humanities to include the study of theologies, ethics, and the application of the humanities to the human environment. It will also provide for projects that will assist artists to achieve wider distribution of their works and enable them to work in residence at an educational or cultural institution. In addition, each State will be allotted a minimum grant of \$75,000 and various administrative refinements will aid the Endowments to administer their programs with greater efficiency.

There are few who would dare question the accomplishments of the National Foundation on the Arts and the Humanities on the basis of the record it has compiled in the first 5 years of its existence. The Arts Endowment has stimulated the development of arts programs which have brought joy and knowledge into the most remote corners of the 50 States and territories. The State arts councils, largely a result of the Endowment's encouragement, have generated State appropriations amounting to nearly \$7 million in funds for the arts. Grants have been made to theater groups, opera, and dance companies, which have given many of our citizens their first taste of the pleasures and greater understanding of the human situation which are the unique province of the performing arts. The American Film Institute was established with seed money from the National Endowment for the Arts, giving long overdue recognition to one of the Nation's most vital art forms. Individual artists have also received encouragement in the form of modest but essential direct grants, which may well mean the difference between a life of creative service or the frustration of needless failure.

The National Endowment for the Humanities has also made a number of unique contributions to the quality of our national life. It has worked closely with the schools to improve instruction in the humanities at all levels of education. Research on Negro history and culture, supported by the Endowment, promises to shed new light on this much misunderstood area of study. Greater public awareness of the importance of the humanities in the everyday lives of us all has been fostered through grants to institutions such as libraries, museums, community colleges, and university extension services, historical societies, and the mass media.

The fellowship program has enabled more than 700 scholars in the humanities to take the time from their regular teaching schedules in order to explore their fields in greater depth and thus gain new insights into the nature and implications of their disciplines. The research program has already made major contributions to our understanding of the Nation's heritage which will be most important as we prepare to celebrate the

bicentennial of the American Revolution.

Testimony received during the extensive and highly thought-provoking hearings which were held on H.R. 16065 revealed a number of aching gaps in the present program of Federal support for the arts. Our museums, symphonies, and dance companies find themselves in dire straits as greater demands on their services combine with inflation to produce spiraling costs. If we are to encourage public interest and enthusiasm for the arts—and we have already partially succeeded in this regard—then we must be prepared to help support those institutions and individuals which are uniquely capable of supplying the demand. The bill we consider today is an essential step in the fulfillment of our national commitment to life, liberty, and the pursuit of happiness. For what is life without understanding? What is liberty without the freedom to fully explore our human potential? And what is happiness without the joys of spiritual as well as material sustenance?

In closing, I would like to remind my fellow Members of these words from our late President, John F. Kennedy:

When power leads man toward arrogance, poetry reminds him of his limitations. When power narrows the areas of man's concern, poetry reminds him of the richness and diversity of his existence. When power corrupts, poetry cleanses. For art establishes the basic human truths which must serve as the touchstones of our judgment. The artist . . . becomes the last champion of the individual mind and sensibility against an intrusive society and an officious state. . . . I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him.

AMHERST COLLEGE,
October 26, 1963.

Mr. COHELAN, Mr. Chairman, I rise in support of H.R. 16065, legislation to provide for a 3-year extension of the authorization for the National Foundation on the Arts and Humanities. Specifically, this bill would provide an authorization of \$40 million for the Foundation's use for fiscal year 1971.

My good friend and colleague, Congressman JOHN BRADEMAS, is to be commended for introducing this bill. H.R. 16065 would authorize these funds to be equally divided among the States so that no State shall receive less than \$75,000 annually for its humanities programs.

Mr. Chairman, it is necessary that the House support this bill at this time. This bill will assist many of our symphony orchestras that are now in a state of financial crisis as well as extend and strengthen the work of the National Foundation on the Arts and Humanities. Each year more than 20 million Americans attend concerts sponsored by some 1,400 symphony orchestras. Two-thirds of all orchestras' activities are public service in nature. Each year more than 3,500 concerts are given just for children and students and another 4,000 concerts are given for the general public as summer concerts in the parks and family and neighborhood concerts.

Mr. Chairman, there has been criticism

that Federal funds should not be authorized for such items as subsidies for the National Foundation on the Arts and Humanities. I reject this criticism for one of the prime causes of the financial crisis of our symphonies is their substantial increase in public service activities and, just as in the case of many of our educational institutions, it is impossible for many of our symphonies and orchestras to charge enough to cover their rising operational costs. This situation is growing worse and therefore it is vital that the House pass this legislation today.

This bill would also authorize the humanities endowment to make contracts as well as increase the compensation of National Council members from \$75 a day to the rate of a GS-18. Our symphonies, as well as other humanities, should be given adequate funds to allow for their expansion and development, and that is why, Mr. Chairman, I support and urge the passage of H.R. 16065.

Mr. RANDALL. Mr. Chairman, I oppose H.R. 16065, which is a bill to amend the National Foundation on the Arts and Humanities Act of 1965.

It is true I have opposed similar legislation in the past, because I thought the authorizations were excessive. This year I oppose this bill because it doubles from \$20 million to \$40 million, the sum authorized to be appropriated to the foundation for the fiscal year ending June 30, 1971. Then, listen to this: For each of the two succeeding fiscal years, such sums are authorized as the Congress may deem necessary to carry out the provisions of this act. That means there is no limit put on the authorization, and this is what is called an open-end bill.

The distinguished member of the committee, the gentleman from Iowa (Mr. SCHERLE), stood in the well and held up two books. He pointed out one book had cost \$53,000 to produce, and the book in his other hand had cost \$55,000 to produce, all under this program. There was a third book which had been paid for but which had not been printed, and which may never be printed. That would run the total cost for all three books up to \$174,000. These are called anthologies. Our distinguished colleague said that he would be prohibited from reading the contents of these books on the floor of the House, because of their obscenity, and that most of the contents could very well compete with the matter contained in an underground newspaper.

The committee report accompanying this bill states:

Since its beginning in 1965 the National Foundation on the Arts and Humanities has lived up to its mandate to help improve the quality of American life.

Some time back I read that the foundation had just spent \$750 of the money we appropriated last year for a poem entitled "Lighght." Naturally, I thought that was a misspelled word.

When I learned this authorization bill was coming up today I inquired of some of my colleagues, hoping to gain some additional information about this poem, and wondering just what message it imparted. I was a little confused when I found out that there was no incorrect

spelling; that "Lighght" was, indeed, the correct title.

More curious than ever, I attempted to find out more about this unusual literary work. I wanted to know what it said. I thought I was being given the needle when I was told that is all there is to this masterpiece, just the letters "Lighght." I looked it up in every dictionary in our office—Not even the big 3,270-page Merriam-Webster unabridged volume listed any word spelled "Lighght." I inquired further of some of my colleagues who may be among the best informed in our membership on cultural matters. Their explanations left me more baffled than ever. But it was really very simple. In the name of elevating the cultural standards of America, the National Foundation on the Arts and Humanities last year shelled out \$750 of the taxpayers' money for a seven-letter poem entitled "Lighght." There is no text to the poem; no explanation as to what these letters mean as they are strung together.

That, Mr. Chairman is more than \$100 per letter, and when they are all strung together, capitalized and highlighted, they make no more sense than "ZQXQZQ" does.

If I ever had any thought that the National Foundation on the Arts and Humanities was carefully spending the money we could not afford to appropriate at this time for their purpose, such thoughts have now completely evaporated.

I have never been completely satisfied that Federal financial support for cultural endeavors was entirely justified. However, I have, in the past, interposed no serious objections to modest appropriations for this purpose, even though I have voted against appropriations when I thought them too high. But this year, no appropriation in any amount—no matter how small—can be justified in my mind.

The directors of the foundation, by their spending of this money—small as it is in relation to their overall budget—for a seven-letter poem completely disqualifies them for handling any Federal funds in any amount.

I urge that this authorization bill be defeated and that, if we have \$40 million, as proposed to be authorized for the arts and humanities, that this money be applied to the national debt, or to abatement of air and water pollution, or to some purpose that will better serve the American public than seven letters strung together to form "Lighght."

Mrs. HECKLER of Massachusetts. Mr. Chairman, I rise to urge the passage of this bill which, among other purposes, doubles the sum to be appropriated to the National Foundation on the Arts and Humanities to \$40 million for fiscal year 1971, and which guarantees that no State arts council shall receive less than \$75,000 for any fiscal year to promote its activities in the field of the arts and humanities. I am excited by the potential which lies in enlargement of these activities, for I think that as a nation we must be concerned with the enrichment and the nourishment of the mind as well as the body. In this context, I recall the pertinent remarks to the committee of

Dr. Glenn Seaborg, chairman of the U.S. Atomic Energy Commission, who said:

The humanities are the mirror we hold up to mankind, a mirror through which we can examine the mind and soul as well as the body of man. And this is something we do not do as often or as well as we should.

His words which immediately followed were equally pertinent. He said:

Perhaps it is because of this that we often fall in our use of the knowledge and power that we achieve through science and technology.

I commend both the President and the distinguished Committee on Education and Labor for recommending this increase and recognizing the need for balance in the practical and intellectual components of our society.

Since 1965 the grants of the National Foundation on the Arts and Humanities have meant a great deal to my State, Massachusetts. They have supported the world-renowned Boston Symphony Orchestra in initiating its experimental television project and the summer Berkshire Theater Festival, in Stockbridge. I cannot detail the programs, but I can suggest their diversity. A Foundation grant brought the touring company of the Goldovsky Opera Institute, of Cambridge, to Fall River, in my district, and to other towns. Brandeis University just this month received a matching grant to buy works of living American artists for its museum and to encourage private art support, while the New England Conservatory of Music received a grant for its resident jazz artists program.

The spectrum of programs is wide. The Humanities Endowment supports a project at Wellesley College, in my district, to develop an index of English periodicals of the Victorian era to assist scholars and historians. The Educational Development Center, in Cambridge, has devised a unique Athens-Sparta course for public schools, which seeks to make social change in the classical warring states relevant to today and which will be tested this fall in 25 Massachusetts and New York communities.

Individual grants under the Arts Endowment's architectural program in environmental design are fostering research on such varied subject as city information systems designed for young children and a comparison of the "new towns" of Israel with those of the United States.

Last year the Massachusetts Council on the Arts and Humanities was granted \$36,300 to conduct its extensive programs throughout the State.

Mr. Chairman, I support enlargement of this program because of what it can contribute to the growth of the well-rounded and inquiring citizen. Our Nation achieved greatness as men reached out for new discoveries—whether it was unlocking the secrets of science or walking on the moon.

Let us give to every citizen the opportunity, and instill in him the desire to discover the secrets of the visual arts, theater, literature, dance, architecture, and music. This cannot but enrich our Nation, as we encourage the creative use of our untapped intellectual resources. I again urge that we enact this vital legislation.

The CHAIRMAN. All time has expired. 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 section 2(2) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting before the semicolon at the end thereof the following: "in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future".

SEC. 2. Section 3(a) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting "theologies; ethics;" after "archeology;" and by inserting before the period at the end thereof the following: "with particular attention to the relevance of the humanities to the current conditions of national life".

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 1, line 10, delete the word "theologies" and insert in lieu thereof the words "comparative religion".

Mr. QUIE. Mr. Chairman, the committee bill added the terms "theologies" and "ethics" to the list of scholarly areas encompassed in the definition of "humanities" as found in the existing act. My amendment would change the word "theologies" to "comparative religion" in order to better express the intent of the committee and to eliminate any possibility of this bill raising the sensitive issue of the separation of church and state.

The committee was properly impressed throughout the hearings by the many distinguished people who stressed the need for viewing the humanities in the broadest sense and for discovering new ways to apply the humanities to contemporary man's struggle to better understand himself and his environment.

When we looked at the existing definition of "humanities" in the act, there appeared a rather substantial void in omitting those areas of scholarship devoted to man's ethical, moral, and religious traditions. Who can disagree with the statement of the distinguished chairman of the Endowment for the Humanities, Dr. Barnaby C. Keeney, who stated before the committee on January 26 of this year and is quoted on page 15 of the report:

It is my own conviction that until the electorate and the persons they elect can use historical and philosophical material to help decide the major public questions of the day, we shall not solve those problems, and until the general public is capable of using knowledge of the past to solve personal problems, we shall not have an orderly society.

In the same statement Dr. Keeney pointed out:

We have cherished knowledge of material things but we have not given sufficient attention to abstract considerations. . . . The result has been the destruction of our system of values, so that our people now have no real guide for their lives.

Mr. Chairman, the committee wanted to draw attention to this great need by simply adding to the definition of "humanities" so that the endowment might

give increased attention to this area in the future.

I feel, however, that the committee's intent is better expressed by including the term "comparative religion" in the definition. I believe a broader range of scholarship will result than would otherwise be the case. We should not be restricted to the scholarship of theologians only. Anthropologists, sociologists, historians, and others—as well as those knowledgeable in comparative religion, per se—can help us all understand how man has been and continues to be influenced by various moral, ethical, and religious traditions. So I propose that we adopt this broader terminology.

Mr. Chairman, there is one further consideration in my amendment. I have been advised by the American Law Division of the Library of Congress that using the words "comparative religion" is the most consistent with past judicial decisions. The Supreme Court has evolved a test by which we should evaluate any legislation bearing on the constitutional guarantees of non-establishment and free exercise. The legislation must have a secular purpose and a primary effect that neither advances nor inhibits religion. I am confident my amendment allows us and whomever administers this act to meet this test.

Mr. Chairman, my amendment should pose no problem for any who endorse this legislation.

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

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. Mr. Chairman, we accept the amendment. We feel that the words "comparative religion" is the better terminology and we accept it.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. REID of New York. Mr. Chairman, I think the amendment is an excellent one and I think it clarifies the language. I believe it is consistent with the intent of the Committee on the Judiciary as well.

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

Mr. QUIE. I yield to the gentleman.

Mr. GROSS. What prompts this sudden change, as usual coming from the Committee on Education and Labor? What is the difference between "theologies" and "comparative religion"?

Could the gentleman give us a brief explanation of what he is up to?

Mr. QUIE. Yes. I worked with the American Law Division of the Library of Congress and asked them to go over some of the previous Supreme Court decisions on the question of the use of the word "theologies" and "comparative religion." They tell me that the words "comparative religion" would be most consistent with the past decisions of the court in evaluating legislation bearing on the constitutional guarantees of the nonestablishment of religion and the free exercise thereof.

In the case of institutions of higher education, this would certainly fit best. I could go into this at greater length if the gentleman would like me to do so.

Mr. GROSS. Is the word "ethics" still in the bill?

Mr. QUIE. Yes, "ethics" is still left in. Mr. GROSS. To what does "ethics" apply? Arts and humanities?

Mr. QUIE. It is an added definition of the humanities.

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

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, I take this time to ask a question or two of someone who is knowledgeable with respect to this legislation. But, first of all, I would like to say I have heard and seen more converts today than I have in a long, long time. I regret that I did not bring a load of sawdust over to sprinkle in the aisles here in the House Chamber. More Members have been converted to the cause of arts and humanities than I ever expected to hear of in my life.

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

Mr. GROSS. I yield to the gentleman from Indiana, but first let me say that there is nothing wrong with conversion.

Mr. BRADEMAs. No. I just want to say to my friend two things. First, I want to join in wishing him a happy birthday. We are all great admirers of him.

Second, if my friend will yield further, as I think, a fellow Methodist, I want to tell my friend it is never too late to be saved.

Mr. GROSS. Thank you for your observations on both points. Let me make this observation: But it is a devil of a way to observe a birthday to have to contend with a bill like this.

With respect to the per diem of members of the council, why \$136 a day and expenses?

Mr. BRADEMAs. May I respond to the gentleman's question?

Mr. GROSS. Yes, I asked a question.

Mr. BRADEMAs. What has been done in this bill is analogous to what has been done in similar Federal programs where distinguished advisers, members of advisory councils, are asked to come and serve in important advisory positions. Indeed, it was only on yesterday that the House approved a conference report establishing the National Commission on Libraries and Information Science, the members of which were also provided to be reimbursed at a rate prescribed by law for a GS-18. So this provision is only in conformity with that related to similar advisory councils in other areas.

Mr. GROSS. The bill we passed immediately preceding the one presently under consideration contained a per diem of \$100 plus expenses. In this bill this has been jacked up to \$136, or approximately \$136, a day, plus expenses. You really go first-class in this organization.

I understand that Huntington Hartford of the A. & P. grocery chain is one of the council members. Does he need \$136 a day and expenses? Do Charlton Heston and Gregory Peck, the actors, need \$136 a day and expenses? I thought there was to be some contribution from the public to this cause. Does Duke Ellington, the bandleader, need \$136 a day and expenses? Does Robert O. Anderson, chairman of the board of Atlantic-Richfield Oil, need \$136 a day and expenses to carry on? I have always been of the

impression that there was to be some giving on the part of the public toward the support of this arts and humanities business. But apparently not. Apparently they are so hard up that perhaps the gentleman from Kentucky (Mr. PERKINS), may have to do something about the poverty funds that are so profusely spread throughout the country in behalf of the council members. Perhaps \$136 a day and expenses will not be enough.

On page 33 of the report there is a provision "to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)." What is this all about? There is no discussion of it in the report.

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

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

Mr. BRADEMAS. Mr. Chairman, I refer the gentleman to page 194 of the joint hearings of the Senate subcommittee and our subcommittee in which, indeed, I put that question to the then counsel of the Arts Endowment, Mr. Ruttenberg, and I would be glad to tell the gentleman from Iowa the response to that, to wit:

The general requirement is that Federal agencies are not authorized to make advance payments under contracts in the absence of specific legislative authority for that purpose.

As a result, if any agency lacks this authority and wishes to fund an organization which in itself doesn't have substantial financial resources, it cannot provide money to that organization in advance of the work being performed.

This leads to one or two results. Either the organization can't be assisted, or else very elaborate procedures have to be entered into in order to get the advance money into the hands of the organization in question. We ran into that situation in connection with a program involving a theater in New York, which was donated—equity of the theater was donated—to the U.S. Government, and in order to enter into the contract to arrange for the maintenance of the theater and keeping it in good condition, we had to enter into special agreements with the banks, and have a lien on the bank account and so on, and we feel that the authority to make advance payments would facilitate special arrangements of this kind in the future.

Most agencies, such as the National Science Foundation, do have authority to make advance payments specifically by statute.

Mr. GROSS. Is that what this two-line addition to the present law means?

Mr. BRADEMAS. That is correct.

Mr. GROSS. I leave it to any Member of the House to understand it after listening to the reading of the hearings.

Mr. Chairman, it is hard to believe that President Nixon would advocate and support a 100 percent increase, from \$20,000,000 to \$40,000,000 per year for this purpose. I can think of scores of programs and projects with far greater priority. This increase, even the entire expenditure, would be far better used if applied to the staggering Federal debt.

For what will it avail the arts and humanities if the country is bankrupt?

Mrs. HANSEN of Washington. Mr.

Chairman, I move to strike the last word.

Mr. Chairman, I strongly support this legislation today.

However, I have several questions that I am afraid I will not have time to ask in the time limit of 1 minute that is now remaining.

These questions are relative to that State provision and they require some clarification as we begin to work on the appropriation process. However, I will begin and then I may take time under the 5-minute rule to ask the rest of the questions.

If I may ask the distinguished gentleman from Indiana, beginning on line 11, page 2, of the bill regarding State allocations, the legislation provides:

"(3) Funds allocated to carry out the purpose of this subsection for any fiscal year shall be equally allotted among the States, but no State shall receive less than \$75,000 for any fiscal year."

Would the gentleman please describe the significance of this provision?

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

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. BRADEMAS. I thank the gentleman from Washington who has been such a splendid supporter of this program.

The answer to her question is simply that the purpose of this particular provision is to provide a floor for each of the State Art Councils.

Mrs. HANSEN of Washington. Mr. Chairman, to proceed with the second question in the sequence, does this establish that each State, regardless of population, interest in the arts, or other consideration, would receive an equal share of the total amount appropriated for State participation?

Mr. BRADEMAS. Mr. Chairman, so long as the State provides the matching funds from either State sources, local sources, or private sources, the answer is "Yes."

Mrs. HANSEN of Washington. I thank the gentleman from Indiana.

Question 3, in the event the appropriation was reduced to any extent, would there be any possibility that funds might be diverted from the Federal program for the use of the States under this provision?

Mr. BRADEMAS. Yes, that is a very real danger. All of us are concerned to be sure we have a strong national program in the arts.

Mrs. HANSEN of Washington. Question No. 4; is there any provision in the bill that could be interpreted to provide that if any of the States were not able to utilize all of its allocation the funds could be reallocated to other States at a later date?

Mr. BRADEMAS. No.

Mrs. HANSEN of Washington. Question No. 5; on the basis of 55 States participating in this program, at the rate of \$75,000 a State, there would be a total State funding of \$4,125,000. In the event the appropriation should be at a lower level than \$4,125,000, would the gentleman please explain the basis upon which the allocations would be made to the individual States?

Mr. BRADEMAS. Equally.

Mrs. HANSEN of Washington. Mr. Chairman, I thank the distinguished gentleman from Indiana.

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

Mrs. HANSEN of Washington. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I am somewhat concerned by the answer to one of the questions proposed by the gentleman from Washington. Did I understand the gentleman from Indiana to respond to the gentleman's question that if there were not sufficient appropriations to assure that each State got \$75,000, that then it would be the gentleman's understanding that we could get this money from another line item in the appropriation bill; namely, the funds for the national programs?

Mr. BRADEMAS. The way the bill is presently written, the answer to that question is "Yes."

The gentleman from Connecticut should understand that there is a significant difference between the Senate version of this bill and the House version of the bill before us today; namely, in the Senate version of the bill—and I am now addressing myself to the authorizing legislation—there continue to be provided the specific authorizations for each program under the Arts and Humanities Foundation, while in the House bill the authorizations are all lumped together under one authorization. Therefore, by virtue of the \$75,000 minimum to each State arts agency contained in the House bill, it would be necessary, under the House bill, if there were not sufficient appropriations, for those moneys to be diverted from the national program of the Arts Endowment.

Mr. GIAIMO. As I understand it, there are specific line item appropriations made for the various categories, one of which is for direct grants to the States. I believe the Senate bill at the present time carries \$4,125,000, which would cover 55 States, considering that the territories are counted.

Mr. BRADEMAS. The gentleman is correct.

Mr. GIAIMO. If in some future year that were to be cut, it would seem to me the interpretation would have to be that the \$75,000 prorated to each State would have to be reduced on a pro rata basis, rather than going into another line item and affecting the national program.

Mr. BRADEMAS. It depends upon which version the gentleman is addressing himself to.

Mr. GIAIMO. I know. This is the problem I want to clarify.

Mr. BRADEMAS. If the gentleman is addressing himself to the House version of the bill the answer would indeed be, by virtue of the legislative floor of \$75,000 for each State arts agency, that those funds would have to be taken out of some other program, probably the national program of the Arts Endowment. On the other hand, because the Senate version contains no such legislative floor for each State, it is not true to say this of the Senate version of the bill.

Have I made myself clear?

Mr. GIAIMO. Yes; the gentleman has.

May I suggest and hope that in the discussion on this legislation, when the gentlemen get into conference, they will clarify this matter. I can appreciate the need for having a floor and equal treatment for all States, but I do not believe it should be interpreted when we get the final legislation that it will affect the national program.

Mr. BRADEMAS. I appreciate and, indeed, share the gentleman's concern. It is one which has been voiced to the distinguished chairman of our committee and to me. It is a policy judgment which I am sure will be given most serious attention in the committee of conference.

Mr. GIAIMO. I thank the gentleman.

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

As to the question which has been raised, I believe the distinguished chairman of the subcommittee, Mr. BRADEMAS, stated the facts very correctly.

I believe we should bear in mind, in respect to the House bill, that the funds are not earmarked. On an appropriation that is made, first of all each State will have the right of matching \$75,000 in Federal funds. If the funds from appropriations are limited and the States have the money to match, whether that comes from private funds or public funds, they will get \$75,000 minimum under this bill as written.

I do not believe there is any misunderstanding among any of the Members. I believe the language in the bill in section 3 makes that very clear.

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

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

Mr. SCHEUER. Mr. Chairman, while it is quite true that the amounts of Federal money available for each State have been small during the past 4 fiscal years—the amount for fiscal year 1970 is just \$36,363 for example, the States have shown, nonetheless, that they recognize the value of the arts programs and have consistently provided more funding from their own tax revenues to meet the needs of the councils, in most cases. More than one-half of the State legislatures this year, approved tax funding for their State councils in amounts greater than that provided by Federal funds. In 19 of the States, the amount appropriated by the State was at least three times greater than the Federal funding provided.

Overall, State tax funds totalled \$7.6 million this year—more than 3½ times the \$2 million appropriated by the Congress for distribution by the National Endowment for the Arts under section 5(h).

It has become increasingly clear that the State councils on the arts can use and should have greater support from the Federal Government. There is absolutely no indication that additional funding from the Federal Government will discourage the appropriation of funds at the State and local levels.

Quite the opposite is true: From the very outset of this program the States have clearly indicated that they value the funds provided by the Federal Government, and will put their State money where their values are.

Last year my own State, New York, supported the arts with grants totaling over \$2 million—about the same amount that the Federal Government spread around among the 50 States. And this year the Governor has requested \$20 million for the arts. Surely, by comparison with the efforts of New York State, the Federal Government's appropriations of \$20 million for the arts in the entire country is not an unduly large sum.

It should be noted, too, that a total of 11 State arts council chairmen or directors appeared before the joint hearings on reauthorization sponsored by the House Select Subcommittee on Education and the Senate Special Subcommittee on the Arts and Humanities early this year. They were unanimous in their endorsement of increased funding for the States and for the national programs carried out by the arts endowment.

Five years ago, when the act creating the national endowment for the arts was passed by the Congress, there were less than a dozen working State arts councils in the Nation. Today we have operating arts agencies in every one of the 50 States and in four of the five territories under the jurisdiction of the U.S. Government.

The record of achievement made by these arts councils is remarkable and excellent. In every State—and I expect in virtually every congressional district across the Nation—the arts councils have provided quality programs for hundreds of thousands of our constituents.

I strongly urge the Members of the House to endorse the work done by their own States in promoting the arts and enabling them to reach far greater audiences than ever before in our history.

I believe the history of the bill indicates that the States do put their money where their mouth is and where their values are. To make the matter clear beyond doubt, is it not true, Mr. Chairman, that more than one-half of the State legislatures this year approved funding for their State councils in an amount greater than that provided by the Federal Government?

Mr. PERKINS. That is correct. Every State in the Union last year at a minimum matching provided \$36,000. All the States averaged that amount of matching last year.

Mr. SCHEUER. And is it not true that last year 19 of the States appropriated at least three times what they were granted by the Federal Government?

Mr. PERKINS. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota, (Mr. QUÉ).

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments to this section, the Clerk will read.

The Clerk read as follows:

SEC. 3. (a) Section 5(c) (3) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting after "enable them" the following: "to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or".

(b) Section 5(h)(3) of such Act is amended to read as follows:

"(3) Funds allocated to carry out the pur-

pose of this subsection for any fiscal year shall be equally allotted among the States, but no State shall receive less than \$75,000 for any fiscal year."

(c) Section 8(b) of the National Arts and Cultural Development Act of 1964 is amended by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

SEC. 4. (a) Section 6 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting a new subsection "(c)" to read as follows:

"(c) (1) The Council may establish an Executive Committee which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be Chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve for a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

(b) Section 8 of the National Arts and Cultural Development Act of 1964 is amended by striking out "exceeding \$75 per diem" and inserting in lieu thereof "to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5, United States Code" and by striking out "(5 U.S.C. 73b-2)" and inserting "(5 U.S.C. 5703)".

SEC. 5. Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by:

(a) amending subsection (b) (2) by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

(b) amending subsection (c) (2) to read as follows:

"(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the humanities by making arrangements (including contracts, grants, loans, and other forms of assistance) with individuals or groups to support such activities."

(c) amending subsection (c) (5) by inserting after "groups," the following: "education in".

SEC. 6. Section 8 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(a) amending subsection (e) to read as follows:

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons

in the Government service employed intermittently."

(b) adding a new subsection (g) to read as follows:

"(g) (1) The Council may establish an Executive Committee which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be Chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve for a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such a term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

Sec. 7. Section 10 of the National Foundation on the Arts and Humanities Act of 1965, as amended, is amended by—

(a) inserting a new subparagraph "(a) (7)" to read as follows:

"(7) to make advance, progress, and other payments without regard to the provision of section 3648 of the Revised Statutes (31 U.S.C. 529)."

(b) redesignating former subparagraph "(a) (7)" as subparagraph "(a) (8)".

Sec. 8. Section 11 of the National Foundation on the Arts and Humanities Act of 1965 is amended by—

(a) repealing subsections (a) and (c), effective June 30, 1970, and substituting therefor the following:

"(a) For the purpose of enabling the Foundation to carry out its responsibilities, there is hereby authorized to be appropriated to the Foundation \$40,000,000 for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years such sums as the Congress may deem necessary to carry out the provision of this Act. Sums appropriated under the authority of this subsection shall remain available until expended."

(b) amending subsection (b) to read as follows:

"(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment for the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act. Amounts appropriated to an Endowment under this subsection shall remain available until expended."

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

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

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 6, line 21, strike "\$40,000,000" and insert "\$20,000,000," and on page 6, line 22, insert, a period after 1971 and strike the remainder of lines 22, lines 22, 23, and 24 on page 6, and all of lines 1 and 2 on page 7.

Mr. GROSS. Mr. Chairman, this amendment will get the House down to the nitty gritty of the money in this bill. As far as I am concerned, it could be cut deeper, but I want to give the House an opportunity to get right back to the appropriation of this year.

As I said earlier, I have seen all kinds of converts here today to the tender cause of the arts and humanities. Apparently they are also converts to big spending although they profess to be for economy, including the President of the United States, who apparently supports the 100 percent increase to \$40,000,000.

Let us get this spending down to where it has been, that is, \$20 million. In the first place—and I have the 20th Century Fund report with respect to the live performing arts. It says among other things that:

Nevertheless, it seems to us quite unlikely that the audience comprises more than 5 million individuals, a figure which would be 4 percent of all residents of this country 18 years of age and older.

In this chapter we have tried to provide an extensive profile of the audience of the live professional performing arts in the United States.

Second, the audience is drawn from an extremely narrow segment of the American population. In the main, it consists of persons who are extraordinarily well educated, whose incomes are very high, who are predominantly in the professions, and who are in their late youth or early middle age.

Even if there has been a significant rise in the size of audiences in recent years, it has certainly not yet encompassed the general public.

For whom would you be appropriating \$40 million? Only 4 percent or approximately that of the population of this country who have even evidenced an interest in the so-called arts and humanities.

Let us put this in the proper perspective. If the President wants economy it is about time that we get him started on that road, because this country is \$385 billion in debt, and if we do not start to save millions of dollars here and there, we will never save the billions necessary to balance the budget.

You heard the chairman of the Committee on Appropriations, the gentleman from Texas, Mr. MAHON, tell you only a couple of days ago that we will wind up the end of the next fiscal year, in his opinion, with a \$12 billion deficit. Yet it is proposed to increase this appropriation 100 percent. It simply does not make sense.

Neither does it make sense not to review this program next year. I have cut out the open end spending and the forward funding as provided for in the bill.

I hope that this amendment, in the interest of fiscal sanity, will be adopted. My amendment simply puts it back, as I said before, to the \$20 million that was expended for this purpose last year instead of 100 percent increase. It stops the open end business and the forward

funding under the terms of that open ended provision in the bill.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in fiscal year 1970 we authorized more than \$4 million more than the gentleman's amendment proposes to authorize. If we cut this back and make it a 1-year program, we will destroy the progress that we have made. For 4 years we have made reasonable progress. This is the first legislative occasion that we have made available to the States a guarantee, providing they match it, of \$4,125,000 or \$75,000 to each State.

Mr. Chairman, we will be striking a blow that will be devastating to the State art councils throughout the country if we vote for the gentleman's amendment.

Mr. Chairman, I ask the Members of the Committee to vote down the amendment.

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

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we need to get a little perspective as to how much money we are talking about here.

The figure of \$40 million as I calculate it represents .02 of 1 percent of the projected Federal budget of \$200 billion. I think, therefore, in that light one can understand why President Nixon in his message to Congress of December 10 said:

At a time of severe budget stringency, a doubling of the appropriation for the arts and humanities might seem extravagant. However, I believe that the need for a new impetus to the understanding and expression of the American idea has a compelling claim on our resources.

I must say to my friend from Iowa that I do not know where his figures come from, for if one looks at the statistics pertaining to the growth of the arts organizations in the United States, one will see such figures as these: that the number of visits to museums in our country has risen from 120 million to 560 million visits annually. The number of community arts councils has grown from 50 to over 600. The number of resident professional theaters across the country has increased from 6 to over 50. The number of symphony orchestras has doubled in the last decade, from 740 to 1,400 and the number of opera companies which have been formed has risen to 625. At the same time many of these institutions are suffering severely because their box office receipts do not cover their expenses. We were most impressed in our committee, for example, Mr. Chairman, to hear the head of the New York Symphony tell us that this year the 90 top symphonies in this country will suffer a deficit of \$8.5 million, and in a couple more years that deficit will rise to a figure in excess of \$13 million.

It seems to me, Mr. Chairman, as our distinguished chairman, the gentleman from Kentucky, has pointed out that it would be catastrophic for us to reject President Nixon's request for a vote of confidence in the continuation of this program, as well as a tragedy to halve the

amount of money which the President has requested with such strong support from citizens all across the land.

Mr. Chairman, I urge the rejection of the gentleman's amendment.

Mr. REID of New York. Mr. Chairman, I rise in opposition to the amendment, and I move to strike the requisite number of words.

Mr. Chairman, I just want to make a very few brief points.

First, as respects the future of the arts and humanities in the United States, a 1-year program, which is the thrust of the amendment offered by the gentleman from Iowa (Mr. GROSS), I think, would be a mistake and would undercut the kind of constructive support that is coming from all over the country as to the planning and the hope that is so essential to the future of the arts and humanities.

Second, in terms of dollars, in terms of value received by the American people, the States arts councils have received from the Federal Government \$1.7 million, and in turn these funds have generated \$18.8 million, or almost 9 to 1. In addition, the matching gifts to the humanities and the arts endowments have been fully matched. Program grants, which represent approximately 80 percent of the arts endowment operating funds, have resulted in other dollars in the ratio of 4 to 1.

I think, therefore, in terms of encouragement for the arts, which are at a critical stage, the need for this course is clear. My distinguished colleague, the gentleman from Indiana (Mr. BRADEMAS), has eloquently stated the case for this bill.

The President has made it unmistakably clear, and I quote from the February 19 message as to what his position is:

As I transmit this report to the Congress, I would stress again that a nation that would enrich the quality of life for its citizens must give systematic attention to its cultural development.

I hope the President's bill, which is a bipartisan bill, will be fully supported, and that the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 24, noes 60.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. SCHERLE

Mr. SCHERLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHERLE: Strike all of the language beginning on page 6, line 19 through page 7, line 2, and in lieu thereof insert the following:

"(a) For the purpose of enabling the Foundation to carry out its responsibilities, there is hereby authorized to be appropriated to the Foundation \$30,000,000 for the fiscal year ending June 30, 1971, and \$30,000,000 for each of the two succeeding fiscal years. Sums appropriated under the authority of this subsection shall remain available until expended."

Mr. SCHERLE. Mr. Chairman, my amendment will allow a 50-percent in-

crease as far as the funding of the arts and humanities is concerned.

The previous amendment rolled the figure back to the present-day allocation.

It will also, on page 6 of the bill, close to the open end appropriation which everyone in this House dislikes so religiously.

This amendment will allow this bill, if it is accepted, to be funded at the annual rate of \$30 million instead of \$40 million as expressed in the bill.

We have heard a lot of remarks here this afternoon about President Nixon supporting this legislation. But let us forget about the President for a minute. Let us give some consideration to the taxpayer. That is the man that we should worry about and that is the reason why I say that this amendment merits your consideration. It is also believed by some Members of the House that this is the only money that is going toward the arts and humanities.

Nothing could be further from the truth. Let me describe just a few of the areas in which money is spent.

In the State Department alone—there is hidden Government support for the arts and humanities in the State Department alone of \$31.5 million for "mutual education and cultural exchange programs"—and that is just for last year.

The National Gallery got \$3.5 million.

The Smithsonian Institution got \$33 million, of which one-third is spent on projects which might properly be considered as "arts and humanities."

The American Bicentennial Commission got \$450,000.

The Kennedy Center got \$56.7 million.

The Corporation for Public Broadcasting also receives substantial funds.

The Department of Defense subsidizes public band concerts.

The Department of the Interior pays for numerous public cultural projects such as folk festivals.

The Department of Housing and Urban Development got \$13 million for housing for artists and their families in New York City.

The National Zoo and the Library of Congress, both are funded with public moneys.

The Treasury Department grants large tax deductions for contributions to the arts.

All these various agencies of the Government contribute handsomely to the arts and humanities.

The one person that we should consider at this time is the taxpayer.

We have cut back on education funds.

We have cut back additional support for the handicap.

We have cut back on agriculture.

We have cut back on veterans' benefits.

We have cut back on health research.

This program does not deserve any more than a 50-percent increase. In my humble opinion this is generous at this time in view of the fiscal problems and the crisis we are faced with in this country.

I ask your consideration and support of this amendment. The victims of the inflation caused by excessive Government spending, which this bill contributes

to, are the older Americans who live on a fixed income. Let's give them a break and reduce spending a little.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the distinguished gentleman proposes to cut the authorization \$5 million below the figure that was in the President's budget. The President sent up here a budget carrying a figure of \$35 million.

This figure proposed by the gentleman which he also makes applicable for the fiscal year 1972 and 1973 of \$30 million is entirely inadequate. This is the first time we have guaranteed a fixed amount to all the States in the Union to be matched. I would hate to think that the committee would vote for an amendment which would destroy the effectiveness of a program that is being improved by this legislation and which will benefit all the States and all the people of this Nation.

Mr. Chairman, I yield to the distinguished gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I take only a few seconds strongly to oppose the amendment offered by the gentleman from Iowa for reasons similar to those that I offered earlier for opposing the amendment offered by the other gentleman from Iowa.

Mr. REID of New York. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. REID of New York. I shall take only 30 seconds. Very simply, under this bill—and this is in relation to Mr. SCHERLE's point about the taxpayer—the Federal Government would spend 6 cents per American. Compare that, for example, with Austria, which spends \$5.50 per person in support of the arts, or the United Kingdom, which spends three times the amount we spend here. I think that to cut a penny or a penny and a half per American would be a very poor investment in the future, and I will close by quoting the President again. He said:

At a time of severe budget stringency, a doubling of the appropriation for the arts and humanities might seem extravagant. However—

President Nixon continued—

I believe the need for a new impetus to the understanding and expression of the American idea as a compelling claim on our resources, the dollar amounts involved are comparatively small. The Federal role would remain supportive rather than primary.

I hope the President's position will be sustained and the amendment voted down.

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

Mr. REID of New York. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Are any of the foreign countries the gentleman mentioned on the international dole that we finance so liberally?

Mr. REID of New York. I mentioned, as the gentleman will recall, the United Kingdom. At a time when their pound was under particular strain, they were able to maintain and increase their support for the arts. The United Kingdom is now starting to turn the financial corner.

Mr. GROSS. They still have not paid their World War I debt to the United States, have they?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SCHERLE).

The question was taken; and on a division (demanded by Mr. SCHERLE) there were—ayes 30, noes 84.

So the amendment was rejected.

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

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. ASHBROOK. Mr. Chairman, I shall not take all the time allotted to me. I merely rise to inform the House that I shall offer a motion to recommit. The motion to recommit would cut \$4 million from the bill, cutting it to \$36 million.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOGGS) having resumed the Chair, Mr. YOUNG, 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. 16065) to amend the National Foundation on the Arts and the Humanities Act of 1965, as amended, pursuant to House Resolution 1118, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was 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.

MOTION TO RECOMMIT OFFERED BY MR. ASHBROOK

Mr. ASHBROOK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ASHBROOK. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ASHBROOK moves that the bill H.R. 16065 be recommitted to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment: On page 6, line 21, strike "\$40,000,000" and insert in lieu thereof "\$36,000,000".

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. ASHBROOK) there were ayes 32, noes 86.

So the motion to recommit was rejected.

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

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 262, nays 78, not voting 89, as follows:

[Roll No. 197]

YEAS—262

Abbutt	Giaino	Nix
Adams	Gibbons	Obey
Addabbo	Gonzalez	O'Hara
Albert	Gray	O'Konski
Alexander	Green, Ore.	Olsen
Anderson,	Green, Pa.	O'Neill, Mass.
Calif.	Griffiths	Ottinger
Annunzio	Grover	Patten
Arends	Gubser	Pelly
Ashley	Gude	Pepper
Barrett	Halpern	Perkins
Beall, Md.	Hamilton	Philbin
Betts	Hammer-	Pickle
Biaggi	schmidt	Pike
Biester	Hanley	Pirnie
Bingham	Hanna	Podell
Blackburn	Hansen, Wash.	Preyer, N.C.
Blatnik	Harrington	Price, Ill.
Boggs	Harvey	Pryor, Ark.
Boland	Hathaway	Pucinski
Bolling	Hebert	Purcell
Bow	Hechler, W. Va.	Quie
Brademas	Heckler, Mass.	Railsback
Brasco	Helstoski	Rees
Brinkley	Henderson	Reid, Ill.
Brooks	Hicks	Reid, N.Y.
Broomfield	Hogan	Reifel
Brotzman	Hollifield	Reuss
Brown, Calif.	Howard	Rhodes
Brown, Mich.	Hungate	Riegler
Brown, Ohio	Hunt	Rodino
Broyhill, N.C.	Jacobs	Roe
Broyhill, Va.	Johnson, Calif.	Rogers, Colo.
Burke, Mass.	Johnson, Pa.	Rooney, N.Y.
Burton, Calif.	Jones, Ala.	Rooney, Pa.
Burton, Utah	Kastenmeier	Rosenthal
Byrne, Pa.	Kazen	Rostenkowski
Caffery	Kee	Roth
Chamberlain	King	Roybal
Chappell	Kleppe	Ruppe
Chisholm	Koch	Ruth
Clay	Kyl	Ryan
Cleveland	Kyros	St Germain
Cohelan	Langen	Sandman
Collier	Leggett	Schadberg
Conable	Lloyd	Scheuer
Conte	Long, Md.	Schneebell
Corman	Lowenstein	Schwengel
Cowder	Lujan	Shibley
Culver	McCarthy	Shriver
Daniel, Va.	McClory	Sisk
Daniels, N.J.	McCloskey	Skubitz
Davis, Ga.	McCulloch	Slack
de la Garza	McDade	Smith, N.Y.
Dellenback	McDonald,	Springer
Dent	Mich.	Stafford
Diggs	McEwen	Staggers
Dingell	McFall	Stanton
Donohue	McKneally	Steed
Dorn	Macdonald,	Steiger, Wis.
Downing	Mass.	Stokes
Duiski	MacGregor	Stratton
Duncan	Madden	Stubblefield
Dwyer	Mahon	Stuckey
Eckhardt	Mailliard	Sullivan
Edmondson	Marsh	Symington
Edwards, Calif.	Matsunaga	Taft
Eilberg	Mayne	Talcott
Esch	Michel	Thompson, N.J.
Fallon	Mikva	Thomson, Wis.
Fascell	Miller, Calif.	Tiernan
Feighan	Minish	Udall
Fish	Mink	Van Deerlin
Flood	Minshall	Vanik
Foley	Mize	Vigorito
Ford, Gerald R.	Mizell	Waldie
Ford,	Monagan	Wampler
William D.	Moorhead	Watkins
Fraser	Morgan	Watts
Frelinghuysen	Morse	Whalen
Friedel	Mosher	Whitehurst
Fulton, Pa.	Moss	Whitnall
Fulton, Tenn.	Murphy, Ill.	Wilson, Bob
Fuqua	Natcher	Winn
Gallifanakis	Nedzi	Wright
Gallagher	Nelsen	Wyatt
Gaydos		Wylder

Wyman
Yates

Yatron
Young

Zablocki
Zwach

NAYS—78

Abernethy	Erlenborn	Nichols
Andrews, Ala.	Eshleman	O'Neal, Ga.
Ashbrook	Evans, Colo.	Pettis
Belcher	Fisher	Poage
Bennett	Flynt	Price, Tex.
Bevill	Foreman	Quillen
Buchanan	Fountain	Randall
Burke, Fla.	Gettys	Rarick
Burleson, Tex.	Gooding	Roberts
Burlison, Mo.	Griffin	Rogers, Fla.
Bush	Gross	Satterfield
Byrnes, Wis.	Hagan	Scherle
Camp	Haley	Scott
Carter	Hall	Sebellus
Casey	Harsha	Smith, Calif.
Clawson, Del	Hull	Snyder
Collins	Hutchinson	Steiger, Ariz.
Colmer	Ichord	Teague, Calif.
Crane	Jarman	Thompson, Ga.
Davis, Wis.	Jonas	Waggonner
Denney	Jones, N.C.	Whalley
Dennis	Landgrebe	Whitten
Derwinski	Lennon	Wiggins
Devine	McMillan	Wolf
Dowdy	Martin	Wylie
Edwards, Ala.	Miller, Ohio	Zion

NOT VOTING—89

Adair	Dickinson	Melcher
Anderson, Ill.	Edwards, La.	Meskill
Anderson,	Evins, Tenn.	Mills
Tenn.	Farbstein	Mollohan
Andrews,	Findley	Montgomery
N. Dak.	Flowers	Morton
Aspinall	Frey	Murphy, N.Y.
Ayres	Garmatz	Passman
Baring	Gilbert	Patman
Bell, Calif.	Goldwater	Poff
Berry	Hansen, Idaho	Pollock
Blanton	Hastings	Powell
Bray	Hawkins	Rivers
Brock	Hays	Robison
Button	Horton	Roudebush
Cabell	Hosmer	Saylor
Carey	Jones, Tenn.	Sikes
Cederberg	Karth	Smith, Iowa
Celler	Keith	Stephens
Clancy	Kirwan	Taylor
Clark	Kluczynski	Teague, Tex.
Clausen,	Kuykendall	Tunney
Don H.	Landrum	Ullman
Conyers	Latta	Vander Jagt
Corbett	Long, La.	Watson
Coughlin	Lukens	Weicker
Cramer	McClure	White
Cunningham	Mann	Williams
Daddario	Mathias	Wilson,
Dawson	May	Charles H.
Delaney	Meeds	Wold

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Adair.
Mr. Edwards of Louisiana with Mr. Dickinson.
Mr. Daddario with Mr. Ayres.
Mr. Carey with Mr. Horton.
Mr. Long of Louisiana with Mr. Bray.
Mr. Garmatz with Mr. Findley.
Mr. Aspinall with Mr. Anderson of Illinois.
Mr. Jones of Tennessee with Mr. Kuykendall.
Mr. Blanton with Mr. Don H. Clausen.
Mr. Cabell with Mr. Frey.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Passman with Mr. Hansen of Idaho.
Mr. Patman with Mr. Brock.
Mr. Rivers with Mr. Hastings.
Mr. Sikes with Mr. Hosmer.
Mr. Tunney with Mr. Bell.
Mr. Delaney with Mr. Cederberg.
Mr. Baring with Mr. Berry.
Mr. Clark with Mr. Corbett.
Mr. Hawkins with Mr. Pollock.
Mr. Meeds with Mr. Mathias.
Mr. Mollohan with Mr. Clancy.
Mr. Charles H. Wilson with Mrs. May.
Mr. Celler with Mr. Coughlin.
Mr. Mann with Mr. Keith.
Mr. Anderson of Tennessee with Mr. Cunningham.
Mr. Montgomery with Mr. Cramer.
Mr. Smith of Iowa with Mr. Latta.
Mr. Stephens with Mr. Lukens.

Mr. Kirwan with Mr. Powell.
 Mr. Farbstain with Mr. Conyers.
 Mr. Flowers with Mr. McClure.
 Mr. Landrum with Mr. Morton.
 Mr. Gilbert with Mr. Poff.
 Mr. Karth with Mr. Button.
 Mr. Kluczynski with Mr. Robison.
 Mr. Teague of Texas with Mr. Roudebush.
 Mr. Mills with Mr. Saylor.
 Mr. White with Mr. Vander Jagt.
 Mr. Taylor with Mr. Watson.
 Mr. Melcher with Mr. Wold.
 Mr. Ullman with Mr. Goldwater.
 Mr. Murphy of New York with Mr. Weicker.
 Mr. Williams with Mr. Meskill.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DOWNING. Mr. Speaker, when the crime bill was passed by the House this afternoon I was detained downtown on important business and was unable to cast my vote. Had I been present, I would have voted "yea" on the Crime Control and Safe Streets Act.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Mr. PERKINS. Mr. Speaker, pursuant to House Resolution 1118, I call up from the Speaker's table the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes, for immediate consideration.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PERKINS moves to strike out all after the enacting clause of S. 3215 and insert in lieu thereof the text of H.R. 16065, as passed, as follows:

That section 2(2) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting before the semicolon at the end thereof the following: "In order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future".

Sec. 2. Section 3(a) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting "comparative religion; ethics;" after "archeology;" and by inserting before the period at the end thereof the following: "with particular attention to the relevance of the humanities to the current conditions of national life".

Sec. 3. (a) Section 5(c)(3) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting after "enable them" the following: "to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or".

(b) Section 5(h)(3) of such Act is amended to read as follows:

"(3) Funds allocated to carry out the purpose of this subsection for any fiscal year shall be equally allotted among the States, but no State shall receive less than \$75,000 for any fiscal year."

(c) Section 6(b) of the National Arts and Cultural Development Act of 1964 is amended by adding at the end thereof the following: "Upon expiration of his term of office

the Chairman shall serve until his successor shall have been appointed and shall have qualified."

Sec. 4. (a) Section 6 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting a new subsection "(c)" to read as follows:

"(c) (1) The Council may establish in Executive Committee which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be Chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve for a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

(b) Section 8 of the National Arts and Cultural Development Act of 1964 is amended by striking out "exceeding \$75 per diem" and inserting in lieu thereof "to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5, United States Code" and by striking out "(5 U.S.C. 73b-2)" and inserting "(5 U.S.C. 5703)".

Sec. 5. Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by:

(a) amending subsection (b) (2) by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

(b) amending subsection (c) (2) to read as follows:

"(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the humanities by making arrangements (including contracts, grants, loans, and other forms of assistance) with individuals or groups to support such activities."

(c) amending subsection (c) (5) by inserting after "groups," the following: "education in".

Sec. 6. Section 8 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(a) amending subsection (e) to read as follows:

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently."

(b) adding a new subsection (g) to read as follows:

"(g) (1) The Council may establish an Executive Committee which shall be composed of five members and shall exercise

such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be Chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve or a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such a term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

Sec. 7. Section 10 of the National Foundation on the Arts and Humanities Act of 1965, as amended, is amended by—

(a) inserting a new subparagraph "(a) (7)" to read as follows:

"(7) to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)."

(b) redesignating former subparagraph "(a) (7)" as subparagraph "(a) (8)".

Sec. 8. Section 11 of the National Foundation on the Arts and Humanities Act of 1965 is amended by—

(a) repealing subsections (a) and (c), effective June 30, 1970, and substituting therefor the following: "(a) For the purpose of enabling the Foundation to carry out its responsibilities, there is hereby authorized to be appropriated to the Foundation \$40,000,000 for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years such sums as the Congress may deem necessary to carry out the provisions of this Act. Sums appropriated under the authority of this subsection shall remain available until expended."

(b) amending subsection (b) to read as follows:

"(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment for the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years an amount equal to the total of amounts received by that Endowment under section 10(a) (2) of this Act. Amounts appropriated to an Endowment under this subsection shall remain available until expended."

The SPEAKER pro tempore (Mr. Boggs). The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

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

A similar House bill (H.R. 16065) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BRADEMAs. 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. 16065.

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

There was no objection.

PERSONAL EXPLANATION

Mr. ICHORD. Mr. Speaker, on rollcall No. 195, the omnibus crime bill, I was called off the floor for a conference with the Missouri Youth Commission on Selective Service and missed the vote. If I had been present, I would have voted "yea."

JOINT COMMITTEE ON REDUCTION OF FEDERAL EXPENDITURES REPORT

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

Mr. MAHON. Mr. Speaker, the staff of the Joint Committee on Reduction of Federal Expenditures has just issued another report which relates to the fiscal operations of the Government and of the actions of the Congress in respect to the budget for the fiscal year 1971 which begins tomorrow.

I ask unanimous consent to place in the Extensions section of the RECORD a statement by myself in regard to this situation and include certain tables and extraneous material relating to the subject.

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

There was no objection.

CONFERENCE REPORT ON H.R. 17868, DISTRICT OF COLUMBIA APPROPRIATIONS, 1971

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-1267)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17868) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, and 10, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$11,016,600"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 7, 8, 9, 11, 12, and 13.

Managers on the Part of the House.

WILLIAM H. NATCHER,
ROBERT N. GAIAMO,
EDWARD J. PATTEN,
D. PRYOR,
DAVID R. OBEY,
GEORGE MAHON,
GLENN R. DAVIS,
DONALD W. RIEGLE, Jr.,
WENDELL WYATT,
FRANK T. BOW,

Managers on the Part of the Senate.

WILLIAM PROXMIER,
RALPH W. YARBOROUGH,
JOSEPH M. MONTROYA,
RICHARD B. RUSSELL,
JAMES B. PEARSON,
MILTON R. YOUNG,

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

GENERAL OPERATING EXPENSES

Amendment No. 1: Appropriates \$48,894,700 as proposed by the Senate instead of \$48,406,000 as proposed by the House. The conferees are agreed that the 3 attorney and supporting positions allowed for Office of the Corporation Council for tax compliance and enforcement are to be housed in the Corporation Council's office and are to be under the control of the Corporation Council.

PUBLIC SAFETY

Amendment No. 2: Appropriates \$143,991,000 as proposed by the Senate instead of \$144,641,000 as proposed by the House.

RECREATION

Amendment No. 3: Appropriates \$11,016,600 instead of \$11,141,000 as proposed by the House and \$10,894,400 as proposed by the Senate.

HUMAN RESOURCES

Amendment No. 4: Appropriates \$157,164,900 as proposed by the Senate instead of \$156,677,000 as proposed by the House, and includes \$50,000 for an Office of Spanish Affairs as proposed by the Senate.

HIGHWAYS AND TRAFFIC

Amendments Nos. 5 and 6: Appropriates \$19,679,000 as proposed by the Senate instead of \$19,759,000 as proposed by the House, and provide that \$13,280,800 shall be payable from the highway fund as proposed by the Senate instead of the \$13,340,800 proposed by the House.

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment to limit chauffeur overtime payments for District officials to 25 percent of annual base pay.

CAPITAL OUTLAY

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to appropriate \$57,384,000 instead of \$64,294,000 as proposed by the House and \$91,881,000 as proposed by the Senate.

The list of projects approved does not include funds for the District's share of the

Washington Metropolitan Area Transit Authority's construction program. The managers on the part of the House reiterate their opinion that there is a place for both a freeway system and a rapid rail system in our Capital City. In order to meet the tremendous day-by-day growth of traffic, the freeway program must be carried out along with the rapid transit system. There is no desire on the part of the House managers to halt the subway program and the denial of funds at this time will not stop construction already underway and the managers are determined to do everything they can to enable the Authority to maintain its construction schedule and the integrity of the financial plan. When the current impasse on highway construction in the District of Columbia is resolved, every consideration will be given to a supplemental request for the District's share of the cost of the Washington Metropolitan Area Transit Authority's fiscal year 1971 construction program.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to provide that \$500,000 shall be payable from the Highway fund, as proposed by the House, and \$775,000 shall be payable from the water fund instead of \$1,745,000 as proposed by the House and \$1,500,000 as proposed by the Senate.

Amendment No. 10: Technical correction as proposed by the Senate.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to provide \$4,206,600 for construction services instead of \$3,389,300 as proposed by the House and \$2,915,000 as proposed by the Senate.

Amendments Nos. 12 and 13: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the Senate amendments with amendments requiring resubmission and justification of individual capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, not obligated in whole or in part within a period of two years.

WILLIAM H. NATCHER,
ROBERT N. GAIAMO,
EDWARD J. PATTEN,
DAVID PRYOR,
DAVID R. OBEY,
GEORGE MAHON,
GLENN R. DAVIS,
DONALD W. RIEGLE, Jr.,
WENDELL WYATT,
FRANK T. BOW,

Managers on the Part of the House.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

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

There was no objection.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.
 Mr. NATCHER (during the reading).
 Mr. Speaker, I ask unanimous consent that the statement be considered as read.
 Mr. HALL. Mr. Speaker, reserving the right to object, I want to ask the distinguished gentleman from Kentucky if it is his intention to explain the added cost from the other body, the difference between the bill as it comes back from the conferees and as it left this body, and any other pertinent information that we may have before this unanimous consent is granted?
 Mr. NATCHER. Mr. Speaker, will the gentleman yield?
 Mr. HALL. I am glad to yield to the distinguished gentleman.
 Mr. NATCHER. I will say to my distinguished friend, the gentleman from

Missouri, that I intend to make a full explanation of the conference report.
 Mr. HALL. Mr. Speaker, under these circumstances and with the assurance of the Chair that we will not gavel this one through, as we did last week, I will withdraw my reservation of objection.
 The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?
 There was no objection.
 Mr. NATCHER. Mr. Speaker, the budget for the District of Columbia submitted for the fiscal year 1971 called for a total appropriation of \$825,158,000.
 As the Members of the House will remember, the bill we passed in the House several weeks ago provided \$642,906,000.
 The budget for the District of Columbia was out of balance \$206 million at

the time it was submitted to the House, and that same condition existed in the other body.
 The bill that passed the Senate provided \$670,493,000. This was \$27,587,000 over the House bill.
 The conference report that we now bring back, Mr. Speaker, provides \$636,118,200. This figure is below both the House and Senate figures.
 Mr. Speaker, at the appropriate time, I will ask permission to revise and extend my remarks and to include a tabulation which will show in detail the comparisons I have just reviewed. I will also include a table showing the capital outlay projects which were allowed in conference.
 The tables follow:

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1971 (H.R. 17868) CONFERENCE SUMMARY

Agency and item (1)	New budget (obligational) authority, fiscal year 1970 (enacted) to date (2)	Budget estimates of new (obligational) authority, fiscal year 1971 (3)	New budget (obligational) authority recommended in House bill (4)	New budget (obligational) authority recommended in Senate bill (5)	New budget (obligational) authority recommended by conference action (6)	Conference action compared with—				
						New budget (obligational) authority, fiscal year 1970 (7)	Budget estimates of new (obligational) authority, fiscal year 1971 (8)	New budget (obligational) authority recommended in House bill (9)	New budget (obligational) authority recommended in Senate bill (10)	
FEDERAL FUNDS										
Federal payment to the District of Columbia:										
General fund.....	\$108,166,000	\$105,000,000	\$105,000,000	\$105,000,000	\$105,000,000	-\$3,166,000				
Water fund.....	2,504,000	2,506,000	2,506,000	2,506,000	2,506,000	+2,000				
Sanitary sewage works fund.....	1,424,000	1,432,000	1,432,000	1,432,000	1,432,000	+8,000				
Total, Federal payment to the District of Columbia.....	112,094,000	108,938,000	108,938,000	108,938,000	108,938,000	-3,156,000				
Loans to the District of Columbia for capital outlay (from the U.S. Treasury):										
General fund.....	57,235,000					-57,235,000				
Highway fund.....	700,000					-700,000				
Water fund.....	170,000					-170,000				
Sanitary sewage works fund.....	2,158,000					-2,158,000				
Total, loan appropriation to District of Columbia.....	60,263,000					-60,263,000				
Total Federal funds to the District of Columbia.....	172,357,000	108,938,000	108,938,000	108,938,000	108,938,000	-63,419,000				
Commission on Revision of Criminal Laws of the District of Columbia.....	150,000	150,000				-150,000	-\$150,000			
Grand total, Federal funds.....	172,507,000	109,088,000	108,928,000	108,938,000	108,938,000	-63,569,000	-150,000			
DISTRICT OF COLUMBIA APPROPRIATED FUNDS										
Operating expenses:										
General operating expenses.....	\$ (44,595,275)	\$ (54,288,000)	(48,406,000)	(48,894,700)	(48,894,700)	(+4,299,425)	(-5,393,300)	(+\$488,700)		
Public safety.....	(128,086,285)	(148,392,000)	(144,641,000)	(143,991,000)	(143,991,000)	(+15,904,715)	(-4,401,000)	(-650,000)		
Education.....	(141,064,600)	(163,564,000)	(146,353,000)	(146,353,000)	(146,353,000)	(+5,288,400)	(-17,211,000)			
Recreation.....	(18,069,450)	(13,528,000)	(11,141,000)	(10,894,400)	(11,016,600)	(-7,052,850)	(-2,511,400)	(-124,400)	(+\$122,200)	
Human resources.....	(137,914,800)	(163,105,000)	(156,677,000)	(157,164,900)	(157,164,900)	(+19,250,100)	(-5,940,100)	(+487,900)		
Highways and traffic.....	(18,796,900)	(20,436,000)	(19,759,000)	(19,679,000)	(19,679,000)	(+882,100)	(-757,000)	(-80,000)		
Sanitary engineering.....	(34,449,900)	(37,266,000)	(36,069,000)	(36,069,000)	(36,069,000)	(+1,619,100)	(-1,197,000)			
Settlement of claims and suits.....	(71,000)	(3,000)	(3,000)	(3,000)	(3,000)		(-68,000)			
Total, operating expenses.....	(523,048,210)	(600,582,000)	(563,049,000)	(563,049,000)	(563,171,200)	(+40,122,990)	(-37,410,800)	(+122,200)	(+122,200)	
Repayment of loans and interest.....	(10,807,000)	(15,564,000)	(15,563,000)	(15,563,000)	(15,563,000)	(+4,756,000)	(-1,000)			
Capital outlay.....	(128,730,300)	(209,012,000)	(64,294,000)	(91,881,000)	(57,384,000)	(-71,346,300)	(-151,628,000)	(-6,910,000)	(-34,497,000)	
Grand total District of Columbia appropriated funds.....	(662,585,510)	(825,158,000)	(642,906,000)	(670,493,000)	(636,118,200)	(-26,467,310)	(-189,039,800)	(-6,787,800)	(-34,374,800)	

¹ Includes \$3,997,000 in 2d supplement, 1970.
² Includes \$129,675 in 2d supplement, 1970.
³ Includes a reduction of \$980,000 in H. Doc. —.
⁴ Includes \$3,966,485 in 2d supplement, 1970.
⁵ Includes a reduction of \$18,000 in H. Doc. —.
⁶ Includes a net increase of \$2,495,000 in H. Doc. —.
⁷ Includes \$171,750 in 2d supplement, 1970.
⁸ Includes an increase of \$1,062,000 in H. Doc. —.

⁹ Includes an increase of \$144,000 in H. Doc. —.
¹⁰ Includes \$20,000 in 2d supplement, 1970.
¹¹ Includes an increase of \$1,613,000 in H. Doc. —. Excludes \$1,200,000 in H. Doc. — for sanitary engineering which was not considered—\$637,000 operating and \$572,000 capital outlay.
¹² Included in H. Doc. —.
¹³ Includes a reduction of \$178,000 in H. Doc. —.
¹⁴ Includes \$3,048,000 in 2d supplement, 1970.
¹⁵ Includes \$12,335,910 in 2d supplement, 1970.

Capital outlay projects approved in conference		Public library: Shaw Branch Library		existing facilities, various locations	
Public schools:			80,000		195,000
New elementary school, Pomeroy and Erie Streets, SE.....	\$184,000	Recreation Department: Parkside playground development.....	1,879,500	Public Health: Stationary compactors, various facilities for waste and trash removal.....	330,000
New elementary school, 31st and Erie Streets, SE.....	203,000	Fire Department:		Department of Corrections: Resurface South Sally Port, District of Columbia jail.....	16,500
Career development center.....	533,000	Engine Company No. 4 and Truck Company No. 4.....	75,000		
		Permanent improvements to			

Public Welfare: Air condition kitchen area, infirmary building, District of Columbia Village	\$22,000
Department of General Services: Electrical modernization, East Administration Building	440,000
Emergency lights and auxiliary power supply, District Building	38,500
Air conditioning program, various buildings	300,000
Department of Highways and Traffic: Central Potomac River bridge crossing (Three Sisters Bridge)	500,000
Department of Sanitary Engineering (general fund): Water Pollution control plant, Blue Plains	15,600,000

Mr. Speaker, the budget included a request for \$34,178,000 for rapid rail transit. Our Committee on Appropriations, as you heard us say on numerous occasions, believes that we must have a balanced system of transportation in our Capital City. We must have a rapid rail system and we must have a freeway system. In the House bill we deleted the request for rapid rail transit, which amounted to \$34,178,000, for the reason that the Highway Act of 1968 had not been complied with by the District officials. That condition continues as of this day. There is no reason whatsoever why the Highway Act of 1968 should not be complied with by the District officials.

The conference report that we bring back at this time does not contain the \$34,178,000. The other body added that amount. In conference we agreed to the following language, which is a part of the statement of the managers on the part of the House accompanying the conference report we are now considering. It clearly shows that the other body and this body, and especially the Committee on Appropriations in the House, believes that we must have both a rapid rail transit system and a freeway system in our Capital City. The language which is in the conference statement is as follows:

The managers on the part of the House reiterate their opinion that there is a place for both a freeway system and a rapid rail transit system in our capital city. In order to meet the tremendous day-by-day growth of traffic, the freeway program must be carried out along with the rapid rail transit system. There is no desire on the part of the House managers to halt the subway program, and the denial of funds at this time will not stop construction already under way, and the managers are determined to do everything they can to enable the Authority to maintain its construction schedule and the integrity of its financial plan. When the current impasse on highway construction in the District of Columbia is resolved, every consideration will be given to a supplemental request for the District's share of the cost of the Washington Metropolitan Area Transit Authority's fiscal year 1971 construction program.

At this time I yield to my distinguished friend from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding, and I certainly appreciate his clear, forthright and illuminating analysis of the difference in the cost of the budget, the House-passed bill, that of the Senate, and the conference report. I compliment him on the action that has been taken, and

particularly his steadfastness in the statement concerning the District transit problem.

May I ask the gentleman if the amendments to which we are agreeing by unanimous consent in this conference report on the part of the other body would be considered germane if in this body?

Mr. NATCHER. Mr. Speaker, I would say to my friend that everything in this conference report would be considered germane in both bodies.

Mr. HALL. One final question, Mr. Speaker: It is my understanding that in the House bill we had a limited amount for the very pressing problem of treating the narcotic victim or the drug-abuse victim. Has that been adjusted and, if so, has this needed fund been increased by the conferees or by the other body as far as either halfway houses or narcotic treatment centers are concerned?

Mr. NATCHER. Mr. Speaker, I would like to say to my distinguished friend from Missouri that this is one of the most important items in the bill. At the time we brought this bill to the floor, my distinguished friend from Missouri (Mr. HALL), called this matter to the attention of the House, and I explained that we could place only \$771,000 in the bill due to the shortage of revenue.

In conference, by virtue of adjusting some of the other amounts, we have been able to allow the total amount requested of \$1,758,900 to expand this program in the District of Columbia. I say to my friend, this is an important matter, and I appreciate the gentleman calling attention to it.

Mr. HALL. Mr. Speaker, I thank the gentleman. As I understand it, the conferees were able to do that by these adjustments, while still lowering this final conference report in total dollars for the District of Columbia, not only over that passed by the House, but also that passed by the other body.

Mr. NATCHER. The gentleman is exactly correct.

At this point, I yield to my distinguished friend, the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from Kentucky for yielding. Mr. Speaker, I, too, commend the gentleman from Kentucky, the distinguished chairman of the subcommittee, and also the other managers on the part of the House, for what I think is a good conference report. Especially do I commend them for holding firm on the position they have taken with respect to the traffic problem in the District of Columbia.

I have one more minor matter I would like to ask a question on. I have been disturbed for some time by the number of chauffeurs of Cadillacs operated in the District of Columbia by public officials and the salaries being paid the chauffeurs. As I understand it, there is approximately \$17,000 or \$18,000 a year for chauffeurs. Is there anything in this conference report with relation to that, or does the gentleman think something can be done in the future with respect to this?

Mr. NATCHER. Mr. Speaker, I would like to say to my distinguished friend,

the gentleman from Iowa, that in conference agreement we have placed language in the bill which reads as follows:

Provided further, That this appropriation shall not be available for payment of premium pay to any employee assigned as a chauffeur for the Commissioner, the Deputy Commissioner, or the Chairman of the City Council which exceeds in the aggregate 25 percent of the annual rate of basic pay applicable to such employee.

Mr. Speaker, we were amazed to find out that the chauffeur for the Commissioner of our District of Columbia during the fiscal year 1969 was paid about \$17,000.

In addition to that language, we have reduced the appropriation for chauffeurs which is carried in the budget for the Department of Highways and Traffic by \$20,000.

The chauffeur for the Commissioner has a regular salary rate of about \$6,600. His overtime during fiscal year 1969 has run about \$10,800, for a total of a little more than \$17,000, for a chauffeur. Certainly I will say to my friend, the gentleman from Iowa, that all of us have the right to be shocked and amazed at that amount. I want the gentleman to know that we have corrected that matter in this conference action.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. NATCHER. Mr. Speaker, I yield to my friend, the gentleman from Florida (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I thank the gentleman for yielding. I just want to inquire, was there anything put in this bill for the trip of the Mayor of Washington to the Soviet Union? And, if so, how much?

Mr. NATCHER. Mr. Speaker, I would like to say to my distinguished friend, the gentleman from Florida, that not one dime is in this bill to be used for that purpose. I understand the expenses for the Commissioner to make this trip to Moscow and other points are funded by grant from the mutual education and cultural exchange activities appropriation of the Department of State.

Mr. Speaker, at this time I yield to my distinguished friend, the gentleman from Wisconsin (Mr. DAVIS).

Mr. Speaker, the gentleman is one of the able Members of this House and he has been all during the years an outstanding Member of Congress. I yield to the gentleman from Wisconsin (Mr. DAVIS) such time as he may consume.

Mr. DAVIS of Wisconsin. Mr. Speaker, I am almost as embarrassed as I am sure my colleague from Iowa was when we were delivering eulogies to him while waiting for the papers on this conference report to be completed.

I believe it is fair to say that this conference report represents the best possible and practical solution to the fiscal problems of the District of Columbia as they now exist.

It should be pointed out that although this bill is substantially below the amounts passed separately by the Senate and House, this does not and cannot represent the entire funding required for the District of Columbia during fiscal year 1971. We know, for instance,

that in order to stay within the available revenue some very necessary activities could not be funded in this bill. These activities will need to be funded in a supplemental bill as soon as the additional revenue can be made available.

For example, there is almost no money in this bill for highway maintenance and street improvements, and some of the necessary sewer and water facilities. These are going to have to be provided just as soon as the additional funds become available.

There is legislation now pending in the Congress with respect to additional borrowing authority, an increase in the Federal payment, and increased gasoline taxes. These latter would make it possible to replenish the highway fund and undertake some of the necessary improvements on the streets and highways within the District.

There is also an increase in the real estate tax pending before the city council. This is something over which that body has cognizance and authority to act.

So, as these measures are considered, and to the extent that favorable action results in additional revenue, further funding for the District will follow. But there are definitely some activities in the District that have not been funded and will need to be implemented within the course of the fiscal year that starts tomorrow.

I should also mention that the decision to defer funding for the subway in this bill was based primarily on the merits of the existing situation relating to a balanced transportation system for the District of Columbia.

We had also been concerned that Senate action had resulted in the deletion of many school facilities in order to make funds available for additional capital outlay projects included by the other body. However, in working this out in conference—and I would ask the chairman to confirm this—all school facilities which the District of Columbia is now ready to proceed with have been restored. Is that correct?

Mr. NATCHER. Mr. Speaker, the gentleman is correct.

Mr. DAVIS of Wisconsin. There were also some reductions made in the other body on the basis of information which was developed after the bill left the House. We thought those were valid reductions, with the exception of school construction and concurred with a number of them.

Mr. Speaker, this does represent a conference report we can all accept, and one which I certainly endorse and support.

I want to convey my respects to my good friend from Kentucky, the chairman of the subcommittee, for the effective manner in which he handled this conference with the Members of the Senate in order to bring back this favorable piece of legislation now before the House.

Mr. NATCHER. Mr. Speaker, I want to thank my distinguished friend from Wisconsin.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 7, line 20, insert:

“Provided further, That this appropriation shall not be available for payment of premium pay to any employee assigned as a chauffeur for the Commissioner, Deputy Commissioner, or the Chairman of the City Council which exceeds in the aggregate 25 percent of the annual rate of basic pay applicable to such employee.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 9, line 10, strike out “\$64,294,000” and insert “\$91,881,000”.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert “\$57,384,000”.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 9, lines 10 and 11, strike out “of which \$500,000 shall be payable from the highway fund, and \$1,745,000” and insert “of which \$1,500,000 shall be payable”.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: “of which \$500,000 shall be payable from the highway fund, and \$775,000”.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 9, line 14, strike out “\$3,389,300” and insert “\$2,915,100”.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein with an amendment, as follows: In lieu of

the sum proposed by said amendment insert: “\$4,206,600”.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 9, line 20, insert “: *Provided further, Notwithstanding the foregoing, all authorizations for capital outlay projects for which funds are provided by this paragraph, shall expire on June 30, 1972, except authorizations for projects as to which funds have been obligated in whole or in part prior to such date. Upon expiration of any such project authorization the funds provided herein for such project shall lapse*”.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: “: *Provided further, Notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (Public Law 90-495, approved August 23, 1968), for which funds are provided by this paragraph, shall expire on June 30, 1972, except authorizations for projects as to which funds have been obligated in whole or in part prior to such date. Upon expiration of any such project authorization the funds provided herein for such project shall lapse*”.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: Page 9, line 20, insert the following: “*Provided further, Notwithstanding any other provision of law, any authorization for a capital outlay project for which funds have heretofore been appropriated shall expire two years from the date of the Act making such appropriation unless prior to the expiration of such period funds for such project were or will have been obligated in whole or in part. Upon expiration of any such project authorization the funds appropriated therefor shall lapse.*”

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: “: *Provided further, Notwithstanding any other provision of law, any authorization for a capital outlay project, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (Public Law 90-495, approved August 23, 1968), for which funds have heretofore been appropriated shall expire two years from the date of the Act making such appropriation unless prior to the expiration of such period funds for such project were or will have been obligated in whole or in part. Upon expiration of any such project authorization the funds appropriated therefor shall lapse.*”

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the conference report just agreed to.

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

There was no objection.

TRIBUTE TO SUBCOMMITTEE ON DISTRICT OF COLUMBIA APPROPRIATIONS

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

Mr. BOW. Mr. Speaker, I think it is appropriate to congratulate the gentleman from Kentucky (Mr. NATCHER), the gentleman from Wisconsin (Mr. DAVIS), and their colleagues on the District of Columbia Appropriations Subcommittee for completing action on their bill today. This is the one bill that has been passed through conference during this fiscal year. The rest of the departments and agencies of the Government are now operating under a continuing resolution.

Mr. Speaker, I think the members of this subcommittee are to be congratulated. This action serves to point up the interest of the Congress in legislation and appropriations for the District of Columbia. The District government now has a bill; they know what they have to spend and do not have to worry about operating under a continuing resolution and subsequent conference action.

So, Mr. Speaker, I congratulate the gentleman from Kentucky (Mr. NATCHER), the chairman of this subcommittee; the gentleman from Wisconsin (Mr. DAVIS); and their colleagues for their efforts in bringing this bill to final passage during this fiscal year.

CONSTITUENTS OPPOSED TO MINIMUM ANNUAL INCOME FOR WELFARE RECIPIENTS

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

Mr. KLEPPE. Mr. Speaker, the annual poll of my constituents of the west district of North Dakota show they are overwhelmingly opposed to a minimum annual income for welfare recipients, against voting rights beginning at age 18, and almost unanimously for cutting off Government assistance to students who demonstrate violently.

They also heavily favor a constitutional amendment to permit voluntary prayer in public schools.

We have tabulated the first 9,000 responses to a 10-point questionnaire which was mailed to all 81,000 postal patrons in my district. I am getting much heavier returns than were received in the annual samplings I have been taking since 1967. They are still coming in at a rate of several hundred a day and all will be counted.

Following is a list of the questions,

with a percentage tabulation of the responses:

RESULTS OF QUESTIONNAIRE

1. Do you believe the government should provide a guaranteed minimum annual income to welfare recipients? Yes, 22 percent; no, 78 percent.
2. As a means of stopping inflation, would you favor Federal wage, price and credit controls? Yes, 68 percent; no, 32 percent.
3. Should voting rights for citizens in national elections begin at age 18? Yes, 24 percent; no, 76 percent.
4. Would you favor a Constitutional Amendment to permit voluntary prayer in our public schools? Yes, 85 percent; no, 15 percent.
5. If you were a member of the U.S. Senate, would you have voted to confirm the nomination of Judge G. Harrold Carswell for the Supreme Court? Yes, 54 percent; no, 46 percent.
6. Do you favor strengthening of the ABM (Anti-Ballistic Missile System) as proposed by the President? Yes, 63 percent; no, 27 percent.
7. Do you believe that college students receiving loans or grants from the government should have such assistance cut off if they actively participate in demonstrations which cause property or physical damage or which interrupt the orderly pursuit of education by other students? Yes, 93 percent; no, 7 percent.
8. Vice President Spiro T. Agnew has been speaking out on a wide range of subjects. How would you rate his performance? Good, 60 percent; fair, 24 percent; poor 16 percent.
9. Would you favor placing a limitation of \$20,000 a year on the amount of government payments an individual farmer could receive? Farmers—Yes, 93 percent; no 7 percent. Non-farmers—Yes, 97 percent; no, 3 percent.
10. Please list in order of importance priorities you feel are most urgent. (List by number from 1 through 7, with number 1 representing what you consider to be the item of first priority, and so on through number 7).

[In percent]

1. Ending war in Vietnam.....	21
2. Controlling inflation.....	18
3. Crime prevention and control.....	17
4. Strengthening farm income.....	13
5. Controlling air, water and land pollution.....	12
6. Reducing defense spending.....	11
7. Increasing aid to education.....	8

CONGRESS SHOULD BACK UP DISTRICT OF COLUMBIA POLICE

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

Mr. GUDE. Mr. Speaker, reports of a moderate downturn in the crime rate in the District of Columbia are a tribute to the valiant work of an expanded Metropolitan Police Force. It is about time Congress backed up our police. The President's proposal to enlarge and reorganize the local courts has been with us for nearly a year, while the need for speedier justice becomes more acute every day. Everyone knows that long delays in court proceedings mean needless suffering for the innocent and an increase in crime committed on bail, but still the public waits for Congress to act.

It is true that the District of Columbia crime bill contains some hotly debated provisions requiring hard negotiation in conference. But it is equally clear that most of the new legislation is not a mat-

ter of serious dispute between the two Houses of Congress. I have no answer for citizens who ask why Congress cannot act promptly on the sections free of controversy.

I would like to bring to the attention of the Members of the House a letter from the Federal City Council and an editorial from station WMAL which eloquently plead for action. As the Federal City Council states:

Time is of the essence. Further delay on such non-controversial items as court reorganization will cause irreparable harm to the City's excellent program to reduce crime.

I join the Council and WMAL in urging immediate enactment of the vitally needed provisions of the District of Columbia crime bill. Let us get on with it.

The material referred to is as follows:

FEDERAL CITY COUNCIL,
1155 15th Street, N.W.,
Washington, D.C., June 21, 1970.

HON. GILBERT GUDE,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The Federal City Council urges you to support prompt action on the District of Columbia Crime Bill and to insist that adequate funds be authorized to implement the bill's many provisions.

The Council has long been interested in the public safety of all citizens of and visitors to Washington. It has been involved over the years in a number of activities to lessen neighborhood tensions, to insure adequate law enforcement in the city, and to secure an adequate system of criminal justice. Consistent with this policy, the Executive Committee of the Federal City Council at its recent meeting voted to urge quick action on the Crime Bill which is now in conference.

The Council recognizes that a few provisions of the Bill are highly controversial and raise serious Constitutional questions. But the great majority of the provisions are supported by all sides and by modern penal thought. Passage of these non-controversial provisions is essential to our crime reduction efforts in the Nation's Capital. Therefore, we urge you quickly to move this legislation with or without the controversial sections. If agreement on the disputed provisions can not be reached now, perhaps they could be the subject of subsequent legislation. But time is of the essence. Further delay on such non-controversial items as court reorganization will cause irreparable harm to the city's excellent program to reduce crime.

We also feel that it would be particularly unfortunate to pass this crucial legislation and fall to provide adequate funding. The promise of a major assault on crime must not be broken by insufficient financing.

The District of Columbia is in desperate need of modern anti-crime legislation. We urge your continued effort to produce such legislation at the soonest possible moment.

Sincerely,

STEPHEN AILES,
President.
MARK SULLIVAN, Jr.,
Chairman, Crime Committee.

WMAL-TV EDITORIAL, JUNE 15, 1970

For those members of Congress who may not have heard President Nixon's remarks to U.S. attorneys last week, we would like to repeat them here:

"The major failure of this Congress has been its failure to act on any of the crime legislation . . . These are issues that are above partisan politics. I think it is time for the Congress to get off the dead center on which it presently has been operating, to get these bills out of a committee, to give

the members of the House and Senate a chance to operate, and get them here on the President desk for signatures . . . If we get the tools from Congress, we will use them and we will reduce this rate of crime . . . This is the number one issue that concerns people . . . For the Congress to fail to act . . . will be something that the people will remember . . ."

To the President's pointed reference to the next election, we can add only this: The leading example of a needed bill trapped in Congress is the D.C. anti-crime legislation. For weeks, we have been urging the House-Senate conference committee to report it out for final action. Now that the President has said it, Congress must respond.

CONGRESSMAN MARIO BIAGGI DELIVERS OUTSTANDING ADDRESS IN NEW YORK CITY

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

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues a very forthright speech delivered in New York on Monday, June 29, by my distinguished colleague from New York, MARIO BIAGGI.

Since coming to Congress, MARIO BIAGGI has endeared himself to all of us because of his courageous position on behalf of our servicemen and on behalf of the people of our country.

He has devoted a major portion of his life to law enforcement, having served for over 23 years in the New York Police Department and having earned the distinction of being America's most decorated policeman.

In his speech, MARIO BIAGGI says the things that must be said today. Most of all, if America is to remain strong and united, it is necessary that we heed the words of Congressman BIAGGI in his address before more than 250,000 people at Columbus Circle in New York, wherein he says it is essential that all free-thinking people who believe in the principles of democracy be treated equally, fairly, and with justice under our laws.

The press release announcing his speech, and the full text of his speech follow:

PRESS RELEASE

Congressman Mario Biaggi (D-Bx) today praised FBI Director J. Edgar Hoover before a throng of almost 250,000 people celebrating Italian Unity Day at Columbus Circle, and assured his audience, many of whom had voiced resentment at FBI harassment of Italo-American, that alleged improper conduct by FBI agents, where it exists, was more human failure than established policy.

Biaggi had conferred with Mr. Hoover last Friday to discuss the complaints registered by a good many of those demonstrating today, and said "Mr. Hoover assured me in no uncertain terms that he will not tolerate any improper conduct by FBI agents and that he will vigorously prosecute any wrongful actions on their part."

Noting that Charles Bonaparte, an Italo-American who was Attorney General under President Theodore Roosevelt, was the founder of the agency that eventually became the FBI, Biaggi declared: "The controversy raging between the FBI and some Italo-Americans is an incongruity of striking proportions."

"Without a doubt, the FBI and its director, J. Edgar Hoover deserve the respect of us all," Biaggi said. "Let us not fall into

the trap of employing for our own use that which we condemn. Because of the misconduct of a few, let us not use a wide black brush on the FBI—and let not the FBI or any other law enforcement agency use the same brush on us."

Biaggi, who in 23 years on the New York City police force, earned the title "America's Most Decorated Policeman," said he had always had contempt for "the punks and hoodlums and their bosses—especially those of Italian ancestry who shame us . . . I condemn their criminal acts, but I also vigorously condemn the attempt by segments of our society to stigmatize Italian-Americans by group guilt."

He also issued a call to the press to cease using the "easy words" such as "allegedly Mafia" and "allegedly Cosa Nostra" which have become synonymous with organized crime, "a connotation that carries with it the connotation that crime is the exclusive preserve of Italian-Americans." He appealed for a recognition of crime for what it is—"a national evil threatening the very fabric of America, a plague that knows no geographic, economic or ethnic boundaries."

SPEECH DELIVERED BY CONGRESSMAN MARIO BIAGGI

This day has been a long time coming. Let us hope that the spirit it expresses will not die with the setting sun. For, if there is one thing that has been lacking among Italian-Americans, it is the theme of this day—unity.

I am here with you not only as a Congressman, but also as President of the Grand Council of Columbia Associations in Civil Service, which represents more than 80 thousand Americans of Italian origin.

We have joined here today to demonstrate our solidarity with the more than 22 million other Americans of Italian ancestry who are working daily with us to preserve the principles of democracy and freedom we are able to enjoy in this country.

But isn't it strange that we should find it necessary to gather here at all, to demonstrate what should be well known to all Americans?

I have heard it said that it would be all right for non-Italian speakers to appear here today, but that an Italian speaker would do so at his own peril: They say my attempt to defend the civil rights of my fellow Italo-Americans would be misrepresented—even distorted—as a defense of criminal influences. But I don't buy that and every right thinking American will reject that premise. But it certainly reveals the disastrous effects of an evil psychology that has been allowed to develop imperceptively but insidiously over the years. The civil rights of everyone are precious; they transcend ethnic lines. We can't afford to be content because it's a neighbor's house that is burning and not our own; it might easily spread to ours.

Ladies and gentlemen, it is necessary that I be here because forces and attitudes in our country have produced and perpetuated a strange phenomenon. Many of the governmental, social, and business institutions of America are practicing—either consciously or unconsciously—a discriminatory harassment and a subtle but insidious bias against Americans of Italian extraction.

It is a controversial issue; that's for sure. I know it, and you know it. And because it is controversial, some well-intentioned people advised me not to get involved—it might not be too smart politically. Let me say here—I've always had contempt for the punks and hoodlums and their bosses—and especially those of Italian ancestry who shame us. As a former police officer, I condemn their criminal acts, but I also vigorously condemn the attempts by segments of our society to stigmatize and intimidate Italian Americans by group guilt.

But, my friends, the principle we are dis-

cussing here is far too compelling for me to heed such warnings. I have come because I believe our cause is far more important than personal political considerations.

If the issue is controversial, so be it. In my mind, avoidance of controversy is synonymous with mediocrity. And God knows—we certainly don't need more mediocrity on the political scene today.

Some people call me a fighter of lost causes. I don't agree. I have fought and won because I believe in the principles I fought for. I'm confident that today, too, we can fight and win—but we must do it together.

There was a time not so long ago when a social studies book that defamed the Italian immigrant shamelessly, singling out our people for special scorn without the slightest reference to the good that we have contributed to America, was in use in the New York City public school system. We changed that, and the offensive passage was removed. More than that, a mental scar was prevented from being inflicted on our young impressionable children who might find it uncomfortable to argue with a textbook even when they know the book is evilly wrong.

There was a time not so long ago that the New York City Police Department used ethnic description in broadcasts over a wide range of states for wanted persons, too often playing a guessing game as to the ethnic background of those being sought. We changed that, and there is no more guesswork permitted in these broadcasts, an accomplishment that benefits all nationalities—not just Italo-Americans.

This has been part of our concern for civil rights for all people. In 1964, we wholeheartedly supported the Civil Rights Act for black people. We have vigorously defended the rights of the Jews, the Poles, the Germans and others whose rights were being threatened or taken away. We need not apologize for defending the civil rights of Italo-Americans; our credentials are secure on that score.

I could go on and on. The list is long, and the time is short. But this is not a day for a recitation of grievances. This is a day to serve notice on a wide front—and in unmistakable volume and clarity—that the continued affront to our people is not going to go unchallenged.

And notice has been served that we have had enough of the subtle and not-so-subtle forms of discrimination practiced against our people—discrimination perpetuated by custom and nourished by tradition.

How many times have we heard that we are too sensitive to these assaults on our dignity? Yes, even by some Italo-Americans. They are either suffering from tunnel vision or are completely out of touch with the people and reality. Let me tell you something. A lack of response to the sensitivities of people is the root of most of the problems in this country. And problems do not solve themselves. Perhaps time solves some, but for too many people the time is too long, the wounds too painful, to wait. We cannot—we must not—and we will not endure these indignities any longer.

We are here today to demonstrate that unity in righting a real wrong in our society. For that reason, we can only be commended by officials in our government, by law enforcement agencies, by the press, and by the public at large.

And while we are not directing our objections to any one institution in America, there is good reason for us to believe that some individual members of the news media and the law enforcement agencies share a persistent attitude that defames the Italo-American community as a whole.

That attitude is the result of a growing tendency to associate all Americans of Italian ancestry with organized crime. Yet my own 23 years as a New York City police officer belie that notion. During that time I spilled

my share of blood in the performance of duty—something that has served as a solid basis for my belief and respect for law enforcement agencies in general.

I am proud of my police service and equally proud of the enormous contributions by the tens of thousands of Americans of Italian extraction to the enforcement of law and the administration of justice throughout our history.

And I am sure that I, and they, will not yield one scintilla in our fight against crime, whether it be organized or unorganized; whether it be out in the streets or behind the closed doors of some business, government, or other organization in this country.

Now, I want to share a secret with you, one that very few people in this country know. The founder of the present Federal Bureau of Investigation was an Italian. His name was Charles J. Bonaparte. As attorney general under President Theodore Roosevelt, he formed a unit that eventually grew into the present-day FBI.

Just recently in Washington, I was honored to participate in an event that paid tribute to this great Italian-American, a ceremony that takes on added significance today in the wake of demonstrations by some Italo-Americans in New York City protesting improper conduct by the FBI.

It vividly emphasizes once again the obvious but little-discussed fact of American history—that Italian-Americans have played and continue to play a significant role in protecting the freedoms we all enjoy, in preserving without rancor or intimidation, law and order across the land.

Attorney General Bonaparte foresaw a tremendous need for a special investigative unit in the Department of Justice to cope with the increasing turmoil and crime plaguing the country at that time. Since then, the contributions of the men of the FBI—many of whom were of Italian ancestry—are indelibly etched in the annals of law enforcement and justice.

Considering the role of Bonaparte and the tens of thousands of dedicated Italo-American law enforcement officials in city, state, and federal agencies who proudly wear the symbol of Italy in their heritage, the controversy raging between the FBI and some Italian Americans is an incongruity of striking proportions.

Without a doubt, the FBI and its director, J. Edgar Hoover, deserve the respect of us all. Let us not fall into the trap of employing for our own use that which we condemn. Because of the misconduct of a few, let us not use a wide black brush on the FBI—and let not the FBI or any other law enforcement agency use the same brush on us.

True, there are still some members of law enforcement agencies who associate all Italian-Americans with those relatively few among us involved in organized crime. Indeed, in all types of organizations, Italian-Americans face an insidious bias that comes from a mythical association with crime.

The fact is that of our more than 22 million Italian-Americans, only 5,000—a mere one-fiftieth of one percent—are involved in organized crime. Why, that's better than the 99 and 44/100ths per cent purity of Ivory Soap.

Yet this terrible crime-association myth continues. No matter that tens of thousands of our outstanding law enforcement people are of Italian descent; no matter that the social, economic and political contributions of the Italian-American community are legion; no matter that the history of cultural development of all immigrant groups contains an era in which illegal activities may have presented the only avenue for upward mobility; and no matter that the FBI itself traces its own history back to a founder of Italian heritage. The infamous image of organized crime lingers and carries over in

some way to each of the millions of Americans of Italian extraction.

What forces perpetuate this strange phenomenon? A clue to the answer may lie in the realization that human failing rather than established policy contributes to its existence.

This is no easy problem to overcome. Human flaws nurtured and reinforced by the mass media eventually become institutionalized and—as de facto policy—can do more harm than established rules. In this unfortunate setting, myth is transformed into fact and, in turn, the abuse of power and ethnic harassment is shrouded in false justification.

No agency or institution, if we examine each closely, is free of such practices. Since the beginning of time, humanity has been faced with the problems created by excessive use of power. In law enforcement especially, because of its very nature, abuse of power, if not checked, can easily proliferate and destroy.

Pastor Niemoeller, in Nazi Germany, related a story that provides us with a convenient moral. It was during Hitler's regime, and he stood by idly while Hitler persecuted Jews and said: "I was not a Jew, therefore I did not object." And when Hitler persecuted the Catholics, he said, "I was not a Catholic, therefore I did not object." And when trade union members felt the wrath of Hitler, he said: "I was not a member of the trade unions, therefore I did not object." And finally, when Hitler went after him, there was no one left to object to.

The moral of the story is clear. People should not wait until injustice touches them directly, for these things have a way of spreading until they engulf us all. If an injustice is apparent anywhere, we are obliged to take action. If we see a wrong, we must make it right. We therefore need the cooperation and help of all right-thinking Americans, regardless of their ethnic or religious background. The crucial point is that wherever and whenever it exists, abuse of power, defamation, and ethnic harassment must be ferreted out and dealt with immediately. Otherwise, the very foundation of our law enforcement system, a system built over the years by the dedication of Americans, many of whom were of Italian descent, will be seriously eroded and eventually crumble.

Our country has been fortunate in having law enforcement systems that provide a good deal of self-policing. They tend to clean their own houses. When abuse of power or improper conduct is discovered, the wrongdoers are usually severely dealt with.

However, while our law enforcement agencies are deeply concerned with the performance of its own members, a share of the responsibility for eliminating the practice belongs with the public. Their complaints, properly processed and reasonably made, will receive the attention of all good police administrators.

This past Friday I conferred with FBI Director J. Edgar Hoover for an hour and 20 minutes in the company of my colleague, Congressman John Rooney of Brooklyn. I discussed the situation that we in the Italian-American community are facing. Mr. Hoover assured me in no uncertain terms that he will not stand for the defamation of the Italian-American or any other by the men under his command. Nor will he tolerate any other improper or illegal conduct by them. He pointed out that several hundred of his FBI agents are of Italian extraction, and I know he is proud of them and their work. I am certain that he will vigorously investigate any complaint presented to him concerning improper conduct by his agents.

If you are a victim of any such illegal action, by the FBI or any other organization, let me know, and I'll see to it that J. Edgar Hoover or the appropriate official knows about the incident. As far as J. Edgar Hoover

is concerned, he has promised action, and I believe him.

But I must make one more appeal. And that I direct to the mass media. We should not despair because of their past treatment of Italian-Americans; rather we should be hopeful that they will break away from the easy headline words and the continued indiscriminate use of alleged "Mafia" or alleged "Cosa Nostra" as synonymous for organized crime—an equation that carries with it the connotation that crime is the exclusive preserve of Italian-Americans. I ask you gentlemen of the press to join in eliminating this bias, and begin to view crime for what it is—a national evil threatening the very fabric of America, a plague that knows no geographic, economic or ethnic boundaries.

And to all of you who hear my voice today, let me say, now that we are here, now that we have gathered, we must go forward and help to unravel the knotted problems which beset all Americans. We shall be peaceful, we shall be loyal, but we will not be afraid to stand up and demand justice. We shall never again tolerate humiliation or injustice and we today pledge ourselves to the never-ending fight to protect America and the Constitution. Let us hope that this day of unity shall continue into something which helps to heal the wounds and bind our courage more firmly with our fellow Americans in freedom and justice for all.

SLOVAK WORLD CONGRESS

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

Mr. TAFT. Mr. Speaker, last week the American Slovak fraternal and religious organizations were participating in the First Slovak World Congress which was held in New York City at the Americana Hotel. I had both the honor and the pleasure to be one of their guests at the banquet, Sunday, June 21, together with my colleagues from the Congress—RAY J. MADDEN, PAUL FINDLEY, MICHAEL A. FEIGHAN, WILLIAM E. MINSHALL, and JOHN M. MURPHY. Congressman JOSEPH M. GAYDOS, himself of Slovak origin, was unfortunately in hospital at the time and missed this worthy event. Ambassador Nguyen Huu Chi, permanent observer to the United Nations, was also present. Representatives of other American nationalities were also present.

Senator JOHN G. TOWER, an outstanding American and an eloquent speaker, gave the keynote address. It was a fine speech and the assembled were unanimous in their praise of Senator Tower's presentation and knowledge of history.

Among the many delegates from the free world, including from Australia, Latin America, Europe, and Canada, who attended the sessions were also three bishops, Andrew G. Grutka of Gary, Ind., the honorary chairman of the congress; Michael Rusnak of Toronto, and Paul Hnilica of Rome, Italy. Stephen B. Roman, the internationally known industrialist from Canada, chaired the proceedings of the congress with Bishop Grutka. Mr. Roman was elected the chairman of the Slovak World Congress for 1970-71.

The major organizations from the United States participating in the congress included the National Slovak Society, presided by John Pankuch, the Slovak Catholic Union, presided by John

A. Sabol, the Catholic Sokol, presided by Paul Falat, Slovak League of America, by Edward Behuncik.

Feeling certain that many other heritage groups in our great country will find gems of hope for their own ideals, I include Senator Tower's introduction and speech in the RECORD at this point:

INTRODUCTION OF KEY SPEAKER

(By Joseph Krajsa, editor of the largest fraternal American Slovak newspaper)

When you think of Texas you immediately think of something big. And President Nixon has sent someone big to extend official greetings to the Slovak World Congress. The distinguished United States Senator from Texas, Senator Tower, known as a Progressive-Conservative, is a close advisor to President Nixon and serves on three major committees—Armed Services, Banking and Currency, and the Joint Committee on Defense Production. He has spent more time with our commanders and troops in Southeast Asia than any other member of the Senate. The Senator is an internationally known leader and has been distinguished as a gentleman of dedicated zeal. All of you present here today have displayed a zeal for an ideal. We are fortunate that our distinguished American, Senator Tower, shares our zeal. His presence here during his busy congressional session proves his interest in the Slovak cause, a cause so common to all separate ethnic cultures. His message will be rewarding to all nationality groups, but especially to the Slovak delegates here assembled from all over the free world. And yes, Senator, to the thousands of Slovak Americans living in Texas, too. It has been said that one day the world will be reformed, but not by reformers, but as a result of a zeal for an ideal that is burning in the hearts of dedicated men. Ladies and gentlemen, it is my pleasure to present to you an internationally known gentleman, our guest of honor, a public servant of dedicated zeal, our distinguished United States Senator from the State of Texas, the Honorable John G. Tower.

Thank you for that very fine introduction. Mr. President, Your Excellencies, Reverend clergy, Mr. Ambassador, my distinguished colleagues in the Congress, ladies and gentlemen,

It certainly is a great pleasure to be here today. It's extremely difficult for me to undertake to address you as the final speaker on the program. I have listened with great interest to all that has been said, but have not understood it all, since I don't speak Slovak. And so I am reasonably sure that Steve Roman has probably made my speech. But I'll find out afterwards.

I think that this is a great and significant moment that you meet here in your first World Congress. I think it is always inspiring when like-minded people get together for a noble common cause. You are Slovaks and I am an Anglo-Saxon. But we are all children of God. And as such, we are enjoined to stand fast in the liberty with Christ who set us free. We are all of one family. And we are our brothers in the common cause to try to achieve in this world, and in that which God intends, freedom for all mankind.

There are those in this world today who I think are ready to give up in the struggle against totalitarianism. I am so happy to note that you people are not among them. There are many in our country who have never felt the lash of communist imperialism. Because Karl Marx stated things in lofty terms, in terms of thinking what he considered to be human objectives, they think perhaps that system is not so bad after all. I wish every American could have shared the experiences many of you had, who have lived under communist totalitarianism to understand what it is all about. I have never lived in a

totalitarian system, but I've been in places in this world where I've seen the stultifying and inhuman effects of the communist drive for world aggrandizement.

As it has been noted, I have been in Vietnam several times. I returned from there, most recently, several weeks ago. Two weeks ago, today, I was slugging around on the battlefield in Cambodia. Today I'm glad to report to you that we are achieving our objectives in Vietnam. We can measure our achievement in several ways. We have reduced the capacity of the enemy to wage massive forces against us. We have improved the fighting qualities of the army of South Vietnam. And I can tell you that that Army, and indeed all of the Armed Forces of South Vietnam, performed in a most professional, courageous and effective manner in the recent and current operations in Cambodia.

And, I am given to understand by the military commanders, that this will hasten the day when we can bring our boys back home. But I think the most important reason, and underlying everything, is the fact that now most of the Vietnamese people have had some experience with Communism. They may not understand democracy, as you and I understand it. They may not understand all of the responsibilities of self-government, as you and I understand it. Those who have lived under the Viet Cong, and under the heel of North Vietnamese military have made a decision, that they would rather be with us.

I think that the only way we can fail to accomplish our objectives, in trying to combat communist aggression in Southeast Asia, is for the people here at home to throw in the towel. I do not think we can lose the war in Southeast Asia if we can maintain our presence there.

I know I don't have to convince you about our responsibilities in the world. You know what Communism has done to Eastern Europe and what America must do to maintain her own security. You know the reason why. It's the same reason that we fight today in South Vietnam because Communist aggressor powers seek to expand their realm by force.

There are so many naive people, unfortunately, too many of them on the college faculties of this country, who hold that there is no danger from Communist aggression. I imagine that the people in Czechoslovakia can say a word or two on that score. And I wish that they who have fled from the Russian tanks and the Russian machine guns could be on the college faculties so that our youth can get a better impression of what Communism is really like. How can we believe that there is no danger?

There are those who try to impose a sense of guilt on the people of the United States for the arms race. We didn't start the arms race! It was not the U.S. which continued to maintain its powerful military force immediately following World War II. We demobilized. It was not the U.S. that swallowed-up the Eastern European countries with the use of military force. It was not the U.S. who sealed off Berlin. It was not the U.S. who invaded South Korea. And, in the past few years, from the point of strategic technology, the Russians have been developing their military potential at a much greater rate than we have. I submit to you that there is a clear and present danger which you well know. And I am not speaking so much to you, as I am through you, to a lot of people who are not in this room.

But who should understand that this nation must maintain a posture of military superiority, not inferiority. Not parity, but superiority! Because if we fail to maintain it, my friends, there will be no hope for the Slovaks, nor for the millions of others to ever aspire to freedom and self-determination and have any reasonable hope of realizing it. Does anyone believe that if the Soviets achieve strategic military superiority they will not use it to blackmail the rest of

the world into going along their way. And you know what their way is. My friends, we are going to be in grave trouble by the end of this decade, or perhaps even before, if we don't recognize this fact.

I don't believe that we, Americans, can retreat to "fortress America" and hope to survive as a great nation ourselves. Even if we made our country impregnable; if we withdrew from the world, other nations would have to make their own accommodations with the Soviets. Then we will find ourselves in grave economic difficulties in a few years hence, because we are not a self-sufficient nation. We depend on sources and resources from other parts of the world. So, our capacity to progress as free people in the free enterprise system is involved here. But beyond that the mantle of world leadership has fallen on our shoulders whether we like it or not. We certainly are our brothers keepers! If we, as a Judeo-Christian society don't believe that then we have lost sight of the basic tenet. We are our brothers keepers, and have a responsibility to try and maintain a secure world in which Slovaks and all others, can aspire to freedom and hope ultimately to achieve it.

I'm pleased to bring you greetings from the White House. I'm also pleased to observe that you are willing to make common cause with all others, to combat the great Communist menace. There can be no freedom where Russian tanks, Russian soldiers occupy soil. There is no freedom in such territory anywhere. Ultimately, I think that all societies in this world can aspire to the kind of progress we in the U.S. and Canada have enjoyed through the free enterprise system. In the final analysis, when man becomes totally dependent upon the State, he loses his freedom. The right of man to own and do with his property what he considers best to him and his environment is a basic right and the major factor which prevents his being reduced to meek dependency on the State.

I commend you for what you are doing. I wish you well. Know that you are not alone; that there will be those of us who although are not Slovak, will be at your side.

God speed!

TRIBUTE TO COMMITTEE ON EDUCATION AND LABOR ON PASSAGE OF THE ARTS AND HUMANITIES LEGISLATION

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

Mr. THOMPSON of New Jersey. Mr. Speaker, I take this time to express my deep gratification and appreciation to the gentleman from Indiana (Mr. BRADEN) and the members of his subcommittee as well as to our distinguished chairman of the full Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), for the manner in which the just-passed arts and humanities legislation was handled.

I would also like to extend my appreciation for the clarity and sincerity of the opponents of this legislation in debate. And I would like again, Mr. Speaker, to express, on behalf of what I believe to be something really unanimous, a reiteration of our birthday greetings to our distinguished friend and colleague, the gentleman from Iowa, Mr. H. ROYCE—after "Rolls," of course—Gross, and to his personal physician, Dr. Hall of Missouri.

I might comment that we can expect our great friend, the gentleman from

Iowa, Mr. H. R. Gross, to be with us for many, many years providing, of course, that he has the continuing and gratuitous services of his personal physician, Dr. Hall of Missouri.

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

Mr. THOMPSON of New Jersey. I yield to my distinguished friend from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding, and he is more than kind, and if he could just suggest a nearby pond deep enough where I can go and drown my sorrows for what has happened this afternoon I would appreciate it.

Mr. THOMPSON of New Jersey. I might say to my friend, the gentleman from Iowa, that I do not know of a pond nearby, but I know of a pub nearby. Please call me a little later and be my guest, and I will do my best to drown your sorrows.

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

GENERAL LEAVE

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all of the friends of the gentleman from Iowa, H. R. GROSS, may have 5 legislative days within which to extend their greetings to this distinguished and middle-aged gentleman.

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

There was no objection.

TRIBUTE TO THE HONORABLE H. R. GROSS

(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 think that it would be a serious oversight on my part if I did not take the floor on this occasion to extend to the distinguished gentleman from Iowa, H. R. GROSS, my sincere best wishes on the occasion of his birthday, this the 30th of June 1970.

I do not know whether or not the fact that his birthday occurs at the conclusion of the fiscal year has anything to do with the distinguished gentleman from Iowa's concerns about fiscal matters, but I do know that the Nation owes the gentleman a very sincere debt of gratitude for the diligence with which he pursues justification for every expenditure of public moneys.

The legislation that we fashion in committee is sharper in its purpose, more extensively studied and more carefully prepared because we know that it will be carefully reviewed and studied by the distinguished gentleman from Iowa.

The gentleman came to the 81st Congress from Waterloo, Iowa, on the same day that I came to the 81st Congress from Hindman, Ky., and over the years I treasure my legislative experiences in working with him. More frequently than not I find myself on the opposite side of the issue that is presented to us in the House.

However, regardless of the issue presented, I have found him to be always honorable, always sincere, always diligent in his pursuit of information, and very able as a legislator from whom all of us can learn.

I not only wish him a happy birthday but also wish him many years of an active and rich life.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Kentucky yield?

Mr. PERKINS. Mr. Speaker, I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I would be very, very remiss if I did not join with, I am sure, all Members on both sides of the aisle in extending to H. R. GROSS our very, very best wishes for many, many more years of good and constructive service in the Congress and just as many years of good health.

H. R. GROSS and I came to Congress together on January 3, 1949. I think we are the only remaining original Members of that class on our side of the aisle. We have had our differences. We have had our instances where we fought together. H. R. GROSS is a great ally and rugged foe. There is no person of greater integrity on those points where he believes strongly than H. R. GROSS. He gets a little irritated with me occasionally, and I occasionally have trouble communicating with him, but the House of Representatives needs H. R. GROSS for a good many years more.

Mr. PERKINS. I thank the distinguished gentleman.

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

Mr. PERKINS. I yield to the gentleman from Oklahoma, our majority leader.

Mr. ALBERT. Mr. Speaker, I too wish to associate myself with the remarks that have been made. The gentleman from Kentucky is ready to proceed at this time, but I do not think we should let him do so until we give the gentleman from Iowa (Mr. GROSS) a standing ovation.

[Applause, the Members rising.]

TRIBUTE TO MR. GROSS

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

Mr. ARENDS. Mr. Speaker, this has happened but a few times in the House when we have had a standing ovation for a particular Member of the House celebrating his birthday.

I am pleased that the gentleman from Iowa is having his young birthday today.

Let me say this. One of the things I have learned from my years in Congress is to always respect the individual who you know has convictions and is ready to stand up for such convictions. I have never seen fit to fight with H.R. or argue with him because, as we all know, the gentleman from Iowa (Mr. GROSS) is a man of conviction and that is why we, the Members of this body, hold him in such high esteem.

LET US GET THE FACTS STRAIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, in elementary physics courses it is taught that the simplest tool known to man is the wedge, and that the lever is slightly more complex. With a wedge and a lever and a rock, determined men—those who wanted to do something to improve their status—started down the path that led to civilization—for better or for worse.

There are today equally determined and equally ignorant men—ignorant about where they are heading—who would use the simple tool of the nondoers, the pen, to drive this country back to the days of the wedge, the lever and the rock by selling any article they can which labels technology, particularly nuclear technology, as immoral and devastating to mankind.

Today it is fashionable to write bad science fiction and sell the articles as true stories about the uses and supposed abuses of the entire spectrum of nuclear energy. We never read about the great advances being made in the use of californium-252, a manmade isotope from the Atomic Energy Commission's Savannah River Plant, in combating cancer. No, we never hear about that. All we hear about are the scare reports that if all the people in the United States—200 million people—sat around the perimeter fences of nuclear powerplants 24 hours a day, 7 days a week, why there might be a chance—and mind you, this so-called chance is based 100 percent upon unproven speculation—that some number like 16,000 people or more might in 20 to 25 years show up with cancer. This is supposed to happen if the nuclear powerplant were releasing radiation effluent at the limits stipulated in the guidelines established by the Federal Radiation Council, said guidelines being based upon the most meticulous research and studies the world has ever known in any field. The field of nuclear radiation interaction with the biosphere is the one field that has been supported fully so that industrial technology would not get ahead of the required technological controls.

It becomes very simple, in the throes of political battle, when the adrenaline is flowing freely, to pick up any article which comes to hand and use it if it might in any way help your cause—be it good, bad, or indifferent. I say now and to the distinguished Members of both Houses of this Congress that many of your staff members who are pen-pushers, not scientists or engineers, are leading you down the primrose path by convincing you to make speeches and publish articles that will come back to haunt you. I liken this use of scurrilous attacks drawn up by a staff member to the innocent chap who starts a rock down the side of a mountain, not realizing it could start an avalanche which could obliterate all in its path. Saying "I'm sorry" would be poor consolation to those battered down.

It seems unfortunate to me that the major extent of the attacks on the nuclear industry were started by those in a sister industry—the coal industry and its workers. I say this is unfortunate because there were those certain few in the idiot fringe who saw nuclear power as bringing a complete demise to the coal mining industry. Nothing could be further from the truth. While there may be competition for some time, there are certainly no nihilist tendencies among the nuclear people to wipe out coal mining. As a matter of fact, the need for coal today is greater than ever. The major problems today seem to be getting coal out of the ground and keeping the price down when it gets out and goes on sale.

Are these attacks on the pollution generated by nuclear industry made in good faith or is only the purported nuclear pollution the bad kind? I would like to insert in the RECORD at this point an article from the May 1, 1970, issue of the United Mine Workers Journal, page 3: "Water Plant Closing Threatens 1,400 Jobs, Millions in Payroll":

**WATER PLANT CLOSING THREATENS 1,400 JOBS,
MILLIONS IN PAYROLL**

(By George J. Curilla, Jr.)

NANTICOKE, PA.—The jobs of 1,400 anthracite mine workers, millions of dollars in wages and additional millions in pension benefits to retired miners are in jeopardy if the State moves to close a water treatment plant at Wanamic Colliery of the Blue Coal Corp. near here.

These were the cold, matter-of-fact statistics disclosed by UMWA District 25 President John Eagan at an on-the-site meeting April 17 attended by State legislators, representatives of the State Sanitary Water Board, State Health Department and the Company.

Eagan, who with UMWA District 25 International Executive Board Member Emmett Thomas led a Union delegation to the special session, admonished the plant's closing would have an extremely adverse effect on the economy of the entire Wyoming Valley area.

The State Sanitary Water Board has set May 5 as the deadline for revocation of a permit granted Blue Coal Corp. unless the firm improves upon its facility to meet state specifications in treating water being pumped from the Wanamic mine.

MUCH AT STAKE

Eagan, in making his appeal at the meeting, made it clear that the UMWA has quite a stake, is vitally interested in the operation and urged just consideration.

Blue Coal was to immediately initiate completion and presentation of a new schedule of plans to improve upon operational phases of the plant so that they would meet the Water Board's standards and thus obviate the plant's closing.

A total of 600 jobs are involved at the Blue Coal mines and another 800 at operations in the immediate vicinity, which would be affected by inundation if pumping operations were suspended.

UMWA Local Union 6765, which has jurisdiction over the Wanamic colliery, said in a recently adopted resolution that the threat to revoke Blue Coal's permit "has caused untold hardship to our membership."

The resolution pointed out that "the impact of the proposed closing would be felt wherever anthracite coal is consumed and the loss of tonnage due to the closing of the Wanamic Colliery and eventually the closing of mines in the immediate area would create a situation that was never experienced in the supply and demand of anthracite coal."

It warned that the 1,400 men who would

be affected by the proposed closing would "have difficulty securing other jobs and their unemployment will result in severe financial hardships for them and their families, as well as have a serious economic impact in our area."

The resolution, forwarded to Governor Raymond P. Shafer, implored him to use his "good office to prevent this proposed action by the Water Board."

Copies were also sent to Secretary of Mines and Mineral Industries H. B. Charnbury, State legislators and others.

In addition to Eagan and Thomas, other UMWA representatives on hand for the meeting were District 25 Secretary-Treasurer Lado Savelli, District Representatives Frank Cardoni, Peter Rutz, Michael Trudnak and Louis Giusti; John Kmetz, International Traveling Auditor, International Auditor Ben Cicero and this writer.

Representing Blue Coal Corp. were Charles Zink, vice president, and Joseph Ippoliti, chief engineer.

On hand for the State Sanitary Water Board was Walter N. Heine, director of the Division of Mine Drainage, while the State Health Department was represented by Lou Bercheni, regional sanitary engineer and Larry Pawlusch, acting chief, operations section.

State legislators who participated in the session were Senator Martin L. Murray and Representatives Stanley Mehlochick, Fred Shupnik and Frank O'Connell.

There recently appeared in the CONGRESSIONAL RECORD an article which purports to show how dangerous the vicinity around the AEC's Rocky Flats plant has become because of plutonium contamination. I would at this point call your attention to a statement prepared by the State of Colorado Department of Health, dated June 9, 1970. I will insert the report in its entirety, but would first like to read the first two sentences of the first paragraph on page 2:

It is our conclusion that no public health hazard now exists from past releases from the Rocky Flats Plant. It would be impossible, however, to estimate any hazard which existed in the past.

Since our friends are always quick to note that plutonium-239 has a half life of 24,000 years, one might guess that no hazards have been visited upon an unsuspecting public in the past, or that long-lived material would still be around. I submit the statement for inclusion in the RECORD at this point with the exception of the map, which cannot be reproduced:

**STATE OF COLORADO, DEPARTMENT
OF HEALTH,**

Denver, Colo., June 9, 1970.

Enclosed are copies of the latest surveillance information on the Rocky Flats Plant. You will note the soil sample results clearly indicate the distribution of the ²³⁹Pu contamination.

Before briefly describing the soil analysis results, it might be well to first explain the sampling technique used.

The U.S.P.H.S. obligated themselves to analyze 25 total samples for ²³⁹Pu and ⁹⁰Sr content. This was because the plutonium analysis, in particular, is extremely time consuming and they, of course, have other commitments for other surveillance activities. To take full advantage of this limited number of analyses, it was decided that a composite sampling program was indicated. As you can see by the map attached to the soil analysis results, the area around the Rocky

Flats Plant was divided into 13 sectors. These sectors were located at 1, 3 and 6 mile distances from the plant boundary. Twenty-five soil samples were collected in each sector with 20% or 5 separate samples collected additionally in each sector and retained for future reference. Each location sampled is approximated on the map. The number of composite soil samples in the designated area totaled 325. Composite sediment samples of significant water bodies totaled 190. The soil samples collected were of the top 1/2" of undisturbed soil which would be indicative of the most severe health hazard in regard to re-suspension from the soil to the air.

It is interesting to note the similarity of results of the 75 background samples collected in Limon, Loveland and Penrose areas using the same composite sampling technique as described above. Although we plan to expand the number of background sampling areas, we anticipate that the present samples accurately describe the ²³⁹Pu "background" levels on the Eastern Slope. These levels are due almost entirely from fallout from past atmospheric nuclear testing.

Also worthy of note are the results of the ⁹⁰Sr analyses and the ²³⁹Pu/⁹⁰Sr ratios for sector soil samples, "background" soil samples and sediments. These results would indicate that the ²³⁹Pu results alone are the best indicator of the effect that the Rocky Flats Plant has had on the environment.

It is our conclusion that no public health hazard now exists from past releases from the Rocky Flats Plant. It would be impossible, however, to estimate any hazard which existed in the past. The highest concentrations were found adjacent to the plant at the eastern boundary. This area is directly downwind from the area that the leakage of plutonium-contaminated oil and subsequent soil contamination occurred sometime during the period of 1955 through 1967. The main oil spill area was covered with asphalt in September, 1969 and an apron of 3" of base course material was completed around this area in March, 1970. The plutonium levels in the soils in this area were high and the material was carried downwind. The elevated ²³⁹Pu levels in Sectors 1, 2, 6, and 7 are primarily the result of this "incident."

Sector 2, which has the highest concentration of ²³⁹Pu, can best be described as a non-populated area, access to which is not controlled. In a paper by R. L. Kathren (1968), which was an extensive review of work done on plutonium contamination, "interim acceptable surface contamination levels for environmental PuO₂" are proposed. Based on dose to pulmonary lymph nodes, the following would be acceptable levels for occupancy by the general public:

Urban areas 10 dpm/cm².

Rural areas 100 dpm/cm².

ICRP Publication 14 (1969) states that the dose limit for plutonium on the basis of risk to lymphoid tissue is not warranted. Adjustment of the above proposed acceptable levels would be upward by a factor of 2 or more. Based on the conservative numerical terms used by Kathren, the level identified in Sector 2 (8 dpm/cm²) is safe (acceptable) by at least a factor of 25. If the entire 13-sector area (0.3 dpm/cm²) is used, the factor would range from 70 to 700 depending on whether the entire area would be considered as urban or rural, respectively. Less conservative limits would, of course, provide a greater factor, and several of these were reviewed.

Extrapolation of the data indicates that the total ²³⁹Pu soil contamination of the environment around the Rocky Flats Plant attributable to the plant approximates 0.3 Curie (4.9 grams ²³⁹Pu) at the present time, 57% of which is located in Sector 2.

Because hazard analysis based on soil data utilizes arbitrary re-suspension and "air concentration half-life" factors, the only proper

method to thoroughly evaluate the situation by air surveillance.

The Department's plans are to continue, and in some cases increase, air surveillance activities downwind from both the contaminated area and the plant in general, and to work with Rocky Flats personnel in an effort to more fully identify and control any potential contaminant releases from the

plant. Samples from Sector 2 will be collected and analyzed to determine the long-term characteristics of Pu²³⁹ in soils, and of course as previously mentioned, an expanded effort will be made to establish an existing Pu²³⁹ "background" for Colorado. With the provision of additional funds, a higher percentage of samples (air, water and soils) will be analyzed for Pu²³⁹, thereby giving the

Department an independent capability for hazard analysis, and definition of plant releases.

If you have any questions regarding this matter, please let us know.

Sincerely,
P. W. JACOB,
Director, Division of Air, Occupational,
and Radiation Hygiene.

U.S.P.H.S.—SWRHL ANALYSIS SOIL AND SEDIMENT SAMPLING RESULTS

Sample date	Location	dpm/g dry soil			Sample date	Location	dpm/g dry soil		
		²³⁹ Pu	⁹⁰ Sr	Ratio Pu/Sr			²³⁹ Pu	⁹⁰ Sr	Ratio Pu/Sr
SOILS				SEDIMENTS					
Backgrounds				February 17, 1970 Area 12..... 0.02 0.9 0.022					
Feb. 18, 1970 Limon, Colo..... 0.13 2.9 0.045				Feb. 19, 1970 Area 13..... .04 1.1 .036					
Do..... Loveland, Colo..... .11 1.8 .061				February 18, 1970, Upper South Walnut Creek..... 46.6 1.4					
Do..... Penrose, Colo..... .11 1.6 .069				Do..... Walnut Creek..... 109.0 1.4					
Samples:				Do..... Pond Walnut Creek and Indiana..... 28.9 1.4					
Feb. 18, 1970 Area 1..... 5.55 2.4 2.31				Do..... Great Western Reservoir..... .53 .4					
Feb. 19, 1970 Area 2..... 24.4 2.4 10.2				Do..... Woman Creek..... 2.18 .4					
Feb. 18, 1970 Area 3..... .29 3.3 .088				Do..... Mower Reservoir..... .89 1.4					
Do..... Area 4..... .31 3.6 .086				Do..... Standley Lake..... .07 (1)					
Do..... Area 5..... .24 15.8 .015				Do..... Pond West of Indiana and 96th..... .53 (1)					
Do..... Area 6..... 1.00 1.6 .625				February 25, 1970, Ralston Reservoir inlet..... .40 .4					
Feb. 19, 1970 Area 7..... 1.02 1.3 .785				Do..... Ralston Reservoir high water mark at inlet..... .20 1.4					
Feb. 18, 1970 Area 8..... .04 1.1 .036				Do..... Ralston Reservoir 100 yds. from inlet..... .16 1.4					
Do..... Area 9..... .02 1.4 .050									
Feb. 17, 1970 Area 10..... .38 1.4 .950									
Feb. 18, 1970 Area 11..... .07 .9 .078									

¹ Less than.
² Lost.

Note: The soil was analyzed for strontium by acid leach and ion exchange and for plutonium by total dissolution, ion exchange and electroplating. The values that appear high were rechecked and the values confirmed. All Strontium 89 concentrations were found to be less than 1.1 dpm/gm of dry soil.

TOTAL ²³⁹Pu ACTIVITY BY SECTOR

Sector	²³⁹ Pu dpm/g dry soil	²³⁹ Pu dpm/cm ²	Area		Ci	Sector	²³⁹ Pu dpm/g dry soil	²³⁹ Pu dpm/cm ²	Area		Ci		
			m ²	cm ² dpm×10 ¹⁰					m ²	cm ² dpm×10 ¹⁰			
1.....	5.55	1.78	2.1	5.4×10 ¹⁰	9.59	0.0432	11.....	0.07	0.02	13.0	3.4×10 ¹¹	.762	.0034
2.....	24.4	7.81	2.2	5.7×10 ¹⁰	44.5	.2005	12.....	1.02	1.01	13.0	3.4×10 ¹¹	.218	.0010
3.....	.29	.09	2.1	5.4×10 ¹⁰	.501	.0023	13.....	.04	.01	13.0	3.4×10 ¹¹	.435	.0020
4.....	.31	.10	2.1	5.4×10 ¹⁰	.536	.0024	Total.....	.27	114.2	296×10¹⁰	78.6	.354	
5.....	.24	.08	9.4	2.4×10 ¹¹	1.84	.0083	Bkg.....	.12	.04		11.4	.051	
6.....	1.00	.32	9.4	2.4×10 ¹¹	7.68	.0346	Net (Dow soil contamination contribution).....					.303	
7.....	1.02	.33	9.4	2.4×10 ¹¹	7.83	.0353							
8.....	.04	.01	9.4	2.4×10 ¹¹	.307	.0014							
9.....	.02	.01	16.1	4.2×10 ¹¹	.269	.0012							
10.....	.38	.12	13.0	3.4×10 ¹¹	4.13	.0186							

Note: 0.30 Ci ²³⁹Pu×16.2 gms ²³⁹Pu/Ci ²³⁹Pu=4.9 gms ²³⁹Pu.
¹ Less than.

The author of the article quoted by my colleague quotes a Boulder, Colo., biochemist who is an immigrant from the east coast, I might point out, as saying the AEC only tells that part of the truth which is favorable to its image. Is somebody also going to say this about the Colorado Department of Health?

Another statement of interest in the same article in the RECORD referred to the "golden silence" maintained by the news media about a small fire at the Fermi reactor. The first public notice of the fire was in the May 26, 1970, Monroe Evening News. I say again the date, May 26, 1970. The referred-to newspaper article follows:

FERMI PLANT FIRE DAMAGE UNDETERMINED

The extent of the damage caused by a small fire and minor explosion in the Enrico Fermi Atomic Power Plant at Lagoona Beach last Wednesday will not be known until the room housing the sodium transfer tank equipment is cleared of inert gas, plant manager Myron Beckman said today. The 10 x 10 foot room was filled with the inert gas to extinguish the fire.

"We may go into the room today or tomorrow," Mr. Beckman said in making the first public announcement of the incident. "No one was injured in the mishap," he added.

The transfer tank is part of the equip-

ment used to clean up sodium used as a coolant in the plant process, Mr. Beckman said. It is used at irregular intervals. The explosion and fire resulted when a small water leak came in contact with the non-radioactive sodium. The plant has been shut down since October 15, 1966, but is now awaiting Atomic Energy Commission (AEC) authorization to start reloading the reactor for an anticipated mid-July start-up.

"I don't think the mishap will delay the present schedule," Mr. Beckman said, "but we won't know definitely until later."

There was also an article in the June 18, 1970, issue of Nucleonics Week, on page 5. This article, titled "Small Fire at Fermi Deemed No Bar to Short-Term Operation," follows:

SMALL FIRE AT FERMI DEEMED NO BAR TO SHORT-TERM OPERATION

A sodium-water reaction and resulting small fire in an auxiliary system to the fuel-transfer tank of the Enrico Fermi fast reactor at Lagoona Beach, Mich., is not expected to delay completion of fuel loading. Power Reactor Development Co., operator of the plant, thinks critically needed production will be achieved by mid-July. Neither PRDC nor AEC feels the May 20 accident is of any consequence in the authorized plan to power test and then make a short (10-day) run at 200 Mwth. Of considerable consequence, though, is a reevaluation of Fermi's future role and of what happens to PRDC, whose

members have financed it only through next January.

The May 20 accident occurred in the secondary containment when water leaked from a water-to-nitrogen heat exchanger and met sodium, which had leaked into the annulus from a crack in the inlet of the electromagnetic pump. PRDC's visual examination revealed very little fire damage. There are some fuel assemblies in the transfer tank that PRDC wants to use in the fuel loading and PRDC believes it has figured ways to get these assemblies out of the tank without also bringing out sodium oxide or other impurities from the cold tray cleanup system.

Much of the PRDC annual meeting last week focused on a review of contemplated Fermi operation at 110 Mwth to irradiate LMFBR fuels and materials specimens. Looking at the irradiation data that is being produced elsewhere, the PRDC members are wondering if this is the area in which Fermi can best contribute to the national breeder development program and are considering other possibilities, such as extended operation at 200 Mwth as a test of components or an accelerated effort to get an oxide ore into the reactor.

On the present schedule, irradiation operation could start in about a year and, because of the limiting life of the present metal core, go to the end of 1972. Then it would require about nine months to make the modifications necessary for installation of an oxide core. Possibly a year could be saved if the irradiation program was eliminated.

But Edison Electric Institute, which has board of directors approval to seek voluntary membership funding of oxide-core design and development by Atomic Power Development Associates, won't start on this until it has seen the results of the Fermi power-demonstration run. And continuance of PRDC as a corporate entity awaits the same fundamental assurance.

Here again, Mr. Speaker, we have a prime example of poor staff work, of a staffer letting down his master and mentor by filling his ears with the words he would like to hear. Just because an article does not appear in that newspaper which thinks only it prints all the news—and I might point out here that they missed a news item which would have allowed them to twist the knife they like to use on the AEC—because they missed this opportunity is no reason to accuse the AEC of stifling the news. I might state that poor staff work has been known to undo Congressmen from their positions in Government.

Mr. Speaker, let me ask about the qualifications of the two so-called authors cited in the RECORD. The first is a stringer for an east coast newspaper who works the Rocky Mountain States. The second article is by a free lance originator of poor science fiction which he sells as hard news. This person is totally ignorant of things nuclear and economic.

I take personal umbrage, Mr. Speaker, that the committee of which I am chairman, the Joint Committee on Atomic Energy, should be attacked based upon the writings and mouthings of ignorant and biased individuals. It is fashionable, today, to be against. It is very easy to say an automobile is a bad thing, but I do not see those who make the accusations do anything constructive. Trying to put General Motors out of business will not help. It certainly is easy to accuse, just like throwing that first rock down the side of the mountain. Let the people who start these avalanches beware lest their hasty actions allow them to repent in leisure.

I would, at this point, like to have printed an article written by Professor Etzioni of Columbia University. The article, titled "The Wrong Top Priority" was originally printed in the May 22, 1970, issue of Science magazine. I commend this as required reading for those prone to jump on bandwagons.

THE WRONG TOP PRIORITY

At the moment, American conservatives and liberals, government and people, all consider the elimination of pollution the domestic problem which deserves first priority. Public opinion polls show that Americans ranked fighting pollution next to fighting crime; fighting pollution ranked higher than any other needs, including those of improving schools and expanding medical services. A very high 56 percent favored allotting more money to the purification of our air and water, while an extremely low 3 percent favored less expenditure in this area. The President clearly indicated his concern in his message to Congress on 10 February: "The time has come when we can no longer wait to repair the damage already done, and to establish new criteria to guide us in the future." Furthermore, he added that pollution "may well become the major concern of the American people in the decade of the '70's."

This new commitment has many features

of a fad: a rapid swell of enthusiasm (most of the ecology action groups are less than 6 months old), fanned by the mass media (the number of activists at Columbia University tripled after the *New York Times* reported that pollution was The Cause of the Year). And the commitment is rather shallow. Few citizens seem aware of the cost they will have to bear as taxpayers, consumers, and automobile and home owners. For example, the increase in fuel costs for landlords is estimated to run between 15 and 20 percent. Another typical feature of this past fad is the preponderance of advocates who feel that the advancement of their project would achieve a whole spectrum of good things, ranging from revival of the Judeo-Christian tradition to improvement of the "quality of life."

To arouse the public and Congress, the newly found environmental dangers are being vastly exaggerated; we really are not all about to be asphyxiated by carbon monoxide. Nor is it true that, unless we act now, "air pollution will screen out the sun and make big cities uninhabitable; [that] the fragile biosphere we all live in is becoming poisonous and may cease to support life; [that] plagues threaten" [editorial, *Life* (6 March 1970)]. The time frequently set for this "end of the world" is "within 10 to 15 years." Even if a presently threatened species—say, Louisiana's brown pelicans—were to disappear, it is still ridiculous to expect that the whole ecology would be thrown so out of equilibrium that our economy or society would collapse.

The complicated problems that pollution control poses can be handled only in part through a crash program. Public and legislative commitment ought to be built up for a long pull. But even if one day water and air again are as pure as they were before man polluted them, many other environmental problems—from ugly cities to overcrowding—will still be with us.

Now we should continue to give top priority to "unfashionable" human problems. Fighting hunger, malnutrition, and rats should be given priority over saving wildlife, and improving our schools over constructing waste disposal systems. If we must turn to "environment," first attention should be given to the 57,000 Americans who will lose their lives on the roads in 1970.

More deeply, we must face the fact that our society and policy are still organized as if our real top priority was the production of consumer goods and their consumption. Unless we learn to turn much more of our resources, manpower, organizational skills, and attention to public issues, none of the annual fads will cause a significant, lasting reduction in any of our domestic problems.—AMITAI ETZIONI, chairman, Department of Sociology, Columbia University, New York, New York.

In conclusion, Mr. Speaker, I would like to quote from the marvelously candid speech given on June 1, 1970, by the gentlewoman from the other House, Senator MARGARET CHASE SMITH, when she cautioned this country to avoid extremes of action and reaction. While I am using her words somewhat out of context, I do consider that they apply to those who are making violent attacks on all facets of government in the hope that they can profit from the publicity. Senator SMITH's golden words of reason follow:

It is time that the great center of our people, those who reject the violence and unreasonableness of both the extreme right and the extreme left, searched their consciences, mustered their moral and physical courage, shed their intimidated silence and declared their consciences.

It is time that with dignity, firmness and friendliness, they reason with, rather than capitulate to, the extremists on both sides—at all levels—and caution that their patience ends at the border of violence and anarchy that threatens our American democracy.

CONNIE MACK, GRAND OLD MAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. PHILBIN), is recognized for 15 minutes.

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the CONGRESSIONAL RECORD, I include therein a very fine article by Mr. Roy Mumpton, the very talented sports writer of the Worcester Telegram entitled, "Connie Mack, Grand Old Man."

Known as the "Grand Old Man of Baseball," Connie Mack, born in East Brookfield, Mass., at one time in the district I have the honor to represent in Congress, was certainly one of the greatest managers in baseball history. He was a great friend of my valued friend and sponsor, the late, memorable Senator David I. Walsh, one of the greatest Americans ever to serve in the U.S. Senate, and for 30 years a Member of that body.

At the time that Connie Mack passed away in 1956, I made a speech in the House outlining his glorious baseball career, his qualities as a gentleman, and his status as one of the most famous Americans of his time.

Mr. Mumpton writes as an acknowledged, famous expert in baseball and sports, and speaks with unquestionable authority on the subject of Connie Mack and the great part he played in our national game during his time.

The beautiful town of East Brookfield in Worcester County, Mass., was very proud of Connie Mack, not only as an unexcelled baseball manager but as always a gentleman and a warmhearted human being who conducted himself on and off the field in such a courteous and considerate manner to everyone, including some of the rather difficult baseball players under his charge. Some of them were easy to write home about, since they were as temperamental as opera singers, and as unpredictable as summer weather. Many were numbered among the all-time greats of the game.

Probably a favorite was Rube Waddell, great left-handed pitcher who in his lighter moments, no doubt getting tired of strict discipline and fighting with umpires, was accustomed to taking time off without Connie's permission, and turning up a week later driving a coal wagon on the streets of Philadelphia.

People are not immortal, but as long as baseball lasts, and that will be a very long time, the name of Connie Mack will be gratefully remembered and spoken of in baseball and sporting fraternities with awe and admiration.

The people of the town of Brookfield, and all of us who like baseball, and particularly those of us who remember Connie Mack and his great exploits, may well pause today to pay our own sincere tribute to his memory.

He came from humble beginnings in

a small country town that is dear to our hearts, and he rose to a high place in the great American game, not only as a player but as an all-time famous manager.

But he was something more than a baseball player and a manager. He was a great American, who won and enjoyed the respect of baseball followers and the people of the Nation who equated his candor with his kindness, his baseball expertise with his sterling character, that stood as an example for young and old alike, a great leader of the game, a great friend of his players and a great credit to baseball, East Brookfield, and our country.

The Nation would be fortunate indeed, if we could have a few more like him, but, to be sure, there never could be another like him.

I heartily congratulate and thank the people of East Brookfield for dedicating a bronze plaque in memory of the great Connie Mack, born Cornelius Alexander McGillicuddy. It was a fine and thoughtful thing to do, and it will serve to keep the truly glorious legend of the great Connie Mack alive in the lovely little town of his birth to which his long successful career in the world's greatest game brought such outstanding honor and recognition.

The article follows:

CONNIE MACK, GRAND OLD MAN
(By Roy Mumpton)

Our East Brookfield neighbors will dedicate a bronze plaque to the memory of Cornelius Alexander McGillicuddy, that town's most illustrious son, in connection with their anniversary celebration tomorrow.

This is fitting. It should have been done long ago.

It has been nearly 108 years since Connie Mack was born at East Brookfield in a frame house which still stands along Route 9. It has been 20 years since the Grand Old Man of Baseball completed a half century as manager of the Philadelphia Athletics, which he also founded and owned. It is 14 years since his death.

Only a few natives will personally remember Mr. Mack, who last visited his birthplace in 1934 when he brought his big league team to neighboring North Brookfield and defeated the local Armortreds in an exhibition game on the village green.

But everyone with the slightest interest in baseball knows about Mr. Mack, his unparalleled long service in the game, his great starts and his storied feats as a manager. He was a legend.

Most everyone is aware that the tall, gaunt catcher of the home sandlots, who left a shoemaker's bench to become a Hall of Famer, won nine American League pennants and five World Series and became almost as famous a landmark in Philadelphia as the Liberty Bell.

The better informed know that Mr. Mack, never wealthy for all his successes, scouted the bushes for raw youngsters and developed them into two of the greatest teams in all baseball (1910-14 and 1929-31) and then broke up each by selling the high-salaried stars to pare expenses and pay the rent money.

Connie had some truly great players, most of whom are enshrined with him at Coopers-town. There were pitchers like Chief Bender, Eddie Plank, Jack Coombs, Andy Coakley and Herb Pennock and that fabled \$100,000 infield—Holy Cross' Jack Barry, Eddie Collins, Home Run Baker and Stuff McInnis—in the old days. Then came Bob Grove, George Earnshaw, Rube Walberg, Jimmy Foxx, Al Sim-

mons, Wally Schang and Jimmy Dykes of a later but still long ago era.

"SLATS" RATED HIGHLY

"Slats" (that's what they called him in the early days when catchers stood far back of the plate and caught the pitches on the first bounce) was rated "exceptionally smart" when he played for Washington, Buffalo and Pittsburgh through the 1880s.

He was even smarter as a manager. He and John McGraw were baseball wise far ahead of their times. Their well-drilled teams played sharp inside, and one-run, baseball. They seldom beat themselves. Mr. Mack had an exceptional knack for judging talent, he was a fine teacher and in his own quiet and patient way, he knew how to handle athletes and how to get the most out of them.

His records as a manager would have been at least twice as glorious if he could have operated in the plush days of television and hadn't been beset by the financial problems which forced him to peddle so many of his great players when they were at their peak and highly marketable.

So, after his 1914 A's had been upset in four straight by Boston's miracle Braves, he sold Barry, McInnis and Pennock to Boston, Collins to Chicago, Baker to the Yankees, Bender to the Phils and Plank to the Browns.

And he tore his next champions apart after 1931, selling Foxx, who had cost him only \$500, Grove, Max Bishop and a flock of others to Boston; Dykes, Simmons and Mule Haas to Chicago and Cochrane to Detroit.

Connie always blamed the development of the farm systems for his failures to put together another great team. He believed until his death that clubs should find their own talent and bid for a player's first services in the open market.

Older fans will remember Mr. Mack as a tall, scholarly man who sat in the dugout wearing a dark suit, a high starched collar and a panama hat atop his white hair. Always he had a scorecard in his hands, keeping tabs of every play and waving it to position his defenses and signal his batters and runners.

Others remember his calculated daring in pitching Howard Ehmke, a supposed has-been, in the first game of the 1929 World Series against the Cubs at Chicago's Wrigley Field. Everyone was sure either Grove or Earnshaw would start that one. Ehmke hadn't pitched for a month (he had been away scouting the Chicago batters). So there was great surprise when he began warming up. Ehmke struck out 13 batters, won easily and provided Mr. Mack with what he felt was his biggest thrill in baseball.

THE WAY IT WAS

An old writer remember Mr. Mack, too, for a few amusing little incidents which happened here and there during his long career.

Connie, who neither drank, smoked or cursed, came closest to it when Lefty Grove, sometimes as temperamental as he was fast, came to the bench in a wild rage after outfielder Bob Johnson had made a costly error behind him.

Mr. Mack, feeling sympathy for Johnson, tried to calm Grove.

"To hell with you, too," fumed Lefty.

"And the hell with you, Mr. Groves" (Connie always called him that) retorted Mr. Mack.

Connie had tried to revive interest in the A's in 1928 by bringing Eddie Collins back and signing such other faded old greats as Ty Cobb, Tris Speaker and Zach Wheat. The plan didn't pan out. "No club had greater names, nor was slower on its feet," said Connie years afterwards.

He got the biggest kick from Rube Waddell, the eccentric left-handed pitcher who often was either fishing or riding fire engines on the days when he should be pitching. Waddell, old timers will remember, once walked the bases filled, called in all his out-

fielders and struck out the next three batters.

Mr. Mack was especially fond of Jimmy Dykes, who he named to succeed him as the A's second manager when he retired at the age of 87. But there was a day he wasn't too fond of Dykes, who had been his star third baseman.

Dykes was managing Chicago and coaching at third base, right in front of the A's dugout. Mack had a rookie pitcher who could throw hard and was doing a good job of keeping the game tied, even though the White Sox had the winning run at third base. Jimmy didn't know how they could get it home. So he resorted to an old trick. "Hey, what did you do to that ball, let's see it," he shouted to the tense young pitcher.

The kid tossed the ball to Dykes. Jimmy stepped aside and the winning run streaked home.

A MEAN THING TO DO

Mr. Mack stepped to the lip of the dugout and motioned for Dykes. When Jimmy came over, Connie pointed a bony finger in his face and said: "James, I'm ashamed of you," turned and went back and sat down.

And there was the day at Fenway when Ferris Fain had difficulty picking up a bunt. ("He fielded the ball like it was a hooded cobra," wrote the late John Gilooly) and finally threw it over the third baseman's reach and against the noggin of a spectator in the stands.

Mr. Mack admonished Fain for his costly double error, saying he shouldn't have thrown the ball.

"What did you want me to do with it, stick it in my mouth?" roared Fain, angry at himself.

"It would have been a much better place for it, young man," said Connie.

There are so many things one remembers about Mr. Mack, a kindly gentleman who forgot more baseball than most of the moderns know.

It is fitting that East Brookfield remembers him.

THE ORGANIZED CRIME CONTROL ACT OF 1970

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 15 minutes.

Mr. RANDALL. With the passage of H.R. 17825, the extension of and amendments to the Omnibus Crime Control and Safe Streets Act of 1968, the House has taken a commendable step toward alleviating to at least some measure the stark terror that has crept into the lives of our people as the crime barometer rises in recent years.

But more, much more needs to be done if we are to repair the damage and relieve the personal, chronic fears in the hearts and homes of America created by crime's insidious, virtually unimpeded march during the 1960's.

The Safe Streets Act is descriptive of its objective, to fight crime in the streets. There is another and immeasurably greater fight that must be waged against organized crime. I am not speaking now of the petty thief, or the mugger, or even the burglar or holdup man. I have reference to the bigger criminals who have been called the overlords of crime, who live from the tribute and homage paid by the petty criminals in a kind of feudal system that quite certainly exists within the criminal world.

While crime is a generic term and

categories are hard to determine, it is an accurate appraisal to say that crime in the streets is one separate and distinct problem, and to combat organized crime is not only another battle, but even another war.

Today the Omnibus Crime Control and Safe Streets Act has been extended by our body of the Congress, and hopefully the other body will concur in our action in the very near future.

That is why to me it was so significant that after a careful study and preparation, I have today introduced the Organized Crime Control Act of 1970, most appropriately on the day that we have passed a measure to control the other category of crime—crime in the streets as distinguished from the control of organized crime.

In the decade that ended last December, the incidence of crime increased 16 times faster than did the population. While this was happening, the average daily head-count in Federal prisons decreased by 18 percent. In 1969, serious crime across the Nation increased 11 percent in 1 calendar year. And this statistic reveals only those crimes which were reported. The National Crime Commission estimates that only about half of all serious crime is reported. Of those which were reported, records show that arrests resulted in only about 29 percent of the cases. We entered 1970 with the private, law-abiding citizen standing 1 chance in 44 of being victimized by serious crime during this year, and the criminals who commit those crime having only one chance in seven of being apprehended.

In the decade of the 1960's, the incidence of crime seemed to escalate in direct proportion to the frequency with which the Supreme Court handed down decisions which handcuffed law enforcement officers in the doing of their duties; muted prosecutors in the presentation of evidence against those accused of crime and created an atmosphere in which the rights of suspects were given ironclad guarantees while their victims lay dying. Police officers have been discouraged from doing their jobs lest they, themselves, wind up as defendants. Detention laws were liberalized; bail bonds were lowered or eliminated to the point that an arrest merely subjected a suspected criminal to a minor inconvenience from which he would soon be freed to again become a criminal liability to the community.

In 1964 and again in 1966, the Supreme Court limited the procedures under which a criminal suspect could be interrogated, and narrowed the scope within which evidence derived from such questioning might be admissible in the courts. In the *Miranda* and *Escobito* opinions the Court completely reversed its rulings on three earlier, similar cases.

In two 1967 cases severe limitations were imposed on Court acceptability of identifying evidence gained from police lineups and from identifications made by seriously injured victims of violent crime.

In a 1968 proceeding and in nine earlier cases the high court set aside various laws defining obscenity and pornography, thereby flooding the bookstores,

newsstands, moving picture houses, theaters, and even the U.S. mails with the vilest forms of intellectual filth.

A decade has just ended in which the highest court in the land seemed to choose to forget that good, law-abiding citizens have rights, too. We reached a point that was described by the Apostle Paul when he wrote in the fourth chapter, 15th verse of his letter to the Romans that "Where no law is, there can be no transgression."

It may or may not be significant that the tremendous upsurge in the rate of crime followed a 1962 Supreme Court decision, the first of several opinions that outlawed prayer in our schools.

In the 91st Congress more than 200 proposals for preventing and detecting crime have been introduced in the two Houses of Congress. I have, myself, either individually introduced or cosponsored 11 bills, proposing various laws for use in the war against crime. President Nixon, since taking office nearly 18 months ago, has sent legislative drafts to the Congress, or endorsed bills originated by Members of Congress amounting to White House and administration support for 15 or more proposals for curbing crime. Until we passed the Omnibus Crime Control and Safe Streets Act Amendments, only a Sherman Antitrust Act amendment had passed the House as this body's contribution to the war on crime.

Now we have passed an omnibus crime control bill. Its provisions will, hopefully, make for a more equitable distribution of money from the Law Enforcement Assistance Agency within the States for updating and improving the techniques, facilities, and manpower situations of State and local police organizations. When we passed the Justice Department appropriations bill in May, I fulfilled a commitment I had made to the residents of Missouri's Fourth Congressional District to support nearly doubled funds for fighting crime under the LEAA—\$480 million. In the Omnibus Crime Control and Safe Streets Act Amendments, I gladly supported the authority to further increase the funds to \$650 million for fiscal 1971 and to \$1 billion and then \$1½ billion for the following 2 years.

But no matter how effective this legislation may be in fighting crime, it deals with only half—and perhaps with less than half of the overall crime problem. The Omnibus Crime Control and Safe Streets Act Amendments relate primarily to fighting crime in the streets. This is, for the most part, crime of local or regional origin—the individuals bent on burglarizing private homes and business establishments, robbing pedestrians on the streets; or the local and regional gangs that prey upon the citizenry. I repeat, that it is of vital importance that law enforcement authorities be given every possible tool, and every impediment be removed from the path of these officers in the doing of their duty. But the House has not yet passed any meaningful legislation for coping with organized crime—the large syndicates behind systemized crime which make big business of their national operations in counterfeiting, gambling, trafficking in drugs, loan sharking, contraband, and all the

criminal activities which, serious as they are, are only the side effects of the huge criminal operations that blanket the Nation.

Last January the Senate, after lengthy committee hearings and floor debate, passed S. 30, a 10-title bill designed to effectively pit the law enforcing capabilities of this Nation against the onslaught of the crime lords.

Those who engage in wholesale criminal activities with branch operations throughout the Nation are masters of sophistry. By their organizational genius they have built empires for controlling every branch of criminal activity that can be operated profitably. With utter ruthlessness the czars of crime maintain stern discipline from the lowest peon in their organizations to the top of the command. With stark terror that discipline is enforced. With extraordinary entrepreneurial skills they identify forms of legitimate business that can either be diverted to their underworld profits or used as fronts behind which their criminal businesses can be operated. With their money they can either seek out legal talent that is susceptible to the lure of huge financial rewards for finding loopholes in the laws which can be used in defense of their underworld clients, or gangland's money can be used to bribe law enforcement officials, jurors and others to subvert the cause of justice. This element of crime has mastered the art of evasion of due process; it can be brought to justice only by extraordinary laws and special dispensations in the art of law enforcement.

The House Judiciary subcommittee has intermittently held hearings on S. 30 but as of this morning, I am informed by the committee staff that no further action is scheduled at this time on this vitally needed legislation.

According to the news media, and to an insertion on page 19354 of the June 11 CONGRESSIONAL RECORD, objections have been raised to some of the provisions of the bill by certain individuals and groups. One of the interposing groups is the bar association of the city with the highest crime rate in America. We all know that is New York City. Another objecting organization is one which appears to exist for the sole purpose of freeing those accused of certain crimes, by the use of constitutional tests which were surely not intended by the framers of that document as devices for leaving crime unpunished. If any doubt remains, I refer to the American Civil Liberties Union.

I subscribe to the doctrine that an individual should never be convicted of a crime so long as there remains any doubt as to his guilt. And I find it repulsive that innocent people should be subjected to undue judicial harassment under the laws of our land. But I am also strongly persuaded by the incidence of probable cause, the integrity of our judicial system to correctly adjudicate the rightness or wrongness of cases brought into the courts, and the capacity of the legal profession to effectively defend the rights of the accused on evidential grounds and without resort to constitutional trickery.

In many localities there are local statutes that permit a charge of "presence in

an illegal establishment" to be lodged against persons found in gambling houses when raids are made. Even if such individuals were not actually engaged in an act of gambling, their presence there is assumed to have been for the purpose of gambling; they knowingly expose themselves to a criminal activity.

When an individual—especially a person of known criminal tendency—is found to have been in the vicinity where a serious crime has occurred, law enforcement authorities should not be prevented by some obscure interpretation of the Constitution from taking reasonable steps to ascertain whether that person may have been involved in the crime's commission.

When a person against whom there is substantial probable cause for suspecting connection with illegal drug traffic is sighted in an area frequented by known or suspected drug addicts, there should be no roadblocks in the paths of enforcement officers seeking to determine if such person is, in fact, involved in drug peddling.

The traffic in illegal drugs, which has reached enormous proportions and tragically affected the lives of millions of people, is a business of such magnitude as to defy the possibility of local operation and control. The dope business involves huge smuggling operations, reaching into a dozen or more foreign countries, and requiring couriers with highly developed talents for deception. While street-type criminals and local hoodlums are doubtlessly engaged in the sale of illegal drugs, they are involved only as the bottom rungs of ladders that reach into the heights of national and international syndicated crime.

The patronage base for these drugs has been broadened to include, if not concentrate on the younger generation, those people to whom we must look for local, State, and national leadership just a few years from now. Reliable reporters have unfolded too many accounts of drug addiction, reaching down to 14- and 15-year-old children, for such accounts to be untrue. When I am confronted with well-authenticated reports of good children from good families being lured into hopeless lives of drug addiction, \$40, \$50, or \$100 a day habits that can only be supported by shoplifting, robbery—even prostitution among the very young—then I am not going to be very much concerned that, in stamping out the source of this growing national disgrace, somebody who has made himself vulnerable to suspicion may not be handled as gently as might be desired by some people or some organizations with overdeveloped senses of constitutional principles, brought on by a raft of warped interpretations in the past liberal decade.

The burgeoning traffic in drugs is only one area of criminal activity of such broad implications as to be identified with the operation of organized crime; there are dozens of other criminal operations of such scope as to mark them as syndicated endeavors. Organized crime must be wiped out.

I am given to understand that the main objections to the bill S. 30 are in connection with titles I and X of that

bill. Title I has to do with the summoning of special grand juries on crime problems in major metropolitan areas. Title X provides for additional sentences for habitual offenders. In my own judgment, there is nothing wrong with the special grand jury proposal unless it is that this provision may be too narrow. Of course, major metropolitan areas are usually the principal operating bases for organized crime activities. But there is also crime in areas that do not qualify for the "metropolitan area" definition. They, too, should have whatever benefits special grand juries have to offer.

With respect to title X—additional sentencing of habitual offenders—a nation in which one out of every 44 of our people can expect to be victimized by serious crime here in the middle of the 20th century needs every degree of protection that can be had. Additional sentences for convicted criminals of demonstrated unlawful tendencies does not seem an unreasonable protection to give a nation harassed by crime.

Nevertheless, if these two titles out of such a far-reaching bill as S. 30 are the stumbling blocks in the way of getting some meaningful legislation for bringing organized crime to its knees, I will concede one of these two provisions.

So, it is in the spirit of compromise that I offer a new bill containing all the provisions of S. 30, as it passed the Senate, except title I, which provides for special grand juries in metropolitan areas for crime control purposes.

I am introducing this bill today, and I urge the committee to bridge its differences and bring this bill to the floor at an early date. If this does not happen, I now serve notice that in 30 days—the time limitation contained in the Rules of the House of Representatives for such a parliamentary move—I shall offer a petition to discharge the Committee on the Judiciary from further consideration, bringing the bill directly to the floor for debate by the full House membership.

This is a drastic move, and one with which I have had little association in my years as a Member of this House. But the conditions prevailing across the land because of unchecked operations by syndicated crime are also drastic. I doubt if the thousands and perhaps millions of American citizens who have seen family resources wiped out by gambling operations controlled by organized crime, or the families that have seen the lives of their dear children ruined by the ravages of the dope traffic syndicated by the mobs, will care if an unusual legislative device is employed to put an end to these and countless other evils that might be checked by this legislation.

The bill I am introducing will do the following:

Title I: Provides and prescribes the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his constitutional privilege against self-incrimination, and defines the scope of the immunity to be provided such a witness. This will do away with the practice of witnesses hiding behind the fifth and other constitutional amendments in order to avoid testifying, while at the same time providing a measure of protection

against self-incrimination for such witnesses.

Title II: Codifies existing Federal civil contempt procedures dealing with recalcitrant witnesses in grand jury and court proceedings. This title also authorizes confinement without bail until compliance is made to court orders that such witnesses be responsive. Under this title witnesses who flee State investigative proceedings in order to avoid testifying will be made subject to Federal process. Also, those who cross State lines in order to avoid service of subpoena by State investigatory units would become subject to Federal process.

Title III: Abolishes the "two witness" rules and the "direct evidence" rules in the trying of Federal perjury cases, and provides for prosecution of persons making contradictory statements under oath without requiring proof of falsity of one of the statements.

Title IV: Authorizes the Attorney General to provide protection for witnesses in Federal or State crime cases, and their families.

Title V: Authorizes the taking of pre-trial depositions of Federal Government witnesses in criminal cases and permits the use of such depositions in subsequent prosecutions.

Title VI: Provides that in any United States legal proceeding the consideration of claims that evidence is inadmissible because illegally derived shall be limited to those cases where the alleged illegal act has taken place within 5 years of the time claim is made; limits disclosure of information by the Government in such cases to only such as is relevant in determining admissibility of the evidence and is in the interest of justice.

Title VII: Extends Federal jurisdiction over illegal gambling activities to include all such activities in operation for more than 30 days or from which gross revenue is in excess of \$2,000 in any single day, involving five or more persons; provides penalties for participation in such activities of up to \$20,000 fine and/or up to 5 years imprisonment; establishes a commission to conduct a comprehensive review of Federal and State gambling law enforcement policies and their alternatives; expands the wire-tapping authority in the Omnibus Crime Control and Safe Streets Act of 1968 to include among offenses against which it can be invoked those which are in this title.

Title VIII: Prohibits the infiltration into management of legitimate organizations by racketeering activities where interstate or foreign commerce is affected; provides for criminal penalties, including forfeiture of property to the United States, upon convictions; provides for civil remedies—court divestiture of interest—to prevent and restrain violations of the prohibition provisions.

Title IX: Carefully defines an "habitual criminal," and terms under which this definition can be applied; provides for additional sentences for those who have been repeatedly convicted for major offenses under that definition.

Mr. Speaker, this bill is not a perfect solution to the problems heaped upon this Nation and its people by organized criminal groups. It does not go as far,

perhaps, as some of us would prefer to go. In the opinion of some others, no doubt, it goes too far. But I am certain in my own mind that the best interests of this country lie in a law-abiding and orderly society. There is no substitute for swift, certain, and impartial justice, with less attention paid to the technicalities which appear aimed at the protection of the criminal, and more attention paid to the rights of society. And if it appears that this bill or some even stronger measure may be somewhat less than usually considerate and anxiously regardful for the rights of a criminal on trial for the heinous activities associated with organized crime, then let us recognize we are becoming more solicitous, and careful of the rights of 200 million Americans to be safe and secure in their homes with their families, protected from the scourges of organized crime's reign of terror.

REVOLT OF THE BLUE-COLLAR WORKERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

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

Mr. PUCINSKI. Mr. Speaker, United Press International has performed a notable public service in journalism today by obtaining from the White House a heretofore unpublished report which has been prepared for the President advising Mr. Nixon that an estimated 70 million middle-class Americans are fed up with being excluded and forgotten while their taxes pay for programs to upgrade the poor.

I believe United Press International has made an impressive contribution in jarring this report out of the White House, and making it public.

This report sustains and fortifies what I have been saying in the Chamber time and again.

I shall place in the RECORD today the entire story that the UPI has run on this report.

The committee that made this study, chaired by outgoing Labor Secretary Shultz, concluded that blue-collar frustrations could soon erupt into "militancy at the bargaining table" and increasing support of "politicians such as George Wallace," as both major parties ignore them.

The special report pictured blue-collar families as trying to cope with both inflation and taxation while attempting to solve for themselves the same problems for which welfare families get Government aid.

In a memo to the White House, the study group said that the Government's continuing attention to poverty-level families spawns resentment and even racial and ethnic hostility among blue-collar workers struggling to survive.

"Observing the welfare programs for the poor, they feel excluded and forgotten," the memo says. "As taxpayers, they help pay the freight for 'free riders,' and get none of the apparent help."

The report, sent privately to the White House June 20 and obtained today by UPI, urges that special attention be given promptly to blue-collar families in a variety of programs ranging from tax breaks to new postage stamps portraying skilled trades.

Unless "significant steps" are taken, the panel said, there will be "continued pressure for inflationary wage settlements and continued hostility to the disadvantaged" among blue-collar families.

The report, drafted by Assistant Labor Secretary Jerome M. Rosow, went under a cover letter from Shultz to John D. Ehrlichman, the President's chief domestic adviser. Shultz added the political analysis in his letter.

I am particularly pleased that the report places such heavy stress on making job training to upgrade skills available to all American workers. I have introduced H.R. 18101 for just that purpose.

The report noted that 40 percent of the Nation's work force—about 70 million family members—are in the lower-middle class, with incomes between \$5,000 and \$10,000 a year.

But most of these people, it said, are locked into "dead end" jobs with little opportunity to increase their earnings because of lack of formal education and job upgrading programs.

It is my sincere hope my colleagues will study this report very carefully.

First of all, it was prepared by a highly respected and prestigious member of the Cabinet and by the Labor Department so in its preparation it takes on an extra sense of validity.

Second, I believe that this report may very well be one of the most important documents of our time, at a time when Americans are asking themselves what is happening to our country—and when there are those who are wondering whether or not the Nation can survive in its present form—and when there are those who are literally challenging the validity of the democratic concept.

I believe that this report can make a great contribution toward a better understanding of why there is a growing degree of restiveness among the people of this country, for indeed the middle-income American, the so-called silent majority has been totally ignored and bypassed by their Government in literally every single project.

Mr. Speaker, let there be no mistake. This middle-income worker today is spending some 40 percent of his earnings on all forms of taxes—income taxes, personal property taxes, real estate and gasoline taxes, cigarette taxes, and what have you.

So it is perfectly understandable why there is this despair and this feeling of complete futility. Certainly, this man and this family, are making a contribution and are making sacrifices—but they cannot participate in any of these programs because supposedly their earnings are too high.

The report quite properly provides a series of recommendations. One of these recommendations is for job upgrading programs and better educational opportunities to enable skilled and semiskilled tradesmen to move up the economic ladder.

Practically every one of our job training programs and every one of our educational programs are geared to an income factor of some sort.

There are all sorts of student loan programs for youngsters from poor families. But a man in America who is earning \$10,000 a year or \$7,000 or \$6,000 a year—and who has two or three children that he is trying to put through college is in a state of greater depression than a person who is on public aid—yet the world passes him by and ignores him and ignores his problems because he is not in the poverty level.

The recommendations made by this task force also provide for making child care facilities now available only to welfare mothers also available to working mothers on a partial fee basis.

What a fantastic frustration it is to thousands of working mothers in this country—women who go to work for a living to support their families—yet, they cannot take advantage of any child welfare care program because they have an income above the poverty level. They have to pay extremely high prices for private nursing care for their children; the larger share of their earnings goes to pay for the care of their family but these women cannot share in day care center programs. I say, Mr. Speaker, by the time these working mothers get through paying for child care, they are worse than at a poverty level of income.

So I say to you that this may very well be one of the most important reports that has been prepared in our time. I think it zeros in and focuses attention on a problem that we can no longer ignore in this Congress.

It is my hope that my colleagues on both sides of the aisle, both Democrats and Republicans, both liberals and conservatives, will finally recognize the fact that there are some 70 million Americans who today are locked in by a feeling of desperation because they are the ones who are working and carrying the load and paying the taxes and, yet, they are getting very little in return for their money.

I hope that the White House will make the full report available to every Member of Congress so then we can intelligently address ourselves to these programs and problems and legislate in a manner that all Americans can benefit from these programs instead of just those who are designated in the poverty level.

I am not surprised that yesterday we saw in New York a huge demonstration of thousands of people, middle-income Americans, who assembled over there to protest the kind of indignities and inequities that are showered upon them, and I think you are going to see more and more of this. This report quite properly warns about this restiveness among the blue-collar workers. I say to you—the decade of the 1970's had better wake up to the fact that the blue-collar worker has great problems. He is finding it more and more difficult to stay afloat.

It would be my hope that this report would be carefully read, analyzed by every Member of Congress, and then I hope it will have an impact on meaning-

ful legislation to help all Americans in this country.

Mr. Speaker, the UPI press release in its entirety is as follows:

WASHINGTON.—A special panel has told President Nixon that the estimated 70 million Americans of the lower-middle class are fed up with being "excluded and forgotten" while their taxes pay for programs to upgrade the poor.

The group, chaired by outgoing labor secretary Shultz, concluded the blue-collar frustrations could soon erupt into "militancy at the bargaining table" and increasing support of "politicians such as (George) Wallace" as both major parties ignore them.

The special report pictured blue-collar families as trying to cope with both inflation and taxation while attempting to solve for themselves the same problems for which welfare families get government aid.

In a memo to the White House, the study group said that the government's continuing attention to poverty-level families spawns resentment—and even racial and ethnic hostility—among blue-collar workers struggling to survive.

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The report, drafted by Assistant Labor Secretary Jerome M. Rosow, went under a cover letter from Shultz to John D. Ehrlichman, the President's chief domestic adviser. Shultz added the political analysis in his letter.

The report noted that 40 per cent of the nation's work force—about 70 million family members—are in the lower-middle class with incomes between \$5,000 and \$10,000 a year.

But most of these people, it said, are locked into "dead-end" jobs with little opportunity to increase their earnings because of lack of formal education and job upgrading programs.

In addition, it said, this group has been hit hardest by the inflationary squeeze and a tax structure "that offers little relief."

The report also said hostilities mount as blue-collar workers find lower-class elements—particularly minorities—making "inroads" into housing, jobs and education often denied to the lower-middle class because they are "making it."

The group—which included Attorney General Mitchell—Antipoverty Director Don Rumsfeld and a dozen top White House aides—recommended an 11-point program. Among their recommendations:

Job upgrading programs and better educational opportunities to enable skilled and semi-skilled tradesmen to move up the economic ladder;

Making child-care facilities for welfare mothers available to blue-collar wives on a partial-fee basis.

Tax breaks for blue collar families, both by raising exemptions for children to recognize increased costs for their care as they grow older and by hiking the present \$6,900 income ceiling that determines eligibility for child-care deductions.

Increased federal help for community colleges, "which are of such importance to the blue-collar worker's children."

A public-relations campaign to improve

the image of manual workers through such things as national awards to outstanding craftsmen, skilled-trade postage stamps, and better job counseling in high schools.

Better recreational facilities, more mass transit to ease auto costs, pumping more mortgage money into the housing market, and improvement of disability and workmen's compensation systems.

Making the Federal Government a "model employer" by initiating the recommended programs for its low-income workers.

PRESIDENT PROPOSES TREATY TO RENOUNCE ALL NATIONAL CLAIMS ON SEABED RESOURCES

The SPEAKER pro tempore (Mr. KEE). Under previous order of the House, the gentleman from Texas (Mr. BUSH) is recognized for 5 minutes.

Mr. BUSH, Mr. Speaker, on May 23, President Nixon proposed that the United States negotiate a treaty to renounce all national claims over seabed resources to the "seabed beyond the point where the high seas reach a depth of 200 meters." All seabed resources beyond this 200-meter depth would be under the jurisdiction of an international administration called an international regime. Coastal nations would act as trustees to the area off their coasts, but the international administration would authorize and regulate exploration of the resources and would receive the royalties from it. All moneys collected would be used for the benefit of underdeveloped countries.

Mr. Speaker, a national claim of seabed to a depth of 200 meters only is a dramatic departure from U.S. policy. This limitation of territory was rejected by the U.N. Conference on the Law of the Sea held in Geneva in 1958 in favor of a more expansive definition. The convention drafted at this conference is the principal international legal instrument governing jurisdiction of the seabed and was ratified by 39 nations, including the United States. The NPC report stated:

Of the 107 coastal nations which have asserted their general jurisdiction over offshore minerals, at least 37 have done so with respect to specific submarine areas which, according to available information, appear to be beneath waters deeper than 200 meters.

The chief motivation behind this country's leadership in the determination of an international definition of a nation's right to her seabed has been the potential mineral and petroleum deposits offshore. The discovery of these deposits led President Truman on September 28, 1945, to declare that the United States regarded the natural resources of the Continental Shelf "beneath the high seas but contiguous to the coasts of the United States" as "subject to its jurisdiction and control."

In 1953 the Congress in the Outer Continental Shelf Lands Act gave the Federal Government jurisdiction over the

Continental Shelf beyond the 3-mile limit and authorized the Secretary of the Interior to grant leases for exploration or exploitation of resources.

In March 1956, the Organization of American States met in Ciudad Trujillo and concluded that:

The sea-bed and subsoil of the continental shelf, continental and insular terrace, or other submarine areas, adjacent to the coastal state, outside the area of the territorial sea, and to a depth of 200 meters or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the sea-bed and subsoil, appertain exclusively to the state and are subject to its jurisdiction and control.

The OAS delegates rejected the suggestion that the line of demarcation be a depth of 200 meters. The United States supported this rejection—in other words, we supported the view that a nation was entitled to claim those areas which admit to exploitation.

The 1958 Geneva Convention on the Continental Shelf declared that:

A nation's jurisdiction included "the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters or, beyond that limit, to where the depth of the superadjacent waters admits of the exploitation of the natural resources of the said areas.

At the time of ratification of the 1958 Geneva Convention by the U.S. Senate, the State Department clearly represented to the Foreign Relations Committee the right to utilize technological advances at greater depths beneath the oceans was protected and had been supported by the United States. This same interpretation was given to President Eisenhower on September 2, 1959, when Acting Secretary of State Dillon transmitted the Convention to him. In fact, the State Department did not suggest to the Senate or President Eisenhower the possibility of any different interpretation.

Thus, I was shocked to read on May 23 of President Nixon's proposal. In view of the information given the Senate in 1959, I cannot believe that consent would have been given had the Senate felt that we would give away our natural resources at some point in the future.

Let us look for a moment at just what we would be giving away. The primary resources known to exist offshore are oil and natural gas. Supplies of phosphate and manganese exist but they are so widely scattered that no estimates are available. But, attempts have been made to estimate the petroleum potential. The Department of Interior publication "Petroleum and Sulfur—U.S. Continental Shelf—December, 1969" used two different methods—one based on total area and the one based on the volume of the sediments. Their conclusions are as follows:

Product	Outer Continental Shelf to 200-meter line	200 to 2,500 meters ¹
Crude oil.....	660 billion barrels.....	640 billion barrels.
Natural gas.....	1,640 trillions of cubic feet.....	1,590 trillions of cubic feet.
Natural gas liquids.....	50 billion barrels.....	50 billion barrels.
Crude oil.....	780 billion barrels.....	800 billion barrels.
Natural gas.....	2,220 trillions of cubic feet.....	2,230 trillions of cubic feet.
Natural gas liquids.....	60 billion barrels.....	70 billion barrels.

¹ 2,500 meters is the average depth of the foot of the continental slope.

These figures do not represent all petroleum offshore. Those falling within the 3-mile limit are not included.

Now, let us look at this proposal in the context of our total energy picture. Oil and gas supplies approximately three-fourths of this Nation's total energy. The United States with only 6 percent of the world's population consumes 32 percent of the world's petroleum and 50 percent of its natural gas production. All experts agree we are facing a critical shortage of gas. The reserve-to-consumption ratios have been drastically reduced. The Federal Power Commission Chairman has warned against further declines.

The National Marine Science Commission estimates that 16 percent of the total world production of oil comes from offshore sources and in 10 years, about one-third of all the world's oil will come from offshore reserves. So far as the United States is concerned, about one-half of our estimated national reserves of petroleum and natural gas are located on our Continental Shelf.

Thus, the United States is more dependent upon oil than any other nation. Further, we have a greater dependence on offshore oil than do other nations. In view of this dependency, it would be irresponsible for the United States to give away such potential reserves as are evidenced by the Interior Department figures. Instead, the United States should be maximizing its access to the mineral and petroleum resources in this area. It is clearly not in our best economic or national security interests to do otherwise.

The suggestion that an international regime be established and that the funds be given to underdeveloped nations is an unworkable one. First of all, there is the problem of establishing a fair international administration that will not adopt a system of rationing and discriminate against American companies. In view of past experience, I am not optimistic that such an administration can be developed at this time. But, if it could, the boundary question is bound to be under dispute. This will discourage American oil companies from exploiting these disputed areas. And, this would occur at the very time when the oil industry should be encouraged to explore for new reserves in view of our consumption requirements. There would be a loss of potential tax revenue to the Treasury because we will have given away our revenues based on production of part of the geologic shelf. In view of our total economic picture, this does not make sense at this time.

In summary, Mr. Speaker, I do not think that the Congress should support this seabed proposal. It is clearly not in the best interests of the United States. In any event, the negotiations for the establishment of an international regime should not be tied to the ceding of rights beyond the 200-meter depth line.

PROGRESS REPORT ON RESULTS OF FIGHT TO EXPOSE EMPRISE CORPORATION LINK WITH ORGANIZED CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Arizona (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Arizona. Mr. Speaker, some of you may recall that some time ago I attempted to expose the scope and significance of the activities of an organization known variously as High Park, Emprise, Sportservice, or simply the Jacobs boys.

This outfit has a long history of association with organized crime and individual criminal members of organized crime. Since you were first advised of their activities, the following events have transpired.

The State of New Mexico has said that Emprise, Sportservice, et al. could not own or finance a racetrack in that State, although they could be concessionaires. The latter decision was based largely on the very practical problem of breaking the ironclad contract that Emprise had with the track in question.

The State of Arkansas has promulgated a new set of rules which limits the ability of a stockholder in a racetrack to do business with the racetrack. The Governor of Arkansas also accepted the resignation of a State official who went to Arizona to testify to Emprise's "good character."

The State of Arizona was the source of a Security and Exchange Commission order to suspend the exemption status of the Tucson Turf Club, a wholly Emprise owned entity, based on a finding of the fact that they falsified their ownership position. The Arizona House of Representatives passed a whole new set of racing regulations designed to break up Emprise's stranglehold on Arizona racing. The bill was killed in a State senate committee by a wave of Emprise-financed lobbyists, including many of the State's most respected law firms, after being passed out of its primary committee.

Emprise reports that the State of Florida found that Emprise is a grand outfit to do business with.

The Federal agencies involved in the several investigations of Emprise continue.

Hopefully, some of you have been concerned enough to alert your State and local officials to the danger of doing business with these people.

The original parent corporation, High Park, was dissolved for purposes unknown to me.

BILINGUAL EDUCATION ACT NEEDS GREATER FUNDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 20 minutes.

Mr. RYAN. Mr. Speaker, on June 25, the Senate passed H.R. 16916, the Office of Education Appropriation bill for fiscal year 1971. The House had already passed this bill on April 14. To the \$25 million which the House version appropriated for the bilingual education program, the Senate has added \$5 million. I strongly urge the House conferees on H.R. 16916 to agree to this additional funding, which would mean that for fiscal year 1971 there would be \$30 million for the pro-

gram—assuming the House and Senate subsequently accept the conference report.

Of course, even this additional funding in no way approaches the maximum which could be appropriated. The authorization for the bilingual education program for fiscal year 1971 is \$80 million, as provided by the Elementary and Secondary Education Amendments of 1969, the conference report for which the House agreed to on April 7, 1970. Thus, even should the House conferees agree to the Senate's action, there would remain a \$50 million gap between the appropriation and the authorization.

Once again, the Congress has, with high authorization levels, spouted the rhetoric of promise. The vice is perceived, and a large authorization is the response. And once again, the appropriation for a worthwhile, beneficial program is a meager portion of that authorization. While I commend the House Committee on Education and Labor conferees for having agreed this spring to the Senate amendment which raised the authorization level from the House version of \$40 million to the Senate version of \$80 million for the bilingual education program, I cannot accept this process of promise followed by inadequate performance.

Our Spanish-speaking citizens daily experience disadvantage, discrimination, and prejudice. They are confronted, on top of these evils, with a language barrier which for some is virtually insuperable. One answer—but certainly by no means a total one—lies in the Bilingual Education Act, of which I was an original cosponsor, and which was signed into law on January 3, 1968, as part of the Elementary and Secondary Education Amendments of 1967.

The Bilingual Education Act aims at meeting the special needs of children who, while adept in the language spoken in their homes and in their local communities, are at a disadvantage because they do not speak English fluently. Allow me to refer back to my testimony before the Senate Subcommittee on Bilingual Education, in 1967. I was appearing then in support of my bill, H.R. 10024, a precursor to the legislation which was finally passed. At that time I said:

Children who have spent their early years speaking in Spanish are tossed, totally uninitiated, into a kindergarten or first grade where all business is transacted in English. These children may suffer a combination of reactions, all with detrimental implications. The child becomes confused and frustrated; he begins to doubt his own ability, to think there is something wrong with him because he cannot perform as the other children do. When children comprehend that the reason for their difficulty lies primarily in the fact that they do not speak the prevailing language, they may begin to resent their whole cultural heritage and may lose the values of their cultural background, while at the same time they have not fully assimilated North American norms. Thus, they become lost to both cultures.

This is a sad situation. But it need not happen. The bilingual education program is the answer. It is not—and I want to make this very clear—a program to destroy the child's mother tongue, to rob him of his precious heritage. It is to help

him share in the language common to most Americans, while at the same time enabling and encouraging him to retain with pride the language of his birthright.

There are millions of children who need the opportunity this program offers—Spanish-speaking Americans, children of immigrants, children of American Indians. All told, there are more than 3 million non-English-speaking school age children in the United States. There are another 1 million such children under 6 years of age. Thus, nationwide, more than 5 percent of our school age children can be helped by the bilingual education program.

In New York State, there were, in the 1968-69 school year, 280,275 Spanish-surnamed students in prekindergarten through 12th grade. New York City accounted for almost all of these children—260,963. In terms of percentages, Spanish-surnamed children constituted 8.2 percent of the total school population for the State. And they accounted for 22.3 percent of the children in school in New York City.

Moreover, the numbers and percentages have shown a constant rise. In the 1966-67 school year, Spanish-surnamed public school students in New York City constituted 20.9 percent of the total; in 1967-68, 22 percent; and in 1968-69, as I said, 23.3 percent.

Obviously, the need is enormous. The number of children who can benefit from the bilingual education program is great. Yet, the Bilingual Education Act has consistently been underfunded. In fiscal year 1969, the appropriation of \$7.5 million was only one-fourth of the authorization. In fiscal year 1970, the appropriation of \$25 million was \$15 million less than the authorized level. And even this \$25 million was reduced to \$21.25 million in actual expenditures by the administration. And on April 14, when the House voted only \$25 million for bilingual education, it provided \$55 million less than the authorized level.

In fiscal year 1970, which ends today, I sought additional funding for the program by introducing H.R. 16553, which would have provided a supplemental appropriation bringing the program up to the full authorized level. On April 14, the day the Office of Education appropriation bill was passed, I urged provision of these additional funds, and stated:

Because the need for this program is clearly evident, and because pilot programs have proven to be successful remedies for this language handicap, there is no justification for not fully funding the Bilingual Education Act.

No supplemental funding was provided. And now fiscal year 1970 has ended. But the House conferees do have the opportunity to increase funding for fiscal year 1971 which starts tomorrow, to \$30 million. I urge them to agree to the Senate's action by accepting the additional \$5 million for the bilingual education program. They will thereby help to meet the needs of Spanish-speaking children, and children of other nationalities as well, across the Nation.

GENERAL LEAVE

Mr. MIKVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include therein extraneous material on the special order given today by the gentleman from New York (Mr. RYAN).

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

There was no objection.

SPEECH OF MAYOR LOUIE WELCH OF HOUSTON, TEX., BEFORE NORTH AMERICAN CONFERENCE ON LABOR STATISTICS

(Mr. BURLESON of Texas asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BURLESON of Texas. Mr. Speaker, the following are remarks of Mayor Louie Welch of Houston, Tex., before the North American Conference on Labor Statistics, in which he refers to hearings held by the Equal Employment Opportunity Commission in his city on June 1.

Heretofore, I have commented on what I consider to be the unauthorized procedures of the Equal Employment Opportunity Commission. I am not familiar with the procedures used in hearings held by the EEOC in New York and Los Angeles but the very nature of these hearings has been an attempt to make law instead of follow it.

REMARKS OF MAYOR LOUIE WELCH

In addition to wishing you a warm welcome to Houston, I would like to take the liberty of giving you some of my thoughts on the Equal Employment Opportunity Commission's public hearings held in this city last week.

The Commission's expressed primary objective in holding these hearings was (quote) "to explore the particular advances made by some firms in providing equal employment opportunity and the techniques which produced such advances" (end of quote). The Commissioners also said they wished to explore, in some cases, "why results have fallen short of intentions."

We in Houston firmly believe that progressive planning and solid, hard work are necessary to realize the goal of equal opportunity for all our people. Passive "non-discrimination" and passive attitudes have not worked in the past and will not work in the future. Rather, all sectors of the city—government, business, labor, school, church, private agencies and citizens in general—must participate in positive programs and actions if we are to continue to make progress.

I believe our city government, as well as most businesses and labor unions in Houston, are making the extra efforts necessary for equal opportunity to become a reality. I believe too, as we have stated in our annual reports on Minority Group Problems and Progress, that Houston is a "City That Cares" and one dedicated to helping all people gain a bigger voice and a greater stake in their city and society.

However, certain positions and ideas expressed by the Equal Employment Opportunity Commission during the hearings raise doubts as to the constructive intent and positive assistance that can be expected from the EEOC in reaching a goal that should be our common goal. For instance, these expressed positions and ideas of the EEOC ap-

peared to be questioning the requirement of a high school diploma for employment purposes. There are instances, of course, where the requirement of a high school education is not reasonable. But in many cases, it is. Education is still one of the surest roads to success, and a pillar upon which our nation has been built. To question that requirements for professional or technical employment not include, as a minimum, a high school diploma seems to invite even higher school drop-out rates than we now have.

In encouraging people to believe that such a diploma is unnecessary, the Commission does irreparable harm to those minority and non-minority youth who question whether they should continue high school. Later, these young people may not be able to find a job with a promising future—and the reason won't be discrimination.

Through these and similar positions of the EEOC, we fear that the Commission might well be raising false hopes and unrealistic expectations, both of which often lead to numerous problems. Equal opportunity will not automatically result in a certain percent of minorities being placed in any job category or area of employment, and I hope the Commission realizes this. To mislead minority citizens into thinking it will, or into believing every problem will be solved without education or experience or training is wrong and a distinct disservice. Let there be no misunderstanding—we believe in equal opportunity and are working to help it become a reality. But we also believe in not misleading people. Equal opportunity will be delayed if encouragement is given to false expectations and to inferred assumptions that success on a job at any level should have nothing to do with education, initiative, training, talent or leadership ability.

It is my sincere hope that instead of continuing along these extremely dubious lines, the Commission will take appropriate note of some of the positive efforts being made in Houston. If the Commission will only stand by its own statements, an encouraging constructive first step will have been taken. But in failing to honor its own expressed purpose to point up positive efforts of employers for others to emulate, the EEOC did a disservice to all of Houston—and to itself.

Regrettably, the Commission added to the seriousness of this failure by yet another. This second one was a failure to speak out against violence as a means to gain an employment quota. At the session last Thursday, Commission members passively sat by as they heard violence mentioned as "the answer" in connection with demands for a job quota. For an agency of the United States Government to give what could be interpreted as tacit consent to violence by saying nothing—as the subject is introduced as "the answer" to employment practices—is deplorable. It's more than deplorable. It is inexcusable behavior for Washington officials, who should let it be known beyond all doubt that they are dedicated to social change under the law—the law that they should have enough faith in to tell a minority witness that violence is *not* "the answer."

But again, regrettably, Chairman Brown himself spoke of the subject of violence. He did so in a 30-minute television interview that was shown on a local station as late as yesterday—and was repeated shortly after midnight this morning for those who missed it on the Sunday news programs that carried his "violence statement." Chairman Brown warned of violence for Houston by agreeing that with the kind of employment discrimination he contends is "blatant" and "pervasive" here, the city is not only subject to violence but on the verge of it. "Critical" was his word for the situation. Mr. Brown's response could be interpreted as being the be-

gining of a self-fulfilling prophecy for Houston—one based on his statement about our "critical" situation and his agreement we are on the verge of violence. It would be interesting to know if this response was designed to be repeated often enough that people will start believing it and someone will begin fulfilling Mr. Brown's prophecy by engaging in violence.

Houston, sixth in population, is the largest city in the nation that has not had a community riot—a riot where people's dwellings, shops and businesses are burned, damaged or looted. This record has been maintained through much hard work on some of the root-causes of minority-group problems. It has been maintained through the cooperation of many minority-group people who don't believe violence is the way to promote needed social change. It has been maintained through the efforts of the Human Relations Division of the Mayor's Office, which mans Neighborhood City Halls and conducts a broad range of minority-group programs with a staff of 12 people, all but four of whom are black or brown. And, just as important as any of this, the record has been maintained by the very positive efforts of a number of employers—the positive efforts the Commission failed to express.

Let me repeat—Houston has minority-group problems (including some employment discrimination) as well as many other problems characteristic of a city with 1,250,000 people. But Houston has also made progress, which Chairman Brown carefully neglected to mention. My office has issued a number of publications on programs associated with this progress, but most of the programs are summarized in the three annual reports we have made on Minority Group Problems and Progress. I have copies with me this morning of our 1970 report if any member of the audience is interested in having one and reading of progress as well as problems. As you will note in this report, a number of employers have made contributions of time, manpower and money—and this includes in areas in addition to employment, areas that we believe also need to be worked on and also has something to do with tension levels, which Mr. Brown apparently believes relates rather exclusively to job practices. We are not satisfied with the present state of progress but we do insist that no fair or balanced picture of minority-group problems can be obtained without considering what has been done, as well as what hasn't been done.

Within city government, what has been done in terms of employment is to increase the percent of minority-group people above the semi-skilled level from 5.39 percent of all our municipal employees in 1964 to 15.48 percent in January 1970. Although the EEOC discounts education as any employment requirement, at the same time one of its own position papers at the hearings pointed out that minorities are under-represented in Houston schools at the higher levels. It is understandable, we believe, that minorities therefore will be under-represented in some jobs, where an advanced technical education is prerequisite to satisfactory performance.

The problem of educational under-representation will not be corrected until large numbers enroll in and complete engineering and other technical courses of study. Several employers at the hearings vividly noted the need for highly trained persons of any race, sex or national origin in certain disciplines. I personally urge the Commission to use its power to help alleviate the educational under-representation problem so that proportional representation can be better achieved occupationally.

Finally, I beseech the EEOC to correct obvious errors, misunderstandings and misrepresentations for the public record of the hearings held here. It is incumbent on the

Commission to honor its commitment of pointing up positive efforts of employers—not just by a few short comments of individual commissioners but by a public declaration that would offset the extremely negative and provocative statements of Chairman Brown.

Of equal importance, however, is for the Commission to correct its own excesses in going beyond the law that established its very existence and spelled out its authority. These excesses resulted in statements or strong implications being made at the hearings that employers are required to do things that the law itself—Title VII of the Civil Rights Act of 1964—specifically prohibits. An example: insistence on quotas and other such employment practices.

I would like to believe, as I suggested at the outset, that the City of Houston and the EEOC are working toward the same objective—full and effective realization of equal opportunity for all people. We are sincere in our efforts and we would hope the Commission is in its. If it were, then it would be of constructive assistance to all of us—to employers, to minorities, and to the principles this country stands for.

OIL: A WORLD OF DEEPENING STRIFE

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

Mr. BURLERSON of Texas. Mr. Speaker, the following article from the New York Times of Sunday, June 21, 1970, by William D. Smith, describes the most precarious situation in connection with any dependence we may have on a Middle East oil supply:

OIL: A WORLD OF DEEPENING STRIFE

(By William D. Smith)

"Double, double toil and trouble; fire burn and cauldron bubble."

The witches in Macbeth could well have been describing the present world oil situation in terms of United States Government and American oil company interests.

In recent weeks several new volatile ingredients have been added to the already boiling concoction of politics, power and money that make up the international oil business.

The center of most of these events is also the center of the oil industry—the Middle East. The reverberations, however, affect the entire globe, both politically and economically.

At worst they present a frightening scenario for the future of American interests. At best they point toward continuing and probably growing difficulties.

"These are terrible, dangerous and difficult times," Walter J. Levy, dean of the American oil economists, said last week. Mr. Levy, it should be noted, is no Cassandra, and until recent weeks was one of the more optimistic among the band of men whose special interest is the study of the politics and economics of international oil.

The outlook of many oil company executives has also changed in recent weeks. The old attitude could be summed up, "Things are tough, but we can live with it."

Last week a senior executive with one of the industry's giant concerns commented, "For the first time in my 20-year involvement in the Arab World, I am afraid for the lives and property of our employees." This was the most extreme opinion voiced by any executive, but all acknowledged that a horrible situation had become much worse.

The oil men, as usual, insisted upon anonymity.

Events of last week indicate the trend of events in the area.

The Algerian Government nationalized properties of four foreign oil companies, the Phillips Petroleum Company, a member of the Royal Dutch Shell group of companies, a West German company and an Italian company.

The Iraqi Government supported the Algerian move, and urged all Arab oil-producing countries to cooperate to form a front against "international oil cartels."

Libya ordered a joint venture of Texaco, Inc., and the Standard Oil Company of California to cut back production. This followed a similar command to the Occidental Petroleum Corporation.

Libya blocked the loading of two special tankers built by the Standard Oil Company (New Jersey) to export liquefied natural gas from Libya to Italy and Spain.

These events were just harassments. Far more ominous was the growing power of the Palestinian guerrillas, who now appear to have captured a role in the actual governing of Jordan, where King Hussein had to choose between his closest friend and the Fedayeen and chose the guerrillas.

There are indications that the Fedayeen also appear close to having some say in the affairs of Lebanon. It is likely that their ever-expanding lists of supporters in other Arab countries will also exert influence over those countries, ranging from such conservative monarchies as Saudi Arabia to the "progressive" Arab states, such as the United Arab Republic. "It is no longer just Arab against Israeli; it is Arab government against Arab government and Arab revolutionaries against Arab governments. The mix has become that much more complicated, and a settlement that much more difficult," according to David Mizrahi, editor of the Middle East Report.

Mr. Levy, the oil economist, commented: "Even if the Arab Governments want to play it cool, there is now a very real question of whether they can. A United States Government policy decision such as sending Phantom Jets to Israel could trigger the masses. Whether the governments could keep control of the situation, even if they wanted to, is a very real question, and major destruction of United States-owned facilities a very real possibility."

PALESTINIANS SCATTERED

Mr. Levy pointed out that Palestinians in large numbers are scattered throughout the Arab world and that other groups such as the labor unions and religious Muslims would likely join in a crusade of destruction against anything American.

The most frightening aspect of the whole situation is that the world's two major nuclear powers, the Soviet Union and the United States, are coming closer and closer to an eyeball-to-eyeball confrontation.

Fuad W. Itayim, editor of the Middle East Economic Survey of Beirut, commented recently, "Vietnam is a brush fire. Either you (the United States) or the North Vietnamese could walk away from it at any time if one so choose. The Arab-Israeli conflict holds the potential to end the world."

KOHLER SEES DANGER

Foy D. Kohler, former United States Ambassador to the Soviet Union commented in a recent issue of the U.S. News and World Report, "I certainly regard the Middle East as the one area in the world in which the potential danger of an ultimate confrontation between the two powers is greater than anywhere else. That anywhere else includes Southeast Asia, which happens to be a very unhandy part of the world for Russia to project its power.

"But I don't think Russia wants a confrontation in the Middle East—at least not in the foreseeable future."

But what does the Soviet Union want?

One theory holds that the Soviets are in the early stages of practicing a subtle form of petroleum blackmail that would isolate the United States from the rest of the world. It holds that the Soviets are outflanking the United States in terms of control of world energy sources.

According to this theory, the Russians are exerting increasing influence in the Middle East, where some 62 per cent of the total world oil reserve and some 70 per cent of the "free world" reserves lie buried beneath the sand. Europe imports about 8.1 million barrels a day from Arab countries, or about 73 per cent of its total imports. Japan receives almost 80 per cent of her oil supplies from Arab nations.

SUPPLIES COULD BE CUT OFF

These supplies could be withheld, stopping the cars and factories of both the Western and Asian allies of the United States.

But this is not the only front on which the Soviets are active. The Russians, in a very business-like fashion, are selling natural gas to Europe.

The Russians, sitting on top of mammoth reserves of gas in Western Siberia and Central Asia, have so far this year signed agreements to exchange huge quantities of natural gas with Italy and West Germany for the large-diameter pipe necessary to build the pipelines and equipment needed to develop the fields. In September, 1968, the Russians began piping gas into Austria.

The new agreements mean that, in the near future a large part of Western Europe will be linked to the widely spread Soviet gas grid. Russian deliveries to Western Europe will be stabilized at about 11 billion cubic meters annually from the late nineteen seventies onward according to present agreements. These call for the Soviets to supply about 7.5 per cent of the West German gas requirements and possibly as much as 25 per cent of the Italian requirements.

POSSIBLE NEGOTIATIONS

The Russians, however, appear willing to negotiate for even larger deliveries to West Germany and possibly to Italy, and there is the possibility of some future deliveries to France. There have also been proposals for Russian deliveries to Finland and Sweden.

These moves have brought the Russians into direct competition with two of the most powerful capitalist organizations in the world, the Royal Dutch Shell Group and Jersey Standard, which jointly control the vast Groningen Field in Northern Holland. The Soviets so far appear to be beating the capitalists at their own game in giving the customers what they want at a price they are willing to pay. In the process the Russians are setting the energy supply patterns for Europe for the years to come.

The Soviets are also trying to sell natural gas to the Japanese on the same pipe-and-equipment barter basis. The ostensible purpose of the proposed export deal with Japan would be to help develop Russian gas reserves in the remote and underpopulated Eastern part of the U.S.S.R. with a minimum of capital expenditure. The Russians are trying to interest the Japanese in participating in the construction of a 1,000-mile pipeline from the new Yakutsk in Eastern Siberia to the Pacific port of Magadan. An earlier proposal invited the Japanese to get natural gas from the Island of Sakhalin.

AGREEMENTS SIGNED

The Russians at the same time have signed agreements to import gas on the basis of sheer economics from Afghanistan and Iran.

Advocates of the petroleum blackmail theory argue that in time the Soviets will be able to wean the NATO allies and the Japanese away from support of United States policy, as these governments and people become more and more aware that the energy that drives their economies is dependent on So-

viet good will. "It doesn't have to be crude. No threats. It can be very subtle and still very effective. One day the United States will find itself isolated."

Mr. Levy, the economist, for one, does not buy this theory in toto, although he subscribes to parts of it. He holds that the gas sales are for the very large part strictly commercial deals with only peripheral political mischief involved. He also believes that the Russians have no desire to become the middle men in Arab oil, and doubts the Arabs would allow that.

He contends, however, that a new flare-up in the Middle East over something like the sale of Phantom Jets to Israel could greatly diminish American participation in Middle East oil.

"The Arabs would likely try to do business directly with the national oil companies of the consuming nations. Europe would not be deprived of oil in any case, and it is unlikely that the Arabs would find any need for Russian brokers."

The one bit of good news for American and Western oil interests, was the discovery of a potential giant oil field in the North Sea giving Europe for the first time a major indigenous supply of crude oil. Some estimates have placed the find at 1 billion tons of oil, or more than four times present known total European reserves.

ARABS HOLD TRUMPS

It should be noted, however, that like the North Slope of Alaska, the find, although large, does not change the rules of the international oil game. Those fields are good cards for Western Europe and the United States to have in their hands, but the Arab nations still hold all the trumps.

Western Europe is at present consuming about 560 million tons of oil a year, and thus the 1 billion tons would supply the area for a year and a half. The Alaskan North Slope find would supply only two years of United States demand, if it were the only source.

There have been increasing rumors in recent days that the Russians intend to open the Suez Canal, the closing of which has affected the Russians relatively more than any other country outside Egypt. One version holds that the United States and Russia have come to an agreement to open the canal. The United States is supposed to pressure the Israelis to allow the Soviets to dredge the waterway, and, in return, the Russians would get the North Vietnamese to agree to a peace with honor for the United States in Southeast Asia.

A second version of the rumor says that the Russians intended to open up the canal despite any acquiescence from the United States by just sailing in dredges. If the Israelis fired, the Russians would fire back, all the time protesting that they were serving the world community of nations by opening an international waterway.

Proponents of a Russian "Grand Strategy Theory" contend that the Soviets are eager to get the canal open so that when the British pull out of the Persian Gulf area in 1971, they will be able to step in and control the area, completing the encirclement of the Arab oil wealth.

Supporters of this theory point out that Yemen, South Yemen and Aden are already under considerable Soviet influence, and only a potential alliance between Iran and Saudi Arabia stand in the way of Russian dominance of the area. They add that the Russians are also anxious to prevent the Chinese from increasing their influence in the area.

Despite the horrors and rumors of horrors, some oil and Middle East experts see hope of a settlement through the gloom.

A vice president at a major oil company commented, "Things are so frightening that the moderates on both sides have become increasingly anxious to work out some sort of arrangement before Armageddon."

Mr. Levy commented, "More and more, Israelis are beginning to believe that they can't win every war, and that they can't keep fighting forever."

Mr. Mizrahi, of the Mid-East Report, points out that an increasing number of responsible Arabs feel that their Governments and social structures will fall before Israel falls.

Those hopeful of peace point to the fact that in recent weeks Foreign Minister Aldo Moro of Italy visited with President Nasser, and, at the moment, Foreign Minister Abba Ebnat of Israel is in Italy. There are reports that the Pope has urged the Italian Government to make every effort to set up some sort of meeting of the minds, if not parties.

THE WORLD'S BIGGEST DATA BANK

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

Mr. BETTS. Mr. Speaker, even now, as the final count and tabulation connected with the decennial census goes on, there are thousands of users of census statistics gearing up to exploit this inventory of all Americans. I have never been against an accurate headcount, nor collection of related data about our citizens on a voluntary basis, nor dissemination of the statistical aggregates to a wide variety of users. However, the data collected in 1970 far exceeds what I believe to be related to maximizing the headcount, violates the privacy of millions of people by extracting dozens of sundry facts under criminal penalties, and its statistical outpourings will transgress what seems to me to be a proper application of this information.

Now that we are moving toward release of these census reports, I think Congress should be aware of how far-reaching will be the application of these facts. Two excellent articles are included in the May 1970 issue of Datamation magazine giving considerable documentation on the application of census data. While somewhat technical, I think laymen, as well as the student of computer technology, will understand the implications presented in these articles.

Mr. Speaker, I include the two articles at this point:

THE WORLD'S BIGGEST DATA BANK—YOU'RE IN THERE

(By Phil Hirsh)

In 1970, when the United States took its first decennial population census, each person was asked five questions and the statistical summaries for the whole country were printed on a total of 56 pages. This year, for the 19th decennial census of population and housing, there will be a total of 68 questions per person, the published tabulations will cover several thousand pages and contain more than 4 billion facts. A far greater volume of data—200% to 300% more than is published—will be distributed in machine-readable form.

The federal government was the sole user of the first census, but today the bureau's customers include virtually every governing body in the country as well as a substantial percentage of the business and university communities. The list probably will continue to grow rapidly.

Until now, most census statistics have been of only limited value to many users. A business firm, for example, has far less interest in the population and housing characteristics of a census tract than in the char-

acteristics of its trading area. A municipal government wants data on school districts, wards, and precincts far more than on the city as a whole. For both groups, separate statistics covering very small areas, such as individual city blocks, are particularly valuable. The 1970 census is the first one likely to satisfy most of these needs. Also, the data may be available quicker, which would increase its value by an order of magnitude.

The improved utility of the census is due mainly to development of new software which can reformat and reaggregate census statistics in ways specifically desired by the end user. Also, census users, for the first time, now have a practical method of relating census statistics to a random list of individuals. A marketing manager, for example, can now estimate the incomes of customers or prospects from the aggregate data published in the census tables—largely automatically. All he has to know is each individual's address.

NO INVASION?

Census Bureau officials insist that this new capability doesn't violate anyone's privacy. Census data is an aggregation of figures supplied by all those living within a particular area; so, even if a list of addresses is concentrated within a single census tract, it represents only a small subset of the individuals contributing information to the corresponding tables. The output, in other words, provides an approximate idea of individual incomes, but it doesn't tell how much an individual or family earns.

The bureau's critics say it's possible to violate privacy anyway, because the invader frequently doesn't need to see individual records. His basic problem is to find an area containing a high concentration of people with specified demographic characteristics relating to such things as age, race, marital status, number of children, and income. He can do this easily with the help of census statistics.

Once his target area is defined, the publisher of, say, Better Homes and Gardens, or a publisher of pornographic literature, can develop a direct-mail advertising campaign and get the literature into the mailboxes of everyone living within the area regardless of whether they want to receive it. The names and addresses are easily obtainable from commercial sources, once the mailing area is defined. For example, reverse telephone directories are available that list subscribers by address.

The same census data could, if manipulated cleverly, help determine whether an individual is hired for a job, admitted to school, granted a loan or an insurance policy, the bureau's critics contend. (See the article by Miller and Hoffman in this issue.) Here again, there is no recourse. If the employer, admissions officer, loan manager, or insurance agent draws unwarranted conclusions from the census about an applicant, he can't prevent it. The individual can't even refuse to supply his share of the data that generates such conclusions. Failure to fill out a census form is a federal offense, punishable by fine and/or imprisonment.

Whether the collection and distribution of census statistics invades personal privacy, or is a legitimate use of public money and government effort to promote the general welfare, has been the subject of a bitter, protracted battle in Congress and among academicians for several years. A number of bills have been introduced in Congress aimed at restricting the number of census questions that must be answered. Virtually all of this legislation has died, quickly. Recently, an organization called "The Committee for a Voluntary Census" was formed in Philadelphia; it has been telling the public, through newspapers ads, not to answer some or all of the questions on the census form, or alternatively, to answer only under pro-

test. The committee seems likely to have "all the impact of a snowflake falling on the broad bosom of the Potomac," to quote the late Everett McKinley Dirksen's immortal phrase.

The nerve center of the U.S. census operations is a huge complex of buildings in Suitland, Md., near Washington. In the bowels of this complex are four Univac cpu's—two 1107's and two 1108's—which do most of the processing.

After census questionnaires have been answered by the individual respondent, they go to Jeffersonville, Ind., near Louisville, where 35 microfilm cameras convert each return to a 1/2 in. microfilm record. Two questionnaires are processed per second. This operation will generate about 50,000 reels of microfilm by the time the '70 census is completed.

The film is shipped to Suitland and feeds into a battery of six fospic machines. The initials stand for Film Optical Sensing Device for Input to Computers.

Each fospic is a kind of mark-sense reader. Answers to census questions are recorded initially by darkening, with a pencil or pen, appropriately coded circles on the census form. When the form is microfilmed, the black dots become white ones. fospic detects each spot and then determines its position relative to an adjacent reference point. The variation in distance between the reference point and the possible answers to any question enables the circuitry to discriminate among them.

Fospic reduces each census return to a 120-character mag tap record, formatted in scxbs-3. The entire 1970 population-housing enumeration will be stored on about 8,000 reels of such tapes.

Each goes directly into the Univac complex, where, after being edited and checked for consistency, the data gets processed into a "basic record tape." The bar set will consist of about 210 reels. Successive passes of these 210 tapes through the Univac system generate the final census output. During each pass, separate counts are made of the answers to specific questions and, concurrently, the counts are aggregated to produce totals for the states, cities, census tracts, and other geographic areas represented in the published tables. The output is recorded on summary tapes which generate:

1. Bound volumes of statistical tables. A Linotron photo-composition machine at the Government Printing Office produces these tables by recording summary tape data on microfilm; then the microfilm image is burned into a photo-offset printing plate.

2. Public user summary tapes. These are sold to business firms, government agencies, and other statistics users who have access to computers, and wish to massage the data in additional ways. (Microfilm, microfiche, and punched card copies of census summary tapes are also available.) The tapes are offered in 7- and 9-track formats. The former are produced by the Univac equipment, the latter by a 360/40.

The 1107-08 complex at Suitland represents a big improvement in the bureau's dp efficiency. It has about five times the capacity of the 1105 equipment used to process the 1969 census. Each 1108 can do the work of about nine Univac 1's.

IF THEY'RE WORKING

This is the first decennial census in which most of the questionnaires are being mailed to and from each household. The bureau estimates that by using mailmen, it can get along with 24,000 fewer census takers. But overall costs are still expected to be greater than in 1960. Then, to count 180 million noses cost \$125 million. This time, to count an estimated 215 million individuals, the bill is expected to be about \$215 million.

The "mail-out, mail-back" areas encompass about 60% of the population. Essentially, these are the people living within

urban areas¹ who receive daily, house-to-house mail delivery service. The rest of the population will get census questionnaires by mail, but a census taker (the bureau prefers the term "enumerator") will come by several days later to collect the completed forms.

The biggest single improvement in the 1970 census is a vast increase in the quantity of machine-readable statistics. Some summary tapes were copied and sold to the public after the 1960 enumeration, but in 1970—for the first time—tapes containing data on all census questions will be available for all census tabulation areas.

This new capability is particularly important because much more data is released on tape than in the published tables. For example, the tables will display up to 256 separate statistics related to the population and housing characteristics of each census tract. The corresponding summary tapes will have up to 3,585.

Six sets of public use summary tapes will be generated from the 1970 census. The first set, containing data accumulated on the first pass of the basic record tapes through the Univac system, is scheduled for release between August and September of this year. Succeeding series will contain data accumulated on later passes—or "counts" as the bureau calls them. The final reel of the final count is scheduled for distribution in November '71.

The first three sets of public use tapes will reflect answers to 22 questions which every respondent was asked. The last three sets will be based on answers to 46 other questions put to a sample of the population—either 5, 15, or 20%, depending on the question.

The entire set of public use summary tapes, comprising 2,054 reels, will cost about \$100K. Individual reels will sell for about \$60. Text reels are also available, at the same price.

Tape orders have been accepted since the first of this year. They're being filled on a first-in, first-out basis. A minimum purchase, generally, consists of all the reels comprising "a complete file within a count for a particular state."

"Partial files will be prepared on a special order basis," the bureau adds. "However, this may involve some delay as well as additional expense."

The tapes are available in a 7-track version, coded in BCD at a density of 556 cpi, and in a 9-track, 800 cpi mode which employs EBCDIC format. The character set consists of 10 decimal digits, 26 alpha symbols, and six special characters plus a code for blank spaces. Each tape record consists of a header block, containing geographic identifier codes, followed by one or more data blocks. The block is subdivided into 120-character segments and has a minimum of 720 characters and a maximum of 2040. Data fields within each block contain either six or eight characters apiece. Header and trailer labels conform to the July '69 proposed USASI standard.

Further details can be found in "Technical Conventions for 1970 Census Summary Tapes" and "Character Set for the 1970 Summary Tapes." Both publications are available from The Central Users Service, Bureau of the Census, Washington, D.C. 20233.

FOR DO-IT-YOURSELFERS

The complete census user's kit includes several other items besides data tapes.

A "metropolitan map series" covers the urban cores of all standard metropolitan statistical areas (SMSA). There are 200 map sets and a total of 3100 sheets. Place and county maps for outlying areas are also available. Each map shows the boundaries and identification codes for all subsidiary census tabulation areas. Final versions of the

¹ For a definition of this and other census terms, see end of article.

maps should be out late this year (preliminary versions are now on sale). They cost about 75 cents per sheet. For further information, see the bureau's "Data Access Description" for December '69.

Possibly the most useful census accessory is an "address coding guide." It lists all the streets within the central city portion of a metropolitan area on a block-by-block basis, plus the range of street addresses along each blockface. Each listing also contains codes identifying the various census enumeration areas in which the blockface is located—e.g., the census tract, zip code area, and enumeration district. Essentially, the ACG is a directory in which a group of addresses can be looked up to find the census tables covering the related area or areas. From these tables, the user can then extract, again by computer, demographic information related to the individuals whose addresses are included in his list.

The bureau has developed a computer program called Admatch for correlating an address list with an address coding guide. The program is written in 360 assembly language. It runs on a DOS or TOS system, requires a minimum 32K byte core, and four tape drives. When this article was written, bureau officials were planning to release Admatch to the public "shortly," for a price of "about \$60-\$80."

Address coding guides have been developed for nearly all metropolitan areas, but they cover only those portions receiving regular house-to-house mail delivery service. Other areas will not be coded, says a Census Bureau official. The ACG's produced to date can be obtained as printed lists, or on 7- or 9-channel mag tape. Prices vary from around \$32 to about \$200, depending on the metro area selected. A complete description and price list are published in "1970 Census Summary Tape Users Memorandum No. 23," obtainable from William T. Fay, Chief, Geography Division, Bureau of the Census.

An updated address coding guide is now almost completed for all SMSA's. It will include areas overlooked in the first version, as well as recently annexed areas—provided, in both cases, that the residents get daily service from the Post Office foot patrol.

The census tract tables referenced by the address coding guide show the characteristics of all those living within a particular area; almost always, this is a far greater number of individuals than are represented by the addresses on the user's list. For a more refined analysis, he can give the Census Bureau his list. The agency will then perform a "matching study." This consists of going to the basic record tapes, extracting the census return of each addressee, and then summarizing—from just this data—the aggregate statistics desired by the customer.

A CHOICE OF CORRELATIONS

The cost and value of matching studies depend largely on how fussy the user is. For most business-related applications, it is necessary to match only addresses; based on studies done a few years ago for a bank in New Haven, Conn., the cost would probably be less than 5 cents/match, and census data could be found for 80-90% of the addresses on the user's list. The bureau has done similar jobs—for such agencies as the National Institutes of Mental Health—which cost \$1 or more per match and resulted in substantially lower correlation rates. But here it was necessary to match individual age, sex, and family relationship data, as well as the address, to each census record.

"Public use samples," consisting of individual census records which represent a 1% sample of the total U.S. population, are also offered by the bureau. All of these records are drawn from SMSA's having minimum populations of 250K. Individual names and addresses are not disclosed; all the customer knows is the names of the individual metropolitan areas. Public use samples

enable researchers to make correlations and analyses of demographic data which are not included in the summary tape statistical program.

Another way of tailoring census data to specific user requirements involves manipulation of a "geographic base file." This is an address coding guide enhanced with a "Dual Independent Map Encoding (DIME) System." Essentially, DIME identifies the street intersections adjoining each blockface by code number and X-Y coordinates, and also specifies whether the block face is on the left or right side of the street when a person faces in the direction of increasing house numbers.

When a list of addresses is passed against a geographic base file, the coordinate information is picked up along with the rest, permitting each address subsequently to be plotted on a computer-generated map. This latter operation utilizes a program called SYMAP, developed by Harvard's Laboratory for Computer Graphics. It's written in FORTRAN IV and runs on a 360/40 equipped with 128K core and four tape drives. The lab is selling SYMAP to nonprofit organizations for \$485, and to everyone else for \$776. A follow-on program, called SYMVU, will be available shortly. It generates oblique maps. The user can specify any angle and azimuth.

Linking geographic base file codes to demographic records makes it possible to map those areas which have a specified statistical relationship to each other—for example, areas with the same average income. The base file also permits special-purpose areas to be mapped. One user would be a company that wanted to realign its sales territories. The new territories could be drawn on a plotter once the boundary streets and intersections were specified.

The bureau expects to have geographic base files, without X-Y coordinate data, available for public sale by mid-'71. These will cover the smaller SMSA's. By the end of next year, geographic base files with coordinates are scheduled to be completed for "most SMSA's." Prices haven't been established.

FIGURE SIFTING SERVICES

Census users who don't want to juggle the statistics themselves can hire the Census Bureau or an outside specialist.

The bureau can do some chores the outsiders can't—for example, matching studies. Also, Uncle Sam's prices for some jobs may be less. But the private firms generally offer faster turnaround time, work more closely with users, and have more sophisticated software.

More than 60 of these firms have been organized in the past 18 months—one barometer of the rising interest in census data. As of last March, 47 of them had been recognized by the bureau as "summary tape processing centers." Recognition doesn't connote government approval or control, but it does provide valuable advertising: the name and address of each center is listed in various bureau publications. (See Summary Tape User Memorandum #17C, Jan. 23, '70, for a recent listing of recognized centers.) Also, when the bureau is swamped, it refers summary tape processing inquiries to the centers.

Ex-Census Bureau personnel staff many of the centers. Dualabs, in Arlington, Va., was founded by John Beresford, who played a key role in organizing the present summary tape program. Morris Hansen, who used to be the agency's associate director for research and development, is a senior adviser at Westat Reserach, a summary tape center in Bethesda.

Westat's "Censtat" program typifies the kind of special software available. The program reportedly enables a user to select census tables for analysis on the basis of specified, easily-changeable criteria. Censtat also derives arithmetic products—such as means, median, subtotals, and percentages—

from census summary tapes, and re-aggregates the data to show the characteristics of several different user-specified geographic areas.

A number of other dp companies are immersed in census-related activities. C.D.C. has developed a file-manipulation package called CENTRACT, while System Sciences has another called SIAM. SDC has designed census-based information systems for a number of local governments. It is also involved in a census R&D effort that began last year in Los Angeles. Among the other participants are IBM, Informatics, TRW, and International Time Sharing Co. ITSC reportedly is exploring the possibility of getting into centralized census files through remote terminals.

None of the census-processing fraternity, inside or outside the government, will admit their activities may be harmful. Elsewhere, however, well-qualified observers have criticized the proliferation of census-type data. One critic is Arthur Ross, Commissioner of Labor Statistics in the Kennedy Administration. On June 30, 1968, he told the Washington Post that:

"The issues which come here (Washington) are vast, intricate, ambiguous, intractable. Statistics enable us to grasp and describe these many-sided problems at the cost of heroic over-simplification. . . . No harm is done if a quantitative measure is seen for what it really is. But trouble sets in when the statistical abstraction is confused with the more complex underlying reality. . . . Immeasurable aspects of the problem may be vastly more important than the measurable (and) the validity of a particular measure may have been undermined by economic and social changes. Meanwhile, bemused by the appearance of objectivity and precision, the policymaker keeps his eye fixed on charts and tables which are sadly incomplete, obsolescent, or both. Eventually, he comes to believe that poverty really is a condition of having less than \$3300 income. . . . The ultimate hazard is not that officials fool the public but that they fool themselves.

In a 1965 paper entitled "Social Responsibility and Computers," Oliver G. Selfridge, of MIT's Project Mac team, said:

"Our privacy depends on the fact that the system has no efficient way of collating all the information (that is collected) and displaying it. . . . (But) even though that information is not collated, it soon can be, with the aid of the technology that we are helping to develop. . . . I asked before, Even if I have something to hide, why shouldn't I be able to hide it? The standard answer is that only the guilty have something to hide, and they shouldn't be allowed to do so. But what is a sin to one man, or the system, is not necessarily a sin to another. . . . We should understand that as computerized information processing becomes more prevalent, as the data bases spread throughout society, as the processing becomes speedier and more accurate, it may become very difficult to keep a skeleton in the closet. I think the human race would be the worse for that."

GUARDING THE DATA

The Census Bureau, according to its official pronouncements, takes numerous precautions to make sure that individual census records will be kept confidential. This includes requiring all employees to swear that they won't disclose census data on individuals to outsiders, and subjecting violators to stiff punishment. Another precaution consists of dropping names and addresses off each census record when the microfilm copy passes through FOSDIC. The original returns, after being microfilmed, are shredded and burned.

Elaborate software has been developed to prevent disclosure of information about individuals in the census tables. These routines are so elaborate and/or sensitive that bureau officials decline to discuss them in detail.

One official connected with this phase of the operation was asked whether "disclosure suppression" routines can do anything about a geographic area in which the range of a particular variable is extremely narrow. An example would be a block in which the monthly rent of the residents didn't vary more than 5 or 10%. In a situation like this, the aggregate statistics would tell, pretty accurately, how much each family was paying.

The disclosure suppression routine isn't designed to take care of such situations, said the official.

When asked about physical security, officials quickly point out that no Census Bureau employee has ever been accused, let alone convicted, of stealing a census record. This is hardly convincing evidence, though. The same thing could be said even if employees were stealing, provided they weren't suspected.

An official was asked whether tapes ever get lost. He answered that *data* is never lost, permanently, because it can always be regenerated. But what about the tape itself? The official admitted that in such a large operation, loss of tape is "possible."

Census records and programs are stored on roughly 100,000 reels of tape, which the bureau keeps in a "secure area" near the Univac complex. Formerly, programmers from a variety of bureau divisions, as well as machine room supervisors, had direct access to these tapes. Now, their requests are processed through librarians. Also, a semi-automated system has recently been installed to keep track of the inventory.

Officials insist that unauthorized visitors have never been able to remain very long in the tape library without being detected because "our own people are there constantly, and they'll question anyone they don't know." This visitor, after taking a tour recently, isn't so sure that statement is correct. There were lots of census employees in the tape library when I was there, but they all seemed preoccupied. The tape reels are stored on open racks; it seemed to me that a dexterous thief could snatch any of them and hide the tape under his clothing in a few seconds. No guards are stationed at the entrances to the tape library, or at any of the nearby exits from the building.

Nevertheless, the bureau is probably right when it says that census data is physically secure. This is due more to the nature of the operation than to intentional planning. If someone did steal a tape, he'd have trouble using it unless he had the related program. The data is recorded in machine code, and so it can't be printed out and read directly, except perhaps by the programmer who wrote the routine. There are so many records and so many different census enumerations warehoused in the tape library that finding a particular record is virtually impossible, especially since names and addresses are missing.

Another reason unauthorized leaks aren't a serious threat to the privacy of census respondents is because so much can be learned from the statistics which are obtainable legally.

A PERSONAL EXAMPLE

R. H. Donnelley Co. has developed a computerized system for printing personalized promotional letters which illustrates some of the dangers inherent in aggregate statistics.

I received one of these letters last fall. It came from Jerome P. DuFour, Sr., a complete stranger; he began by saying:

"I am amazed at the number of my friends who have dramatically increased their incomes in just the past few months." Then Mr. DuFour identified three people in my area who had allegedly increased their incomes by going into businesses of their own. He included their present and former incomes, as well as the names of their previous employers.

Most people who grow rich "started out

with no more money than the few hundred dollars you have in the bank right now," the letter continued. "Few of them had two cars like the Hirschs do. Usually, they had a car less desirable than your '65. . . . After making a careful household-by-household study of Washington residents with incomes in the critical \$12,500-19,500 range, I have selected you and Mrs. Hirsch as possibly being among the few who will take positive action if given the opportunity."

To find out what this "opportunity" was, my wife and I had to attend a meeting at a nearby motel, where, according to the letter, we would see "a fascinating portrayal of the techniques that led to the successes mentioned above."

This promotion piece is part of a direct-mail campaign launched in seven major metropolitan areas so far; it will be extended to several others in coming months. More than 70,000 letters have been sent out to date. They're designed to attract new distributors for "Holiday Magic," a line of cosmetics sold door-to-door. Dan Harding, the Donnelley account exec who developed the idea, says the letter has been "5-10 times more successful than conventional direct-mail efforts of this type."

The 1960 census, plus a private data base, provide the personal information that goes into each Holiday Magic letter, explains Harding. The first step is to analyze census tract data in a metropolitan area selected for a promotional mailing, and locate those neighborhoods having the highest percentages of residents with specified income, education, family size, and home ownership characteristics. Next, Donnelley consults its own data base. These records, drawn from state vehicle registrations and telephone directory listings, are also classified by census tract. They contain specific name and address information, plus additional facts indicating whether a particular individual is likely to be a good prospect for direct-mail advertising.

"You can learn a great deal about a person, just by knowing whether he has a telephone and/or a car," says Harding. Those who have neither are generally too poor to qualify as prospects, he explains. Telephone owners who don't own cars tend to be older individuals; car owners who lack phones are usually young people. Those with phones and cars consume far more, proportionately, than the other groups, and thus tend to be prime prospects.

The name and address information needed for each Holiday Magic mailing comes from Donnelley's telephone list—"It's the most up-to-date source," says Harding. The automobile file tells the kind, age, and number of cars owned by each individual—data that can generate additional inferences. For example, if the record lists a six-passenger car, the family almost certainly includes young children. The age of a car is a tipoff to how well the family is managing on its present income.

The telephone and auto registry lists are both recorded in machine-readable form, so selecting the desired prospects is essentially a sorting job. Next, the letters are generated by a program that reads the census tract code attached to each census and the auto registry list, and inserts this data in the text of the letter. The "success stories" are obtained from existing Holiday Magic distributors; they're accessed in basically the same way.

WHO ARE THEY POOLING?

One reason for objecting to the Donnelley letter was suggested recently by the Medford, Ore., Mail-Tribune: "We resent the implication that we are a simple-minded moron to be fooled by the versatility of an electronic gadget into thinking we're getting a 'personal letter when we're not.'" But much more than deception is involved.

Although Donnelley learns a great deal

about each Holiday Magic prospect, it doesn't really learn enough. For example, it doesn't know, ahead of time, whether the prospect has been involved in an auto collision that caused death or injury. Nor can Donnelley be sure that the couple receiving the letter haven't divorced each other, or haven't lost the homes or the jobs that qualified them as prospects. These are experiences which most people prefer not to be reminded of, especially by complete strangers who are obviously selling something.

Holiday Magic letters may not affront many people, but what is the justification for affronting anyone? Possibly, no one has been affronted yet. If the letter is as effective as Harding claims, though, Donnelley will soon be blanketing the entire country with these promotion pieces, and the statistical chance of upsetting people will grow accordingly. Does this prospect represent a threat to personal privacy?

Samuel D. Warren and Louis Brandeis (who later became a Supreme Court Justice) answered that question in 1890, when they wrote one of the first articles on the subject. They said the individual has a "right to be let alone" which he should be able to assert directly. In 1967, the President's Office of Science and Technology added that "The right to privacy is the right of the individual to decide for himself how much he will share with others his thoughts, his feelings, and the facts of his personal life. It is a right that is essential to insure dignity and freedom of self-determination."

If the Holiday Magic letter were based completely on voluntary survey data, there would be less to complain about. Individuals who answer such surveys presumably are aware of what they're letting themselves in for, and have a way out if they want to take it. Telephone and auto registration are less voluntary, but the individual who really wants to keep privacy inviolate still has at least a theoretical choice; he can give up owning an automobile and telephone. But the census questionnaire offers no choice to the individual who wants to stay within the law; he *must* answer the questions.

Donnelley's system, at present, is restricted to isolating good prospects, but the same basic statistical divining rod can be used to find good customers. This application could create additional threats to privacy.

Among the possible users of customer-qualification systems are insurance companies, banks, and loan companies. Each operates in a seller's market, where the cream of the prospects can be skimmed off, and the remainder ignored. Census-based statistical analyses can be a very effective cream-skimming tool.

A bank or an insurance company, for example, could correlate its "good" customers' addresses to the census tables, find the common demographic characteristics, and then accept new business only from applicants possessing these same characteristics. Or, the company could start with the poor risks and exclude applicants with similar characteristics.

Banks seem to be moving in this direction already.

Several months ago, a bank in Southern California opened a new branch; to generate business, it offered free checking accounts to a selected group of prospects. Before the promotional announcement was mailed, an L. A. service center, American Computer Resources, then known as Data Tab, was hired to analyze 1960 census tract data for the area surrounding the bank's branch. Data Tab found the areas with the highest concentrations of certain demographic characteristics. The company has done similar work for at least one other California bank. And the Census Bureau has done such work for a Michigan bank.

The most ambitious application of census

data by a business firm involved David Birch, an assistant professor at Harvard's business school, and a large New Haven bank.

Birch was one of the researchers who participated in the New Haven Census Use study that began about three years ago. He matched various groups of bank customers with census data collected from all New Haven residents in 1967, during a pre-test of the enumeration procedures being used this year throughout the country. The matching operation generated demographic profiles showing the kinds of people most likely to be interested in auto loans, home mortgages, credit cards, and other bank services. Birch also determined the demographic differences between delinquent customers and those who paid their loans on time each month. Another output consisted of projections showing future growth, and geographic locations, of the bank's likeliest prospects for specified services. Most of these outputs were displayed on computer-generated maps, besides being tabulated.

Insurance companies are also potential users of demographic profiles.

Three years ago, the House Judiciary Committee found that insurance policies are often canceled for reasons beyond the policyholder's control. One case involved a motorist who had been driving for 35 years without an accident. He was dropped because of a war-induced physical handicap. Another motorist was involved in two accidents; the company admitted that he wasn't at fault but canceled anyway because "our statistics indicate that drivers involved in accidents have a greater tendency to be involved in future accidents. This has applied to drivers . . . involved both in fault and non-fault accidents."

If the last statement reflects an industry-wide attitude, and the House committee's investigation suggests that it does, 1970 census information could be invaluable to insurance companies. They could correlate vehicle accident records, easily obtained from the police, with census data, and determine where "accident prone" drivers are concentrated. The companies could then raise the rates of people living in these "high-risk" areas.

Insurance companies already classify their customers into risk categories, of course. Motorists who live in cities pay more than those who live in rural areas. A teenage driver in the family escalates the premium substantially. But these rate differentials are based on data the companies collect themselves. Use of census data would change things drastically. The individual would be forced to give the government information about himself which could then be used arbitrarily by an insurance company to raise that individual's rates, limit his coverage, or deny him a policy altogether.

The Fifth Amendment protects individual citizens against self-incrimination, provided the government is both the extractor and user of the information. An insurance company or bank that uses census data to qualify customers is presently outside the scope of the amendment, yet these firms also have power to affect each citizen's "life, liberty, and pursuit of happiness."

Even if such companies don't use census statistics, they'll still be in a position to use the bureau's new coding schemes, mapping techniques, and software, not to mention the new tools being developed by commercial firms with the bureau's encouragement. For this technology can be applied to any large set of geographically based records. It simplifies the job of combining separate files. Quite possibly, businessmen will be motivated to develop more files on their customers, prospects, and employees, which would further increase the danger of self-incrimination.

Anyone who argues that census statistics invade privacy is quickly told that the cen-

sus does many good social works which would not happen if the answers to census questions were made voluntary and distribution of the data was restricted. In New Haven, for example, Prof. Birch found that Negro instalment loan customers tend to have no greater delinquency than whites. The bank subsequently began accepting more loan applications from Negroes. On the strength of this and other findings, it has opened three branches in the New Haven ghetto, and has been in the forefront of efforts to finance new Negro-owned businesses.

"Every loan officer has 'red-line' areas," explains Birch, "representing specific kinds of people he won't consider for loans. What we've done, basically, is to show that some of these people aren't really the poor risks the loan officer may have thought they were. So now he can evaluate loan applications with greater objectivity and less prejudice."

While all of this is undoubtedly true, it doesn't necessarily follow that computerized demographic analysis is always or even usually, better than human evaluation. A computer can be programmed to leave out human bias, but the statistics the computer works with contain a built-in bias of another sort.

As former Labor Commissioner Ross pointed out above, even when a statistically valid relationship can be established between a group's characteristics and the performance of individuals within that group, it's dangerous to jump to conclusions because of other factors that haven't been measured, or can't be.

The big advantage of manual evaluation is that the evaluator has a chance to measure these intangibles and be influenced by them.

The Census Bureau apparently realizes that aggregate statistics are capable of being misused because the following statement appears in a number of the agency's publications:

"If for any reason the Bureau feels that the purchaser of a special tabulation is making unfair or improper use of the information furnished, it may take such action as is deemed appropriate to protect the public interest."

But nowhere does the bureau say what it means by "unfair or improper use," nor does it specify what constitutes appropriate action.

Actually, it's impossible for the agency to do what it says.

Census officials ask each special tab purchaser how the data is to be used, but he can get around that question easily by saying the application is confidential; he'll still get his job processed. Or the customer can simply lie. The bureau doesn't investigate.

The growth of outside summary tape processing centers makes a bad situation considerably worse because now the bureau will have even less chance of determining how special tabulations are being used.

A company can be recognized as a summary tape center by filling out a simple questionnaire. "If the answers look bona fide," says a bureau official, "we recognize the company." Asked what he meant by "bona fide," the official said "no one has ever really figured that one out." But he didn't seem particularly worried. "The centers are entirely on their own," he pointed out. "We take no responsibility for their work."

Just possibly, the Census Bureau is right when it says people don't endanger their privacy by answering census questions. But, in view of the rather informal procedures used to monitor summary tape applications and summary tape centers, no one really knows. Even if no one's privacy has been violated so far, the danger of misuse would appear to be growing because of the recent proliferation of census statistics, applications, and software, and the virtual certainty that more proliferation is coming. The pace of change is suggested by the fact

that, in 1960, the bureau's "public use samples consisted of individual census records representing a 1/100th sample of the U.S. population. Names, addresses and geographic areas were not disclosed. In 1970, the bureau is offering a 1/100th sample, identifying the SMSAs they are drawn from, and providing the user with a demographic profile of each community so he can determine how representative the related portion of the sample is. The next logical step would be to increase the size of the sample further and offer a set of tapes, each one covering a different SMSA or region (the current public use sample is recorded on a single reel). Users still couldn't identify any individual but they'd be able to make more refined statistical analyses, thereby increasing the appeal of customer-qualification and direct-mail targeting systems.

Since the cost of direct-mail advertising continues to go up, the appeal of computerized techniques for prequalifying each mailing list is clearly growing. Meanwhile, program budgeting and other system analysis techniques are becoming more popular. It may not be long until just about every business decisionmaker has jumped aboard the bandwagon. With this kind of conditioning, they are apt to be much more receptive to "people-qualification" systems based directly or indirectly on census information.

Political support for using such techniques is also bound to grow, as the user market increases. This implies more pressure on Congress to authorize more questions and more-frequent enumerations. A bill authorizing a mid-decade population and housing count was passed in the last Congress by the House but not the Senate. The same bill has been introduced in the current Congress.

Possibly the most effective method of arresting these trends would be to establish an independent federal commission, authorize it to license summary tape processing centers and review copies of all data tabulated from census statistics. Along with the data, the user would have to submit a complete documentation trail showing how he traveled from initial input to final output. If the commission found that a tabulation violated individual privacy, it would have the power to bar use of the statistics by issuing an administrative order. Users who felt victimized would be free to take their complaints to court.

The commission could be financed by users of census statistics. They are now getting statistics from the bureau for a small fraction of what it would cost them to get the same data on their own, so higher prices and additional control are logical.

Regulatory commissions admittedly have a tendency to be taken over by those whom they regulate. But there are ways of coping with that problem, too.

One is to staff the commission with people of different viewpoints. In this case, the number of civil libertarians and constitutional lawyers should at least equal the number of statisticians and marketing types. Hopefully, the commission would also include at least some individuals familiar with the inner working of computer hardware and software.

One area the commission could profitably explore is the advisability of making some census data available to a restricted group of users. There can be little argument, for example, that government officials need family income data to plan health, welfare, and similar social betterment programs. But it isn't necessarily true that the same information, aggregated to the same geographic levels, should also be distributed to direct-mail houses.

The commission might also study the kinds of problems that do, and do not, lend themselves to census-based statistical analysis. Projecting population growth is almost certainly more reliable than evaluating alterna-

tive birth control programs on the basis of demographic correlations.

The commission idea has already been suggested by Alan Westin, who is possibly the nation's leading authority on privacy. He and a group of associates recently received a \$149,500 grant from the Russell Sage Foundation to look into this and related matters.

Meanwhile, Congressman Cornelius Gallagher of New Jersey has announced plans to introduce legislation establishing a "federal data processing commission."

But neither Westin nor Gallagher has worried very much about the threat to privacy posed by census data. The bureau's chief critics have been Rep. Jackson Betts of Ohio and Sen. Sam Ervin of North Carolina. Both legislators have tried—so far without success—to limit the number of mandatory census questions.

No one will be exactly surprised if Congress continues to let the Census Bureau operate more-or-less as it pleases.

DEFINITION OF TERMS

An urbanized area consists of a central city or cities plus an urban fringe. At least one of the cities must have a minimum population of 50,000. The fringe area includes incorporated places with 2500 inhabitants or more, and "closely-settled" areas of 100 housing units or more.

A Standard Metropolitan Statistical area (SMSA) must have one city with 50,000 residents or more, two cities with contiguous boundaries and "constituting, for general economic and social purposes, a single community." The smaller of these two cities must have at least 15,000 residents, and the two, together, a total population of at least 50,000. SMSA's must also meet a number of lesser qualifications. Urbanized areas generally comprise the thickly-settled portions of Standard Metropolitan Statistical Areas.

Minor Civil Divisions (MCD's) include election districts, towns, townships, and in some areas, entities known as "beats" and "gores." Census county "divisions" are another kind of MCD. They are county subdivisions, akin to townships.

Census Tracts are MCD's within, and adjacent to, large cities and SMSA's, generally having about 4,000 residents apiece.

An Enumeration District (ED) originally represented the territory that could be covered by a single census enumerator. Where enumerators are being used for the 1970 census, each ED contains about 750 people. In the areas where forms were mailed to each respondent and mailed back, the ED encompasses about 1500 individuals.

GETTING A PERSONAL DOSSIER FROM A STATISTICAL DATA BANK—BEWARE

(By Lance J. Hoffman and W. F. Miller)

(NOTE.—Mr. Hoffman is a research assistant in the Computer Science Department of Stanford University. He was previously with Systems Development Corp., Control Data Corp., and Bolt Beranek and Newman, Inc. He has a BS in math from Carnegie Institute of Technology, an MS in computer science from Stanford, and is working towards his PhD in computer science at Stanford. Dr. Miller is currently vice president for research at Stanford University where he has previously been associate provost for computing and professor of computing science. Prior to this, he was with the Argonne National Laboratory for nine years. He is a member of the Computer Science and Engineering Board of the National Academy of Sciences and is listed in Who's Who in America. He holds a BS, MS, and PhD from Purdue University in physics and mathematics.)

With enough work it is possible to obtain a personal dossier from a statistical data bank. A privacy safeguard sometimes proposed¹ is the restriction on the access procedures to

permit read-out of only statistical summaries. (In the extreme one could remove from the file such identifying information as name, address, Social Security number, etc.) Data banks which return only summary tables of numbers of persons with given characteristics such as age, education level, etc., are referred to as "statistical" data banks. Data banks which return an individual's identifying information are referred to as "dossier" data banks. It has been pointed out that this distinction is largely illusory.² We present here an algorithm which, with enough work and sufficient additional information, can be used to identify individuals in a statistical data bank. We propose "threat monitoring"³ as a procedure which, while not foolproof, gives substantial additional protection of privacy in statistical data banks.

DEDUCING A SALARY RANGE

Suppose that we wish to determine whether John Doe earns over \$50,000 per year and we know that his data is stored in a statistical data bank. Suppose also that we already know that he is a 39-year-old lawyer with an LLB degree, has four children, has been married twice, and lives in New York City. When we ask our data bank the question, "How many people are in the data bank with the following properties:

age 39
education level is LLB
male
has 4 children
lives in New York City
profession is lawyer
has been married twice?"

let us say that we get back the answer "57 people." If we then ask, "How many people are in the data bank with the following properties:

age 39
education level is LLB
male
has 4 children
lives in New York City
profession is lawyer
has been married twice
salary exceeds \$50,000 year?"

and the data bank returns "57 people" again, we have discovered from our "statistical" data bank the "intelligence" that John Doe's salary exceeds \$50,000 per year. We have obtained information on a specific individual even though the query algorithm we used returned only counts of instances, and did not return names. We would have been able to do this even if specific identifying information such as name had not been stored in the data bank.

Suppose we know that data on Richard Roe is contained in a statistical data bank. Let us take some nonsensitive information we know about Richard and use it to form a question for our data bank system. "How many people are in the data bank with the following properties:

age 39
education level is LLB
male
has 4 children
lives in New York City
profession is lawyer
has been married twice
received MS degree from MIT in 1950
graduated from Harvard in 1948?"

If the answer is "1 person," we've hit the jackpot! For we can now extract *all* the information about Richard Roe in the data bank by simply adding more conditions, one by one, to our question. For example: "How many people are in the data bank with the following properties:

age 39
education level is LLB
male
has 4 children

lives in New York City
profession is lawyer
has been married twice
received MS degree from MIT in 1950
graduated from Harvard in 1948
has been convicted of a felony?"

If the answer to this question is "1 person," then Richard Roe has been convicted of a felony; if it is "0 people," he has not. Again, we have obtained personal information from a "statistical" data bank which does not return names or other identifying information directly.

THE GENERAL ALGORITHM

We now present the general algorithm for compiling a dossier from a "statistical" data bank. First, let us state our assumptions:

1. We assume that the data bank query algorithm will return to the inquirer $\#(P_1)$, the number of instances (people) with given property P_1 but it will not return the names or other identifying information about the people included in this count. That is, the algorithm permits one to get aggregate data in the form of the count of the number of instances of a certain type, but it does not return anything other than the count.

2. The query algorithm will permit requests not only for a count of the instances of a given property, but also for a count of the instances of a conjunction of properties. For example, one might ask for the number of people with property P_1 (age greater than 30) and property P_2 (female) and property P_3 (not living in New York City), i.e., $\#(P_1 \& P_2 \& P_3)$.

Now, if we denote the number of people with properties P_1, P_2, \dots, P_m in common by $\#(P_1 \& P_2 \& \dots \& P_m)$, the following algorithm determines whether a person (called Mr. X) has property P_0 (given that we *a priori* know a number of his other properties P_1, P_2, \dots, P_N): Use the search algorithm to determine whether $\#(P_1 \& P_2 \& \dots \& P_N) = 1$. If so, then $\#(P_1 \& P_2 \& \dots \& P_N \& P_0) = 1$, Mr. X has property P_0 . Otherwise Mr. X does not have property P_0 . (We used this method to determine that Richard Roe had been convicted of a felony.)

The scheme will fail if we do not know enough about Mr. X to identify him through his properties P_1, P_2, \dots, P_N , i.e. if $\#(P_1 \& P_2 \& \dots \& P_N) > 1$.

There is a variation of this scheme, which we used to deduce John Doe's salary range. Suppose we know that Mr. X is included in the count of people who have properties $P_1, P_2, P_3, \dots, P_N$ in common. If the count of people with properties $P_1, P_2, P_3, \dots, P_N, P_0$ in common is the same, i.e., if $\#(P_1 \& P_2 \& P_3 \& \dots \& P_N \& P_0) = \#(P_1 \& P_2 \& P_3 \& \dots \& P_N)$, then we know that Mr. X has property P_0 . For this variation of the scheme to work in practice, the count will have to be small in order that one can expect all members in the count to also have P_0 . If $\#(P_1 \& P_2 \& \dots \& P_N) \neq \#(P_1 \& P_2 \& \dots \& P_N \& P_0)$

we cannot determine whether Mr. X has property P_0 unless we have the earlier case where

$$\#(P_1 \& P_2 \& \dots \& P_N) = 1.$$

The problem we are illustrating is well known to census bureaus and other agencies charged with publishing statistical summaries and at the same time protecting the privacy of individuals. Their policy is to avoid publishing summaries with small counts which might permit identification.

One way of protecting against the type of search we have illustrated is to use threat monitoring. Threat monitoring control programs monitor all requests to the system and keep audit trails. It can be used to detect excessively active periods of use of the data base, too many successive questions which are quite similar or which result in small counts as answers (therefore raising the possibility that a dossier extraction, such as in

Footnotes at end of article.

the examples above, is being carried out), etc. Even with threat monitoring, if the extraction procedure is concealed among legitimate request traffic, it will be quite hard to detect. This should serve to remind the proponents and builders of "statistical" data banks to very seriously consider the problems of privacy. Only a few⁴ have really taken advantage of various methods of access control developed to date.^{5,6,7}

FOOTNOTES

¹ Dunn, E.S., Jr., Statement in [8], pp. 92-95.

² Baran, P., Statement in [8], pp. 119-135.

³ Petersen, H. E., and Turn, R. System implications of information privacy. Proc. AFIPS, 1967 Spring Joint Comput. Conf., Vol. 30, Thompson Book Co., Washington, D.C., pp. 291-300. (Also available as Doc. P-3504, RAND Corp., Santa Monica, Calif., April 1967)

⁴ Hanlon, Joseph. Precautions Preclude Misuse of Student Data, Computerworld, 4 March 1970.

⁵ Hoffman, Lance J. Computers and Privacy: A Survey. Computing Surveys 1, 2 (June 1969), 85-103.

⁶ Weissman, Clark. Security Controls in the ADEPT-50 Time-Sharing System. Proc. AFIPS 1969 Fall Joint Computer Conference, 119-133.

⁷ Hoffman, Lance J. The formulary model for Access Control and Privacy in Computer Systems. Ph. D. Dissertation, Stanford University, Stanford, Calif., 1970.

⁸ U.S. Congress, The computer and the invasion of privacy—hearings before a subcommittee of the Committee on Government Operations, House of Representatives, 89th Congress, Second Session (Gallagher Report), U.S. Government Printing Office, Washington, D.C., 26-28 July 1966.

SHARE FEDERAL REVENUES WITH STATE AND LOCAL GOVERNMENTS

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

Mr. BETTS. Mr. Speaker, on September 24, 1969, I introduced H.R. 13982, the Revenue Sharing Act of 1969. This bill embodies an innovative proposal by President Nixon to share a portion of our Federal revenues with State and local governments. In introducing the bill, I was joined by 87 of my colleagues in this House.

Since that time, an exceptionally broad and popular base of support has emerged in behalf of this vitally needed reform of our intergovernmental fiscal system. Every major organization representing State and local governments has endorsed revenue sharing. Public opinion polls show over 70 percent of Americans in favor of its enactment. A strong bipartisan support for revenue sharing exists in both Houses of the Congress.

This breadth of support is not surprising in view of the obvious need for this program. Our current approach to aiding States and localities is badly in need of reform and consolidation. Overlap, duplication, redtape, and inefficiency abound in the crazy quilt network of some 500 grant-in-aid programs in existence today. Beyond this need to operate our fiscal affairs more sensibly and more flexibly, there also exists an urgent need for financial support of State and local governments. They are asked

to deal with our most critical social and domestic problems, but their fiscal resources are already strained severely.

Revenue sharing represents a valuable supplement to our existing Federal aid efforts. Most importantly, it offers a way to extend this effort in a broader, fairer, and less conditional manner. Local priorities and needs will determine the allocation of funds.

I would strongly urge, and I hope the other Members of this body will join me, that we make every effort to see that revenue sharing is brought before us for consideration before we adjourn this fall. This is a subject of the highest priority, focusing directly on our domestic needs and the responsiveness of our public institutions.

At this point, I would like to insert in the RECORD a copy of a very recent memorandum from the President to the senior members of his administration discussing revenue sharing. This document provides an excellent restatement of the arguments for revenue sharing, and re-emphasizes President Nixon's strong personal desire to see its prompt enactment. I commend this memorandum to the Members of the House as an important policy statement and description of the revenue-sharing proposal.

THE WHITE HOUSE,
Washington, June 24, 1970.

Memorandum: For senior administration officials.

Subject: Revenue sharing.

This Administration came to office at a time when many Americans were frustrated (often justifiably) with the performance of existing governmental institutions. We have, therefore, proposed basic changes in the domestic policies of the Federal Government. The Administration's new domestic policies, taken together, constitute a strong effort to reform major program systems, renew our federalism, and strengthen the capacity of governmental institutions—at the national, State and local levels.

Last August, I submitted to the Congress a proposal for sharing a portion of Federal revenues with State and local governments. This innovative program is designed to extend Federal assistance to these governments in a broader, fairer, and less conditional manner.

Over the years this mechanism will have a substantial economic and political effect on our Federal system.

The arguments in favor of revenue sharing are as strong as ever:

1. We have a serious "fiscal mismatch." The Federal government has the superior revenue-generating system. The other levels of government have the major domestic expenditure requirements. The Federal government has long recognized this discontinuity between public needs and resources. So far, we have chosen to bridge the gap through the mechanism of categorical grants-in-aid to State and local governments. Next year, nearly \$28 billion will be spread over 500 separate and uncoordinated aid categories.

2. We need to design better systems for delivering Federal program assistance and better methods of fiscal assistance. Revenue sharing represents a valuable and necessary supplement to our existing financial assistance efforts. Increased resources and additional decision-making responsibility will be transferred to State and localities. Local discretion and flexibility will be encouraged. Citizen discontent over the inability of the Federal government to deliver services effectively provides strong incentive to decentralize some governmental decision-making.

3. The revenue capacity of State and local government is severely strained—despite their considerable efforts. During the 1960s, the States made over 300 increases in major taxes, either enacting new taxes or raising rates on existing ones. Property taxes are very high in many areas. These governments need financial help. The simplest, most direct, and fairest way to provide that help is through revenue sharing.

4. Adequate provision of basic public services is a matter of high national priority. Revenue sharing is directly responsive to this need. We look to our States and localities to provide these services, and revenue sharing funds represent vital support for our domestic programs.

5. Americans not only are frustrated with the performance of governmental institutions, but also with the unresponsiveness of these institutions to local concerns. The individual citizen can have the largest impact on public policy through his State and local governments. By strengthening these governments, revenue sharing can enhance individual contributions to public decision-making. Through revenue sharing an important measure of political power is returned to the people.

I want to emphasize the importance of revenue sharing in our total domestic policy. Revenue sharing is the financial heart of the New Federalism.

Under the New Federalism, major aims are to define more clearly functional responsibilities among levels of government and strengthen governmental institutions at all levels. Welfare, for example, is appropriately a national responsibility. In addition to providing equity and dignity for the poor, the Family Assistance Act will relieve State and local governments of rapidly rising costs for welfare.

In areas which are primarily State-local responsibilities, revenue sharing and other measures which the Administration has advanced will strengthen the capacity of States and localities to make decisions which reflect their own priorities and needs.

In the first full year of the Family Assistance Program, fiscal relief for states and localities will be nearly \$600 million, in addition to the currently estimated revenue sharing program of \$1 billion.

I encourage all of you to become familiar with the basic elements of the Administration's revenue sharing proposal and to make known, at every suitable occasion, our strong desire to secure its enactment in 1970. A very brief description of revenue sharing, along with major questions and answers, is enclosed.

RICHARD NIXON.

SUMMARY OF THE ADMINISTRATION REVENUE-SHARING PLAN

The leading features of the Administration's revenue-sharing proposal are as follows:

First, the total amount to be shared will be a stated percentage of personal taxable income—the base on which Federal individual income taxes are levied. The fund will grow fairly rapidly from a currently projected program of \$1 billion on a full-year basis to reach \$5 billion by the mid-'70s.

Second, the distribution of the fund among the states will be based on a simple formula that assigns primary weight to population, but also gives some weight to tax effort exerted in the State.

Third, the distribution within each State between the State government and the localities will be based on a formula, so that each unit of general government within a State will be assured a share that is proportionate to its own revenues raised.

Fourth, no program or project restrictions will be placed on the use of the funds made available by the Federal Government. Each State, county, city and town will rely on its

own judgment, and allocate the funds as it deems best.

The distinguishing characteristics of this proposal are:

(1) *Simplicity*—objective statistics and clearly defined procedures are used;

(2) *Fairness*—all general purpose local governments participate, regardless of size;

(3) *Dependability*—State and local governments can count on the funds in their planning; and,

(4) *Discretion*—State and local governments are free to use the funds wherever they determine the need most pressing.

QUESTIONS AND ANSWERS ON THE ADMINISTRATION'S REVENUE-SHARING PROPOSAL

1. Q. *What is the purpose of this proposed legislation?*

A. The ultimate purposes are:

To restore to the States their proper rights and roles in the Federal system with a new emphasis on local initiative and discretion;

To provide both the encouragement and the necessary resources for local and State officials to exercise leadership in solving their own problems;

To restore strength and vigor to local and State governments;

To achieve a better allocation of total public resources.

2. Q. *Why do State and local governments need revenue sharing?*

A. One reason is due to what President Nixon calls the "fiscal mismatch." Federal tax receipts, based largely on incomes, tend to grow faster than the economy. At the local level, the reverse is true. State and local revenues, based heavily on sales and property taxes, do not keep pace with economic growth, while expenditure requirements for education, health, welfare, and other local services tend to exceed such growth.

3. Q. *But doesn't the Federal Government provide aid to State and local governments already?*

A. Yes. Federal grants to State and local governments will amount to \$24 billion during fiscal year 1970 and an estimated \$28 billion in 1971. But this assistance is being distributed through a confusing array of nearly 500 separate program authorizations. A basic objective of revenue sharing is to supplement the existing Federal aid effort with broader and less conditional fiscal assistance. In this manner, both funds and the responsibility for their proper allocation will be transferred to the States and localities.

4. Q. *But if some "surplus" revenue develops at the Federal level, why not reduce the Federal tax take—leaving the field open for States and localities?*

A. This is not a matter of sending back to the States "excess" Federal revenues left over from Federal program requirements. Revenue sharing should be viewed as an expenditure for a basic national purpose—strengthening the financial base of our Federal system of government. It should be evaluated with other expenditure programs and assured delivery to State and local governments.

5. Q. *How much money is to be shared?*

A. The size of the total fund to be shared will be a stated percentage of personal taxable income—the base on which Federal individual income taxes are levied. To provide for an orderly phase-in of this program, the FY 1971 percentage will involve new obligatory authority of \$275 million for the last quarter of the year—or \$1 billion on a full-year basis; subsequent fiscal year percentages will be increased annually up to a permanent one percent for fiscal year 1976 and thereafter. On this basis, we estimate an appropriation for fiscal 1976 of about \$5 billion.

6. Q. *The initial amount of revenue sharing does not sound like much, particularly when it is split up among 50 States and thousands of cities and counties. Wouldn't this just be a drop in the bucket for most communities?*

A. Given the current and near-term budget outlook, we realistically faced two alternatives for introducing revenue sharing: (1) either delay introducing the plan until funds are available to begin a full-scale program, or (2) establish the plan now and provide for phased increases as budget resources permit. The second course of action is clearly preferable. With all the competing claims for limited Federal revenues, it is important to establish the principle of revenue sharing as soon as practicable.

7. Q. *Can the States and localities depend on this flow of funds to be regularly appropriated?*

A. In order to provide for the assured flow of Federal funds, a permanent and indefinite appropriation will be authorized and established for the Department of the Treasury, from which money will be automatically disbursed each fiscal year, as required by the revenue sharing act.

8. Q. *How will the funds be distributed?*

A. The funds will be distributed from the Federal Treasury to the 50 States and the District of Columbia. Each State will receive an amount based on its share of national population, adjusted for the State's revenue effort. The revenue effort factor provides the States with some incentive to maintain (and even expand) their efforts to use their own tax resources to meet their needs. Revenue effort is the ratio of total general revenues collected by State and local governments in a given year to the total personal income of that State.

9. Q. *Will the States be required to share some of this distribution with their local governments?*

A. Yes. The allocation of a State's share among its general units of local government will be established by prescribed formula. The proportion which an individual local government will receive corresponds to the ratio of its own revenues to total State and local government revenues in the State.

10. Q. *Why are these particular distribution formulas used?*

A. Distributions based on revenues raised have several important advantages:

They make allowance for State-by-State variations in preferences;

They tend to be neutral with respect to the current relative fiscal importance of State and local governments in each State;

They provide a method for allocation among government units with overlapping jurisdictions.

11. Q. *By sharing revenues with every city, county, and town, is the effectiveness of this plan diluted too much?*

A. We are unable to find an acceptable or logical point at which revenue sharing funds should be denied a local government. Some proposals would exclude all cities and counties of less than 50,000. All local governments are faced with fiscal pressures, often especially acute for small communities, and all deserve specific inclusion in the revenue-sharing program.

12. Q. *What restrictions or qualifications will be imposed on the use of these funds?*

A. There will be no program or project restrictions on the use of these funds. One purpose of revenue sharing is to permit local authorities the programming flexibility to make their own budget allocation decisions. Each State will be required to meet minimum reporting and accounting requirements.

13. Q. *Are State and local governments able to establish proper social priorities for the allocation of their revenue sharing funds?*

A. The answer can be obtained by examining the pattern of State and local spending. From their own revenue, they have consistently spent the lion's share on education, health and hospitals, and public welfare.

14. Q. *How do the various State, county,*

city and other local officials view this revenue-sharing proposal?

A. We have had numerous discussions with governors, mayors, and county officials on this proposal. There has developed a remarkable degree of approval. Revenue sharing has now been enthusiastically backed by the national associations of governors, mayors, county commissioners, and other State and local leaders.

15. Q. *How much of a new administrative apparatus will be required to administer revenue sharing?*

A. None. The plan has been designed to operate almost automatically, avoiding any requirement for the establishment of any new Federal bureau or agency. The whole purpose is to avoid Federal controls and to increase the fiscal discretion available to State and local governments.

WILLIAM J. DONALDSON, JR.

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

Mr. McCORMACK. Mr. Speaker, on this day, June 30, a career that spanned 59 years as an aide to the House of Representatives comes to a close.

William J. Donaldson, Jr., a former superintendent of the House of Representatives press gallery for 47 years and a member of the staff for 58 years, will leave our service after a record tenure.

Originally appointed in 1912, Bill Donaldson served with 10 Speakers of the House beginning with Champ Clark of Missouri and 11 Presidents starting with William H. Taft.

Since he became a member of that staff in the 62d Congress, the membership of accredited correspondents has risen from approximately 200 to a current total exceeding 1,000. The House of Representatives met for the first time with a new increased membership total of 435 at the beginning of his career.

Bill Donaldson has witnessed most of the major political news events in this century.

He attended the 1912 Democratic Convention in Baltimore that nominated Woodrow Wilson and subsequently managed press seating and arrangements for 24 successive national political conventions. Additionally, he supervised press needs at the third-party conventions of Parker in 1916, LaFollette in 1924, and Wallace in 1948.

Bill Donaldson performed a similar task at Presidential inaugurations and joint sessions and meetings of the Congress. For many years the start of Presidential news conferences began with his "All in, Mr. President," announcement.

I have had the pleasure of Bill's friendship for 42 years. It would be most difficult to find anyone who knew more publishers, editors, and political writers than Bill Donaldson. At one time or another they worked in the Washington press corps with him. He has known hundreds of individuals who have served in this Chamber. Lending a hand to a Member of Congress or a correspondent was his constant goal.

Mr. Speaker, the Press Galleries are an important part of this legislative body. We all realize the vital necessity of having an informed public that has

a daily awareness of our deliberations and accomplishments.

The professional staff of the Press Gallery, headed in an exemplary manner for so many years by Bill Donaldson, contributes mightily to that achievement. His zeal for fairness, impartial judgment, and ability to interpret our actions, free of political flavor, for news purposes is a lasting tribute to him and a great legacy for his successor. It is a fitting monument to this gentleman whose unique skills enriched the House of Representatives and the journalistic community.

I hope his health will improve so that he and Mrs. Donaldson may enjoy many future years of pleasure and happiness.

PANAMA CANAL—DANGERS AHEAD

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

Mr. HALL. Mr. Speaker, on May 16, 1970, a White House press release announced the appointment of Daniel W. Hofgren, as a special representative of the United States for the Inter-oceanic Canal negotiations, with the rank of Ambassador. The stated purpose of these negotiations are reaching new agreements regarding the Panama Canal to replace the original and workable 1903 treaty, under which the Panama Canal was constructed and has been subsequently maintained, operated, and protected.

In view of the repudiation by the people of Panama of the 1967 proposed new treaties and strong opposition to them in the Congress, they were never executed and were discredited. Thus, the Hofgren appointment gives warning to the Nation that the ignominious 1967 treaty proposals are to be resurrected, and that the indispensable U.S. sovereign control over the strategic isthmian waterway is again threatened.

That public understanding of the problems involved by this action of our Government is now widespread, is shown by a "letter to the editor" of the Chicago Tribune in the June 3, 1970 issue, by Capt. Franz O. Willenbacher, an experienced naval officer, and able attorney.

In order that all Members of the Congress may have the full text of the Willenbacher letter and the press release, for ready references; I request that they be inserted at this point in the CONGRESSIONAL RECORD for reading in connection with the Panama Canal sovereign resolutions now before this body. The two documents follow:

BETHESDA, Md.,
May 28, 1970.

CHICAGO TRIBUNE,
Letters to the Editor,
Chicago, Ill.

DEAR SIR: While on active duty in the Navy Department, during a period which included 1936, I shared responsibility for the maintenance of certain national defense aspects of the Panama Canal and participated in the drafting of some of the provisions of the Hull-Alfaro treaty of 1936-39. Since then, I have continued to keep informed concerning our Atlantic-Pacific Inter-oceanic Canal policy and recognized as highly signifi-

cant then, the appointment of Daniel Hofgren "to take over the direction of negotiations with Panama for a new Atlantic-Pacific Canal" announced on May 14, 1970.

A former Wall Street investment manager and now a Presidential assistant, Mr. Hofgren would be a member of our Panama Canal treaty negotiating team under Chief Negotiator Robert B. Anderson, a leading advocate of a "sea-level" canal and a strong proponent for surrendering U.S. sovereignty over the Canal Zone, the indispensable protective frame of the canal.

As the policy questions involved affect the security of the United States, and of the entire Western Hemisphere as well as vast sums of our taxpayers' money, they must be understood in realistic perspective.

On June 26, 1967, the Presidents of the United States and Panama announced the completion of negotiations for three proposed new treaties with Panama that would—

(a) Surrender United States sovereignty over the U.S. owned Canal Zone territory to Panama;

(b) Make that technologically primitive and unstable country a partner in the management and defense of the Panama Canal;

(c) Grant to the United States an option on a site for a new canal of so-called sea-level design, which is not needed and which has been discredited in recent objective scientific studies; and

(d) Eventually, give to Panama, not only the existing Panama Canal but also any new canal constructed at huge cost, all without any compensation whatsoever.

Through the journalistic initiative of the Chicago Tribune, the texts of these treaties were published, causing a national sensation. Quoted by Senator Strom Thurmond in addresses to the Senate on July 17, 21 and 27, 1967, they raised a storm of protests in Panama and strong opposition in the Congress and were never signed.

Starting on October 27, 1969 Theodore Roosevelt's birthday, more than 100 members of Congress introduced or co-sponsored identical House resolutions opposing any surrender at Panama. In this connection, it should be noted that the negotiations of the proposed new canal treaties completely ignored Article IV, Section 3, Clause 2, of the U.S. Constitution that vests the power to dispose of territory and other property of the United States in the Congress (Senate and House) and not alone in the treaty making power of our government (President and Senate). The net total investment of the United States from 1904 to 1968 in the Panama Canal, including its defense, is more than \$5,000,000,000, which raises the question exactly who would benefit by such a colossal give away of U.S. territory and property as agreed to by the Anderson negotiating team without the authorization of the Congress.

Meanwhile, the clarification in the Congress of the principal problems of increased transit facilities has resulted in the introduction of identical measures in both Senate and House for the major increase of capacity and operational improvement of the existing Panama Canal through the adaptation of the Third Locks Project to provide a summit level terminal lake anchorage at the Pacific end of the Canal to match the layout at the Atlantic end. This proposal is strongly supported by experienced independent engineers, geologists, navigators, defense experts, nuclear physicists, marine ecologists and others, who condemn the sea level project in the strongest terms.

Thus, the problem before the Congress is twofold: (1) the reaffirmation of U.S. sovereignty and ownership of the Canal Zone and Panama Canal; and (2) the full modernization of the present canal. As this program is best not only for the United States and its overburdened taxpayers but also for Panama, the time for further procrastination on

this vital issue has passed and the time for action has come.

In view of the perilous confrontations by the United States with Soviet power in various countries, it is utterly unthinkable to ignore the realistic facts involved. The inevitable result of surrender at Panama as provided in the proposed treaties will be Soviet control of the Canal, the Isthmus, Central America and other parts of the Western Hemisphere. Remember Cuba!

FRANZ O. WILLENBACHER,
Captain, U.S. Navy, retired, Attorney
at Law.

THE WHITE HOUSE,
May 16, 1970.

The President today announced the designation of Daniel W. Hofgren of New York City as Special Representative of the United States for Inter-Oceanic Canal Negotiations, with the personal rank of Ambassador. He succeeds John N. Irwin II, who resigned on April 21, 1968.

The Inter-Oceanic Canal Negotiations between the United States and Panama were undertaken in 1964 for the purpose of reaching new agreements regarding the Panama Canal, to replace the original 1903 treaty. Robert B. Anderson, former Secretary of the Treasury, has headed the United States negotiating team since the talks began. Daniel Hofgren will become Ambassador Anderson's principal assistant.

Hofgren, 33, has served as a Special Assistant to the President since January, 1969. Prior to joining the White House staff, he had spent seven years as financial advisor to the Edwin Jay Gould estate in New York and had been active in the investment business in the United States and Latin America. In the summer of 1957, while still an undergraduate at Colgate, Hofgren worked at the White House as an aide to Cabinet secretary Robert Gray. Following his graduation in 1958, he had several assignments in international youth affairs—in 1958 as a consultant to the American Council on NATO for Atlantic Youth Affairs and in 1959 as Director of the Paris Conference for Political Youth Leaders and Organizations and as a delegate to the Atlantic Congress in London. Hofgren was a member of the Board of Foreign Scholarships from 1959 to 1962.

Hofgren is married to the former Alexandra Walton Smith; they have one son.

HEARTLESS TREATMENT

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

Mr. HECHLER of West Virginia. Mr. Speaker, I am shocked by the heartless attitude expressed in the following Associated Press account of comments by Peter Ferretti, vice president of Consolidation Coal Co. concerning recovery efforts at the mine in Farmington, W. Va., where 78 miners lost their lives on November 20, 1968. I consider these statements to be reprehensible, and in particular the inference that this mine or sections thereof may be ready for production. If the widows of the miners must join hands at the mine entrances, I will join with them to prevent any production at Farmington until the bodies of those who perished are recovered.

The text of the article follows:

HEAT MAY HAVE CREMATED BODIES OF
76 MINERS

(From Huntington, W. Va. Herald-Dispatch,
June 19, 1970)

FARMINGTON, W. Va.—The bodies of 76 miners still entombed in fire-scarred Consol

No. 9 mine here may never be recovered because extreme temperatures in the mine may have reduced them to ashes.

Though mine officials say they "don't know what we'll find," it is generally conceded extreme heat from explosions and fires may have turned the mine into a crematorium.

Peter Ferretti, Vice President of Consolidation Coal Co. said the explosions and fires which raged through the mine for 10 days beginning Nov. 20, 1968, sent temperatures as high as 3,000 degrees.

The human body deteriorates at temperatures of about 2,000 degrees.

Ferretti declined to speculate on what recovery crews, which have been working since the mine was unsealed last fall to recover the bodies, might find.

He did say, "A person would have to be awfully, awfully foolish to predict what we're going to find."

Ferretti said there was no way of estimating how long it will take recovery crews to completely open the western section of the mine, where the 76 men were working in eight separate crews at the time of the disaster. He indicated it could take several years.

The bodies of two miners were recovered last fall about 1.5 miles from the most heavily damaged portions of the sprawling north central West Virginia mine. Their deaths were blamed on the concussion from the explosion Ferretti said. The area where they were found was not heavily damaged by the fires.

Ferretti said a "horrendous mistake," was made when the mine was permitted to remain unsealed for 10 days after the disaster.

"Never in the history of coal mining has a fire been permitted to rage like that one," he said.

He said the mine was permitted to remain open so long "because of the widows and the news media" and was particularly critical of television coverage of the disaster.

He said the shock of the initial explosion was so violent that it destroyed the ventilation system, permitting the mine to be flooded with "poisonous gases that would kill people immediately."

"Within 12 hours, the atmosphere showed there was no chance to sustain life, even if barricades had been erected," Ferretti said.

Last weekend recovery workers made their way to within about 200 feet of the location where one seven-man crew was last known to be working when the mine exploded.

But massive rockfalls and extensive fire damage have prevented passage into the Six North working face where the crew was stationed.

The recovery workers have discovered extensive cracks in overhead rock formations, massive rockfalls and heavy layers of soot.

An unwritten law of the coalfields demands that no mine be returned to production so long as bodies are trapped within it.

However, Ferretti said it would be possible to prepare for production in the eastern sections of the mine at any time. But, he declined to speculate on whether this will be done other than to say that at some time new plans may become necessary.

Meanwhile, recovery crews continue their grim task around the clock, except on Sundays.

LEGISLATION FOR THE CONSUMER—END THE SHRINKING BILLING PERIOD

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

Mr. RYAN. Mr. Speaker, the Federal Trade Commission has recently issued a formal policy statement directed at a problem which afflicts thousands of con-

sumers daily. This problem—the "shrinking billing period"—arises when debtors receive billing statements only shortly before, or even subsequent to, the date by which payment must be made if a financing charge is to be avoided. And the reason this problem arises is because creditors are delaying—whether by inadvertence or by intention—mailing out their statements.

This is a problem which is easily remedied. And it is a problem which should be remedied, because its existence causes needless expense to consumers perfectly willing and capable to pay their bills—if only they know how much must be paid soon enough to avoid the financing charges imposed for late payment.

Previously, I introduced H.R. 15060, which addresses this problem. And today I am reintroducing this bill, in modified form (H.R. 18271) to require that billing statements must be mailed by creditors at least 21 days prior to the date by which payment must be made in order to avoid imposition of that finance charge. If they are not mailed in sufficient time, the creditor loses his ability to impose a finance charge for the billing period in question.

The Federal Trade Commission, in its consumer credit policy statement No. 3, entitled "The Shrinking Billing Period," has quite cogently stated the position of the agency whose function it is to safeguard the welfare of consumers:

The Truth in Lending Act and Implementing Regulation Z do not now set forth any specific time within which creditors are required to send periodic billing statements to their customers. However, the Commission feels that the law contemplates that the periodic billing statement should be mailed in time to give customers a reasonable opportunity to have the payment posted before the end of the period within which finance charges may be avoided.

H.R. 18271 would enact into law this "reasonable opportunity" which the Federal Trade Commission seeks.

As the policy statement notes, the established practice is for creditors to allow a customer 25 to 30 days from the billing date to pay the full "new balance" owed—that is, the total amount owed in the account and thereby avoid an additional finance charge. My bill would simply require that the creditor cannot delay until the 24th or 29th day and then send out the statement—the obvious consequence of such delay being that the debtor will be forced to experience imposition of the finance charge. Under H.R. 18271, which amends the Truth in Lending Act, the creditor would have to send his statement out at least 21 days prior to the payment date. The result is simple—protection of the consumer.

The Truth in Lending Act is an attempt to prevent creditors' abuse of their customers. Requiring creditors to mail their billing statements 21 days prior to payment date is clearly a reasonable amendment to this end. Slow mail service itself accounts for significant delay. And an even more important factor calling for this amendment lies in the situation whereby a wage earner dependent upon a periodic pay check cannot obtain sufficient funds within the 1 or 2 days left

to him to pay by the time he receives his billing statement. If this wage earner had sufficient time between the date of receipt of the statement and the date of required payment, he would, in that interim, receive another pay check and would thereby be able to pay the bill he intended to pay—with the very important difference that he would not be forced to also pay a finance charge.

Certainly the experiencing of finance charges should be within the power of the debtor. If he is dilatory, he should be penalized. But, he should not suffer penalty because of the incompetence, inadvertence, or even deviousness of the creditor. Insuring the creditor's power to control whether or not he will experience an additional financing charge, and precluding the creditor from infringing upon that power, is entirely consistent with an act which seeks to prevent the abuse of customers by their creditors.

The Federal Trade Commission's policy statement concludes:

The Commission urges retailers to send their periodic billing statements as promptly as possible so as to allow consumers the maximum advantage of that time period.

My bill converts the Commission's administrative urging into legislative mandate. In light of the persistence and ubiquitousness of the shrinking billing period, I think this a necessary step in protecting the consumer.

AMEND HARMFUL TRADE LAWS

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

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter which I recently received from a friend and constituent of mine who states that foreign imports are ruining his business.

I was very much distressed to receive this unfavorable report from an established, successful businessman, but I have received many others like it. As I predicted, it describes the only logical result of the trade bill, and unless this bill is drastically changed, or even scrapped and replaced with a realistic one, it will mean hundreds and hundreds of closings and widespread unemployment throughout the country.

I again urge a drastic overhaul, or replacement of the trade bill to prevent this very harmful flow of cheap products of all kinds from overseas, and I will support any legislation designed to accomplish this end.

Time is of the essence, and there is no time to lose and I again appeal to the able, distinguished chairman of the House Ways and Means Committee, my esteemed friend, Chairman MLLS, and his very able and distinguished committee to rise up in their power and wrath and promptly bring a bill to the floor of the House that will put an early, full, stop to the process of trade ruination that presently besets so many small and large industries and their faithful workers.

Over a period of time many expedients have been proposed to check or stop destructive foreign imports. Revisions to

prevent one-way free trade so-called; safeguards to limit excessive imports, quotas—anything to curb the flood of cheap, sweatshop goods produced at low costs no American industry can meet in reasonable competition.

Quotas are out. The Japanese will never accept them on a rational basis. They must be excluded from the list of effective remedies.

What this Congress must do is to recapture its historic powers to control the flow of merchandise and goods of many kinds into this country in large quantities that will produce depression in many areas as well as very harmful, widespread unemployment, unless they are checked:

We want to trade with all nations on a reasonably profitable basis, but we cannot tolerate one-sided trade of any kind that is destructive to our industries, our workers, and our great economy.

The letter follows:

JUNE 16, 1970.

HON. PHILIP J. PHILBIN,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PHILBIN: For whatever it may be worth, let me comment further on the international trade situation. We here have laid off 350 employees in the last 6 months. This represents almost half our personnel. We may well have to lay off many more employees, assuming we can survive present difficulties. Under obviously no longer valid long-range plans, we had expected to be employing twice as many employees, 1400 people, in this fiscal year.

Why? The answer is simple. With American costs, we cannot compete with Japanese imports. Their industry, government and business work together for the aggrandizement of the Japanese economy and society. Unfortunately, this is not the case in the U.S. We should copy the Japanese in how they make their economy grow at a rate three or four times that of ours with expectations for this to continue for the foreseeable future.

How do they do it? First of all, they're using our methods, our money—that is letters-of-credit, and our technology. What technology they can't just appropriate, they rent or buy. Secondly, business in Japan is, in effect, an extension of public policy through economic means. They can borrow ten times the money that a U.S. company can from the commercial banks which are backed by the Bank of Japan. They also receive substantial subsidies, support and almost ironclad protection from foreign competitors in their domestic market. Under the GATT agreements, they are maintaining illegal import restrictions on about 122 commodity classes.

Japan has become a major U.S. competitor and they've used Judo—namely, using an opponent's strength against himself; with U.S. methods, money and technology, they are making their economy work far better than we are. They have the most intelligently directed economy in the world and we would be well advised indeed to look to Japan and copy them for a change.

Thanks to an inflationary recession, courtesy of the U.S. Government and the Japanese economic invasion, courtesy of the Japanese and U.S. Governments, our small, independently owned business is having very serious difficulties.

I would think that this country's best interest might be served not by quotas, tariffs or retaliation against the Japanese—it's already too late for that. Large segments of some American industry are devastated by the economic invasion and are, or soon will be, too dependent on oriental products for this to be viable.

We here cannot but feel that deliberate

decisions may have been made, say in the State Department, to sacrifice the shoe and, perhaps, textile industries to foreign countries for political reasons. Whether this is indeed the case, is entirely immaterial. This country would be well-advised to harken to words of wisdom so that we copy Japan for a change and make our economy work far better than it is doing and thereby equal or exceed what the Japanese have shown an economy can and should do.

The Japanese Government is an aid and ally to Japanese business, providing all sorts of assistance. I wonder what the U.S. Government has done for our industry and the small businesses that pioneered in our field? I think that the fact that we are the last significant independent who hasn't been forced out of business or into a merger, and that we are in trouble from imports after 23 years of innovation, technical leadership and progressive good management, should be answer enough.

MINORITY VIEWS IN OPPOSITION TO GOVERNMENT SUBSIDY OF THE ARTS

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

Mr. CRANE. Mr. Speaker, the minority views on the pending legislation (H.R. 16065) present the most eloquent plea I have ever read in opposition to Government subsidy of the arts. Because I believe these views deserve a wider audience than they have received, I ask that they be included in the body of the RECORD at this point. The minority views on H.R. 16065 follow:

MINORITY VIEWS

We are opposed to the committee bill (H.R. 16065) and strongly urge its rejection by the House of Representatives.

I. FALSE ASSUMPTIONS UNDERLYING THE ARTS AND HUMANITIES ACT

The National Foundation on the Arts and Humanities Act of 1965 which the committee bill would amend rests on certain assumptions which are completely without foundation and which the bill would do nothing to modify. One of these is what should be accurately labeled as "the myth of American cultural backwardness." This is the wholly erroneous belief that the American public is being deprived of adequate access to cultural and artistic activities and experiences because of the lack or inadequacy of Federal governmental financial aid to the arts and the humanities.

The facts are to the contrary. There is no country in the world where the arts and humanities, taken as a whole, are more widely studied, trained for, practiced, or supported by the public, as even a superficial investigation would reveal.

A second such assumption appears to be that the Federal Government, apart from the Arts and Humanities Act, is doing nothing by way of financial aid in these fields. Again to the contrary, the Federal Government is making substantial grants and loans to colleges, universities, and their students, both graduate and undergraduate, not only for study, teaching, research, and facilities in science and technology, but in the humanities as well.

Another of these false assumptions is that the alleged inadequacy of financial support for the arts can be remedied only by direct Federal aid in the form of monetary grants for virtually any and all artistic purposes and activities.

Actually, the American public voluntarily spends tremendous sums on spectator activities and entertainment that may well be

designated as forms of popular culture. The sale of phonograph records, tapes, record players, and recording devices is enormous. So are their expenditures on motion pictures, television sets and equipment radios, musical instruments, sheet music, popular magazines, and paper back books. Nothing can be more certain than the conclusion that these private and voluntary purchases are greater than the voluntary expenditures for similar products by the consuming public in any other country on earth, and probably greater than all such expenditures throughout the rest of the world combined.

We are quite aware that our self-constituted intellectual and artistic elite look with contempt on what they regard as these essentially vulgar and lowbrow entertainment and recreation preferences of the vast majority of the American people. Although we do not agree that their contempt is justified, even if it were so, the fundamental principles of a democratic society such as our own, require that the people be free to spend their own money to gratify their own tastes in matters of "culture" and not be compelled to pay for "cultural" products in which they have no interest and which they do not voluntarily support in the cultural marketplace.

Even if our people were as poor as church mice, literally unable to spend a single penny to purchase the kind of entertainment which they obviously prefer, and even if the vast majority of the public believed that entertainment and recreation were as essential as food or shelter, and hence justified extensive Government aid, the Government if it were to remain genuinely democratic would be compelled to help them secure the kind of cultural fare they wanted and not what a small self-constituted elite decided they should be given, even if they preferred something else.

II. LACK OF QUALIFICATION OF GOVERNMENT FOR DECIDING CULTURAL VALUES AND PRIORITIES

There are other aspects of the existing act and the present proposed amendment thereto which are equally objectionable. Even if one were to assume that public taste in artistic and cultural matters should be on a more elevated level, is Government qualified to decide, by its expenditure of public funds, which of these allegedly more elevated activities should be aided in preference to other activities on the same level?

Thus during the recent hearings on what became the committee bill, separate witnesses appeared representing the symphony orchestras, the artistic dance groups, and the museums, both art and science, of America. Each witness plainly regarded his own interest as not only the most seriously in need of Federal aid, but by clear implication the most worthy of receiving such aid. Moreover, within each of the separate fields there are strong differences of taste and judgment. Thus, one of the witnesses for the symphony orchestras felt that the established music that is usually referred to as classical (Mozart, Beethoven, Bach, Schubert, and so forth) is the best music and hence should receive primary support rather than the new and the innovative, and that symphony orchestras are the best device for achieving such objectives.

Similarly, should larger sums of Federal aid go to museums giving primacy to traditional painting and sculpture or to those giving first place to modern and experimental art; to abstract painting or to representational painting; to the work of Jackson Pollock or that of Thomas Hart Benton? Similarly, who should have first call or get the larger share of Federal money—the modern dance or the classical ballet? Obviously, there can never be enough Federal aid, realistically speaking, to satisfy all the claimed needs of the many different segments of the arts and the humanities and even the varying claims within each art or field of humanistic study themselves.

What qualifications does Government or

its agents have for making these judgments or justifying on cultural grounds the priorities it establishes? It is qualitatively wholly different from Government granting public funds to provide food for hungry people. In such a case the need and its priority are clear and unequivocal, yet despite the simplicity of the problem, there are widely different opinions on how the problem is best to be handled. In fact, it is safe to say, that in the cultural realm, the judgments of Government are not only far from the best, but all too often, prove in the judgment of posterity to have been the worst. Neither Mozart nor Johann Sebastian Bach ever succeeded in securing a post appropriate to what we now know to be their superlative musical genius—they were always passed over in favor of musicians who we now realize were infinitely inferior to them, and in some cases, musicians whose music is never performed and whom posterity has consigned to total oblivion.

Several years ago, while the act was in its infancy, Russell Lynes, one of the editors of Harper's magazine wrote, and we quote:

"I am not worried about creeping socialism in the arts, but about creeping mediocrity. The less the arts have to do with our political processes, I believe, the healthier they will be."

Again, one of our most important living writers, outstanding novelist and playwright Thornton Wilder, opposed as unnecessary a program of Government subsidy for the creative artist, and explained why in an interview with the Washington Post:

"There are no Miltons dying mute here today," he said, adding that from every small American town "anyone who can play the scales" is rushed off to Vienna to study music on money raised by the local music appreciation club.

Noting that this phenomenon is partly based on cultural snobbery ("Everyone from the well-to-do middle class feels he must have a handpainted painting today."), Wilder prefers to have foundations provide grants as subsidies where subsidies are needed.

He said the Government should not subsidize a national theater because the voters would then become critics with the power of censorship at the polls. Today, he said, they properly exercise their critical rights by refusing to go to a play to which they object.

The act and the committee bill amending it set forth no standards for artistic excellence, and understandably so for whose judgment and taste are so impeccable as to command universal approval? As a result, unless the Federal funds are channeled to those who have already achieved recognition and success and thus are least in need of such aid, much of the money will go to mediocrities and even frauds, whose so-called cultural activities are often merely a facade for concealing their desire to avoid the responsibilities of earning a living by doing necessary work which they find much duller and uninteresting and which confers no social prestige and arouses little public enthusiasm.

What significant art has been discovered and nourished by means of financial assistance from the National Foundation on the Arts? The answer is "virtually none." But this was inevitable. All we need to confirm this inevitability is to recall the arts projects under the WPA during the depression years of the thirties. The important creative individuals who emerged from the activities of the thousands of Uncle Sam's beneficiaries participating in those projects can probably be counted on the fingers of one hand. But the money similarly spent under the present act doesn't even have the justification of helping to relieve poverty and joblessness as was true of the wages paid to employees on the WPA art projects during the depths of the great depression.

Compared to other periods in history and to other nations of the world, the American artist today has never had so large a consuming public nor so affluent a one. And as a result, never have there been more individuals earning decent incomes in the practice of the arts nor have opportunities to do so ever been so great.

Nevertheless, other eras in America's history have been far more productive creatively. The 19th century, during which America was far poorer than it is today and Government provided virtually no aid of any kind, produced a literature that far surpasses what our country has been able to produce since World War II. It gave us Edgar Allan Poe, Mark Twain, Nathaniel Hawthorne, Ralph Waldo Emerson, Henry Thoreau, William James, Henry James, Josiah Royce, George Santayana, Walt Whitman, Henry Adams, Emily Dickinson, Sidney Lanier, and others too numerous to mention. Would anyone have the temerity to assert that our contemporary artistic pygmies could find a place in this exalted company?

But we need not go back so far. In the period between the two wars which included the years of the great depression we produced the novels and stories of Ernest Hemingway, William Faulkner, John Dos Passos, Scott Fitzgerald, Thomas Wolfe, Thornton Wilder, Ellen Glasgow, Willa Cather, Theodore Dreiser, Sinclair Lewis, Sherwood Anderson, the plays of Eugene O'Neill, the poetry of Hart Crane, E. E. Cummings, Ezra Pound, Robert Frost, Wallace Stevens, William Carlos Williams, Marianne Moore, Robinson Jeffers, and Carl Sandburg. Who would dare to claim that the present generation of writers is worthy of comparison with this galaxy of talent? Yet, these men and women received no governmental aid and commanded no market as large and affluent as do our contemporaries.

We think we have said enough to demonstrate that a program of Federal aid to the arts and humanities does nothing to help develop cultural genius or talent, and that it may, as Russell Lynes indicated in the statement we have quoted lead to mediocrity instead.

III. THE FUNDS AUTHORIZED ARE TOO LARGE

In any event, if the arts and humanities program is not repealed and is permitted to continue, there can be no good reason for doubling the funds granted to it as the committee bill provides. Certainly the program has achieved nothing to justify its existence to say nothing of increasing its financial support at the expense of the already overburdened taxpayer who constitutes the vast majority of the American public. But the pattern has been established—the less successful a Federal program proves to be, the more clamorous become the demands of its proponents for additional and increased public funds. Every failure is asserted to be the result of inadequate financial aid from the Government, despite the fact that our greatest cultural achievements were attained without a penny of Federal aid.

In any event, with the steady increase of inflation, the financing of any unnecessary Federal program simply stokes the inflationary flames. Taxes have risen, government expenditures continue to expand, unemployment is growing, the value of the dollar shrinks steadily, welfare demands become more vociferous, pollution and poverty are to be extirpated, hunger eliminated, social security increased, housing provided—in the face of these ever more strident demands, where can one find an equally urgent need for a Federal subsidy to the arts and humanities?

To the contrary, these are appropriately placed on the lowest rung on the ladder of social priorities. Every additional penny spent for them, constitutes virtual robbery from those whose needs are infinitely more urgent. Hence, it is intended that an amend-

ment will be offered to reduce the funds authorized by half, thus cutting them back to the level of last year.

IV. OPEN-END AUTHORIZATION

The committee bill extends the act for 3 years, authorizes \$40 million for the first year, and leaves the authorization open ended for the second and third years.

We strongly object to the open-ended authorization. Such provisions remove every limit upon the sums which may be appropriated with the sky the limit. We believe that the legislative committee which reports a bill requiring the expenditure of public funds has the duty to set the upper limit to be spent on the program established by the legislation and not to shift this duty to the Appropriations Committee which had nothing to do with formulating and developing the substance of the bill.

If the Congress in the future desires to increase the funds to be spent on the program, new legislation can always be adopted increasing the sums authorized. This is the only responsible way to legislate.

V. NO HEARINGS PRINTED NOR 1969 FISCAL YEAR REPORT OF THE ARTS FOUNDATION FILED WITH CONGRESS

When the committee voted out this bill, there were no copies of the testimony printed nor were copies of the Arts Foundation's 1969 fiscal year report filed with Congress. The committee staff informed one committee member that the printed hearings would not be available "for months."

Before the House considers this type of legislation, all Members should have an opportunity to study the hearings on the bill and review the 1969 fiscal year report of the Arts Foundation.

WILLIAM J. SCHERLE,
EDWIN D. ESHLEMAN,
EARL F. LANDGREBE.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States has more miles of paved roads than any other nation in the world. The United States has over 2,800,000 miles of surfaced roads compared to 485,000 miles in France, the second ranked nation.

PRESIDENT NIXON'S REPORT ON CAMBODIA

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD the summary and full text of President Nixon's report on Cambodia released at the California White House today.

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

There was no objection.

The report follows:

SUMMARY OF THE PRESIDENT'S REPORT ON CAMBODIA

All American troops have withdrawn from Cambodia on the schedule announced at the beginning of the operation. Together with our South Vietnamese allies, they have just completed successfully the destruction of enemy base areas along the Cambodian-South Vietnamese frontier.

RESULTS OF THE OPERATIONS

Allied sweeps through enemy occupied sanctuaries in Cambodia will:

1. Save American and allied lives in the future;

2. Assure that the withdrawal of American troops from South Vietnam can proceed on schedule;

3. Enable the program of Vietnamization to continue on its current timetable;

4. Enhance the prospects for a just peace. These results will flow from the following:

The elimination of an immediate threat to our forces and the security of South Vietnam.

The capture of great amounts of enemy supplies.

The ending of the concept of immune Cambodian sanctuaries for the enemy.

The dislocation of enemy supply lines and strategy in the southern part of South Vietnam.

The bolstering of the morale and self-confidence of the South Vietnamese army.

The maintenance of U.S. credibility.

UNDERLYING BASIS FOR U.S. ACTION

It was North Vietnam—not the U.S.—which brought the Vietnam war into Cambodia.

It was the presence of North Vietnamese troops on Cambodian soil that contributed to the downfall of Prince Sihanouk.

It was the government appointed by Prince Sihanouk and ratified by the Cambodian National Assembly—not a group of usurpers—which overthrew him, with the approval of the National Assembly.

It was the major expansion of enemy activity in Cambodia that ultimately caused allied troops to end five years of restraint and attack the Communist base areas.

FUTURE U.S. POLICY FOR CAMBODIA

The following will be the guidelines of U.S. policy for Cambodia:

There will be no U.S. ground personnel in Cambodia except for the regular staff of the U.S. Embassy in Phnom Penh.

There will be no U.S. advisers with Cambodian units.

The U.S. will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia towards South Vietnam and to re-establish base areas relevant to the war in Vietnam.

The U.S. will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

The U.S. will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army.

The U.S. will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia and welcomes efforts of the Djakarta Group of countries to encourage Asian cooperation to this end.

The U.S. will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material to help Cambodia preserve its neutrality and independence.

SAIGON'S ROLE

The U.S. understands that Saigon will remain ready:

To prevent reestablishment of base areas along South Vietnam's frontier.

To assist in the evacuation of Vietnamese civilians and respond selectively to appeals from the Cambodian Government should North Vietnamese aggression make this necessary.

Most of the South Vietnamese operations will be launched from within South Vietnam and there will be no U.S. air, logistic support

or U.S. advisers on these operations. The primary objective of the South Vietnamese remains Vietnamization within their country.

THE SEARCH FOR PEACE

The President reaffirms his paramount objective of achieving a negotiated settlement and appeals to Hanoi to join in this effort, emphasizing:

Hanoi cannot impose its will through military means. The U.S. has no intention of imposing its own will.

The U.S. has not raised the terms for a settlement as a result of Cambodian successes nor will it lower its minimum terms in response to enemy pressure.

The U.S. reiterates all previous proposals—public and private—searching for a political solution that reflects the will of the South Vietnamese people and allows them to determine their future without outside interference.

The U.S. recognizes that a fair political solution should reflect the existing relationship of political forces. The U.S. pledges to abide by the outcome of the political process agreed upon by the South Vietnamese.

The U.S. pledges renewed efforts to bring about genuine negotiations for a just peace in Southeast Asia.

REPORT BY THE PRESIDENT ON THE CAMBODIAN OPERATION

Together with the South Vietnamese, the Armed Forces of the United States have just completed successfully the destruction of enemy base areas along the Cambodian-South Vietnam frontier. All American troops have withdrawn from Cambodia on the schedule announced at the start of the operation.

The allied sweeps into the North Vietnamese and Vietcong base areas along the Cambodian-South Vietnamese border:

Will save American and allied lives in the future;

Will assure that the withdrawal of American troops from South Vietnam can proceed on schedule;

Will enable our program of Vietnamization to continue on its current timetable;

Should enhance the prospects for a just peace.

At this time, it is important to review the background for the decision, the results of the operation, their larger meaning in terms of the conflict in Indochina—and to look down the road to the future.

It is vital to understand at the outset that Hanoi left the United States no reasonable option but to move militarily against the Cambodian base areas. The purpose and significance of our operations against the Cambodian sanctuaries can only be understood against the backdrop of what we are seeking to accomplish in Vietnam—and the threat that the Communist bases in Cambodia posed to our objectives. Nor can that military action of the last two months be divorced from its cause—the threat posed by the constant expansion of North Vietnamese aggression throughout Indochina.

A RECORD OF RESTRAINT

America's purpose in Vietnam and Indochina remains what it has been—a peace in which the peoples of the region can devote themselves to development of their own societies, a peace in which all the peoples of Southeast Asia can determine their own political future without outside interference.

When this Administration took office, the authorized strength of American troops in South Vietnam was 549,500—the high water mark of American military presence in Southeast Asia. The United States had been negotiating at Paris for ten months but nothing had been agreed upon other than the shape of the bargaining table. No comprehensive allied peace proposal existed. There was no approval plan to reduce America's

involvement in the war—in the absence of a negotiated settlement.

Since January of 1969, we have taken steps on all fronts to move toward peace. Along with the Government of South Vietnam, we have put forward a number of concrete and reasonable proposals to promote genuine negotiations. These proposals were first outlined by me 13 months ago, on May 14, 1969 and by President Thieu on July 11, 1969. Through both public and private channels, our proposals have been repeated and amplified many times since.

These proposals are designed to secure the removal of all foreign military forces from South Vietnam and to establish conditions in which all political forces can compete freely and fairly in the future of the country. Our principal goal has been to enable the people of South Vietnam to determine their future free of outside interference.

To indicate our good faith, to improve the climate for negotiations, we changed the orders to our commanders in South Vietnam. This has helped to reduce casualties. We have cut tactical air operations in South Vietnam by more than 20 percent. We initiated a troop withdrawal program which, during the course of next spring, will bring American troop strength 265,000 men below the level authorized when this Administration took office.

These are not the actions of a government pursuing a military solution. They are the decisions of a government seeking a just peace at the conference table.

But Hanoi has ignored our unilateral gestures and rejected every offer of serious negotiations. Instead it has insisted that—as a precondition to talks—we pledge unconditionally to withdraw all American forces from South Vietnam and to overthrow the elected government.

These proposals are not a basis for negotiation; they are a demand for surrender. For the United States to accept these conditions would make the negotiations meaningless. Acceptance of such conditions would assure in advance Communist domination of South Vietnam.

With Hanoi's intransigence on the negotiating front, this Administration was faced with essentially three options.

We could have continued the maximum existing level of American involvement in Vietnam. But this was incompatible with the Nixon Doctrine of increasing responsibilities for the Asian countries; and it was unacceptable to the American people.

We could have begun the immediate withdrawal of all our forces. We rejected this course of capitulation which would have only won temporary respite at the price of graver crises later. We also rejected that course as both incompatible with America's commitments and tradition, and disastrous in terms of its long-range consequences for peace in the Pacific and peace in the world.

We selected instead a third option—that of gradually shifting the total combat burden to the South Vietnamese.

Since the beginning of this Administration 17 months ago, it has been our policy to train and equip the South Vietnamese to take over the burden of their own defense from American troops. Even in the absence of progress at the peace table in Paris, and despite continued enemy pressures in South Vietnam, this policy of "Vietnamization" has permitted us to carry out repeated withdrawals of American troops.

As our policy has been tested, more and more Americans have been brought home. By June of 1969, we could announce the pull-out of 25,000 American troops. They came home. In September of 1969, we announced the withdrawal of an additional 35,000 American troops. They came home.

In December of 1969, we announced the withdrawal of 50,000 more American troops. They were home by spring of this year. On April 20, I announced the forthcoming withdrawal of an additional 150,000 Americans to

be completed during next spring—50,000 of them will be home or on their way home by the 15th of October.

A POLICY IN TRANSITION

This transfer of primary responsibility for self-defense from American forces to Asian forces reflects our approach to foreign policy. Increasingly, the United States will look to the countries of the region to assume the primary responsibility for their own security—while America moves gradually from a leading to a supporting role.

To be successful this policy requires the striking of a careful balance—whether in South Vietnam or elsewhere in Asia. While the growing strength of our allies, and the growing measure of their regional cooperation allows for a reduction in American presence—they could not survive a sudden and precipitous American withdrawal from our responsibilities. This would lead to a collapse of local strength in the transition period between the old era of principal U.S. involvement to the new era of partnership and emphasis on local and regional cooperation.

Doing too much for an allied people can delay their political maturity, promote a sense of dependency, and diminish that nation's incentive to stand on its own feet. But doing too little for an ally can induce a sense of despair, endanger their right of self-determination and invite their defeat when confronted by an aggressor.

As we have proceeded with Vietnamization it has been with these principles in mind.

Looking at American policy in Vietnam these seventeen months, this Administration—in the generosity of its negotiating offers, in the limitations on its military actions, and in the consistency of its troop withdrawals—has written a record of restraint. The response from the enemy over those same seventeen months has been intransigence in Paris, belligerence from Hanoi and escalation of the war throughout Indochina.

Enemy attacks in Vietnam increased during April.

This past winter Hanoi launched a major offensive against the legitimate government of Laos which they themselves had helped to establish under the 1962 Geneva Accords. For years, in violation of those accords, North Vietnamese troops have occupied Laotian territory and used its eastern regions as a highway for the export of aggression into South Vietnam.

In March and April of this year, Communist troops used their long held bases in Cambodia to move against the Government of Cambodia in a way which increased the long-term threat to allied forces in South Vietnam as well as to the future of our Vietnamization and withdrawal programs. These new violations, too, took place against a backdrop of years of Communist disregard of the neutrality and territorial integrity of Cambodia—guaranteed in the 1954 Geneva Agreements to which Hanoi was a signatory.

BACKGROUND OF THE APRIL 30 DECISION

In assessing the April 30 decision to move against the North Vietnamese and Viet Cong sanctuaries in Cambodia, four basic facts must be remembered.

It was North Vietnam—not we—which brought the Vietnam War into Cambodia.

For five years, North Vietnam has used Cambodian territory as a sanctuary from which to attack allied forces in South Vietnam. For five years, American and allied forces—to preserve the concept of Cambodian neutrality and to confine the conflict in Southeast Asia—refrained from moving against those sanctuaries.

It was the presence of North Vietnamese troops on Cambodian soil that contributed to the downfall of Prince Sihanouk. It was the indignation of the Cambodian people against the presence of Vietnamese Communists in their country that led to riots in Phnom Penh which contributed to Prince

Sihanouk's ouster—an ouster that surprised no nation more than the United States. At the end of Sihanouk's rule, the United States was making efforts to improve relations with his government and the Prince was taking steps against the Communist invaders on his national soil.

It was the government appointed by Prince Sihanouk and ratified by the Cambodian National Assembly—not a group of usurpers—which overthrew him with the approval of the National Assembly. The United States had neither connection with, nor knowledge of, these events.

It was the major expansion of enemy activity in Cambodia that ultimately caused allied troops to end five years of restraint and attack the Communist base areas.

The historical record is plain.

Viet Cong and North Vietnamese troops have operated in Eastern Cambodia for years. The primary objective of these Communist forces has been the support of Hanoi's aggression against South Vietnam. Just as it has violated the 1962 Geneva Accords on Laos, North Vietnam has consistently ignored its pledge, in signing the 1954 Geneva Accords, to respect Cambodian neutrality and territorial integrity.

In a May 1967 Phnom Penh radio broadcast, Prince Sihanouk's following remarks were reported to the Cambodia people:

"I must tell you that the Vietnamese communists and the Viet Cong negotiated with us three or four times but that absolutely nothing comes out of the negotiations. . . . After I expelled the French and after the French troops left Cambodia, Viet Minh remained in our country in order to conquer it. How can we have confidence in the Viet Minh? . . . If we side with the Viet Minh we will lose our independence."

Late in 1969, Prince Sihanouk ordered Cambodia's under-equipped and weak armed forces to exercise some measure of control over North Vietnamese and Viet Cong Communist forces occupying Cambodian territory.

At the same time, the Communist forces were actively preparing in their base areas for new combat in South Vietnam. These areas—on the Cambodian side of the Vietnam-Cambodian border—have for years served as supply depots and base camps for enemy troops infiltrated through Laos into South Vietnam. They have also served as sanctuaries for North Vietnamese and Viet Cong headquarters elements and for combat troops to rest, refit and re-supply on their return from South Vietnam.

Our screening of more than six tons of documents captured in the Cambodian operations has provided conclusive proof of Communist reliance on Cambodia as a logistic and infiltration corridor and as a secure area from which Communist designs on Vietnam as well as in Cambodia itself could be carried out. On January 6, 1970, Prince Sihanouk departed on vacation in France. His Prime Minister, Lon Nol, and Deputy Prime Minister, Sirik Matak, were left in charge. In early March, with Sihanouk still in power, there were public demonstrations, first in the Eastern provinces of Cambodia and later in Phnom Penh, against flagrant North Vietnamese violation of Cambodia's territorial integrity.

for Moscow and Peking, avowedly to seek On March 13, Prince Sihanouk left Paris Soviet and Chinese assistance in persuading the Vietnamese Communists to reduce the presence of North Vietnamese and Viet Cong forces in Cambodia.

Then, on March 18, the Cambodian National Assembly by unanimous vote declared that Prince Sihanouk was no longer Chief of State. Cheng Heng was retained as Acting Chief of State. Lon Nol and Sirik Matak kept their positions. Reasons for Sihanouk's ouster included growing objections to his mishandling of the economy and to his bypassing of the Cabinet and National Assembly; but resentment over North Vietnam's

flagrant misuse of Cambodian territory certainly contributed. Sihanouk arrived in Peking the same day, and met with the Peking leadership as well as with the North Vietnamese Prime Minister who had hastened to Peking to greet him. Thereafter Sihanouk has increasingly identified himself with the Communist cause in Indochina.

This government had no advance warning of the ouster of Sihanouk, with whom we had been attempting to improve relations. Our initial response was to seek to preserve the status quo with regard to Cambodia and to try to prevent an expansion of Communist influence. The immunity of the Cambodian sanctuaries had been a serious military handicap for us for many years. But we had refrained from moving against them in order to contain the conflict. We recognized both the problems facing Sihanouk and the fact that he had exercised some measure of control over Communist activities, through regulation of the flow of rice and military supplies into the sanctuaries from coastal ports. We considered that a neutral Cambodia outweighed the military benefits of a move against the base areas.

This is why diplomatically our first reaction to Sihanouk's overthrow was to encourage some form of accommodation in Cambodia. We spoke in this sense to interested governments. And we made clear through many channels that we had no intention of exploiting the Cambodian upheaval for our own ends.

These attempts ran afoul of Hanoi's designs. North Vietnam and the Viet Cong withdrew their representation from Phnom Penh. North Vietnamese and Viet Cong forces began to expand their base areas along the border.

By April 3, they were beginning to launch attacks against Cambodian forces in Svay Reing Province. Later these attacks were extended to other outposts in Eastern Cambodia, forcing Cambodian troops to evacuate border positions in the Parrot's Beak area by April 10. Communist attacks were also directed against Mekong River traffic.

By April 16, the North Vietnamese and Viet Cong troops began to launch isolated attacks deep into Cambodia including an attack on the Capital of Takeo Province south of Phnom Penh.

Despite escalating Communist activity in Cambodia, we continued to exercise restraint. Though the implications of the Communist actions for our efforts in Vietnam were becoming increasingly ominous, Communist intentions in Cambodia were still not absolutely clear. The military moves by the North Vietnamese and Viet Cong in Cambodia could still be interpreted as temporary actions to secure their base camps in light of the uncertainties following Sihanouk's removal.

When I made my April 20 speech announcing the withdrawal of 150,000 troops over the next year, I knew that we might be at a crossroads in Cambodia. I nevertheless made the announcement because it would leave no doubt about our intention to de-escalate the conflict.

I also used the occasion to restate very forthcoming political principles for a negotiated peace. At the same time I described the pattern of North Vietnamese aggression in Indochina, and acknowledged that my withdrawal decision involved some risks when viewed against this enemy escalation. I therefore reiterated my determination to take strong and effective measures if increased enemy action in Laos, Cambodia or South Vietnam jeopardized the security of our remaining forces in Vietnam.

Within days of my April 20 speech, Communist intentions became gainfully and unambiguously clear. In the face of our restraint and our warnings, the North Vietnamese continued to expand their territorial control, threatening to link up their base areas. From a series of isolated enclaves, the base areas were rapidly becoming a solid

band of self-sustaining territory stretching from Laos to the sea from which any pretense of Cambodian sovereignty was rapidly being excluded.

On April 20, North Vietnamese forces temporarily captured Saang, only eighteen miles south of Phnom Penh.

On April 22, Communist forces assaulted the town of Snoul east of Phnom Penh.

On April 23, they attacked the town of Mimot and an important bridge linking the town of Snoul and the capital of Kratie Province on Route 13.

On April 24, they moved on the resort city of Kep.

On April 26, they attacked some ships on the Mekong and occupied the town of Angtassam, a few miles west of Takeo.

They then attacked the city of Chhlong, on the Mekong River north of Phnom Penh, and the port city of Kampot.

During this same period, they cut almost every major road leading south and east out of Phnom Penh.

The prospect suddenly loomed of Cambodia's becoming virtually one large base area for attack anywhere into South Vietnam along the 600 miles of the Cambodian frontier. The enemy in Cambodia would have enjoyed complete freedom of action to move forces and supplies rapidly across the entire length of South Vietnam's flank to attack our forces in South Vietnam with impunity from well-stocked sanctuaries along the border.

We thus faced a rapidly changing military situation from that which existed on April 20.

The possibility of a grave new threat to our troops in South Vietnam was rapidly becoming an actuality.

This pattern of Communist action prior to our decision of April 30 makes it clear the enemy was intent both on expanding and strengthening its military position along the Cambodian border and overthrowing the Cambodian government. The plans were laid, the orders issued, and already being implemented by Communist forces.

Not only the clear evidence of Communist actions—but supporting data screened from more than six tons of subsequently captured Communist documents—leaves no doubt that the Communists' move against the Cambodian Government preceded the U.S. action against the base areas.

THREE OPTIONS

On April 30, before announcing our response, I outlined the three basic choices we had in the face of the expanding Communist threat.

First, we could do nothing. This would have eroded an important restraint on the loss of American lives. It would have run the risk of Cambodia's becoming one vast enemy staging area, a springboard for attacks on South Vietnam without fear of retaliation. The dangers of having done nothing would not have fully materialized for several months and this government might have been commended for exercising restraint. But, as withdrawals proceeded, our paralysis would have seriously jeopardized our forces in Vietnam and would have led to longer lists of American casualties. The United States could not accept the consequences of inaction in the face of this enemy escalation. The American men remaining in South Vietnam after our withdrawal of 150,000 would have been in severe jeopardy.

Our second choice was to provide massive assistance to Cambodia. This was an unrealistic alternative. The small Cambodian army of 30,000 could not effectively utilize any massive transfusion of military assistance against the immediate enemy threat. We also did not wish to get drawn into the permanent direct defense of Cambodia. This would have been inconsistent with the basic premises of our foreign policy.

After intensive consultations with my top advisers, I chose the third course. With the South Vietnamese we launched joint attacks against the base areas so long occupied by Communist forces.

Our military objectives were to capture or destroy the arms, ammunition and supplies that had been built up in those sanctuaries over a period of years and to disrupt the enemy's communication network. At the least this would frustrate the impact of any Communist success in linking up their base areas if it did not prevent this development altogether.

I concluded that, regardless of the success of Communist assaults on the Cambodian Government, the destruction of the enemy's sanctuaries would:

Remove a grave potential threat to our remaining men in South Vietnam, and so reduce future American casualties.

Give added assurance of the continuance of our troop withdrawal program.

Insure the timetable for our Vietnamization program.

Increase the chances of shortening the war in South Vietnam.

Enhance the prospects of a negotiated peace.

Emphasize to the enemy whether in Southeast Asia or elsewhere that the word of the United States—whether given in a promise or a warning—was still good.

THE MILITARY OPERATIONS

Ten major operations were launched against a dozen of the most significant base areas with 32,000 American troops and 48,000 South Vietnamese participating at various times. As of today, all Americans, including logistics personnel and advisers, have withdrawn, as have a majority of the South Vietnamese forces.

Our military response to the enemy's escalation was measured in every respect. It was a limited operation for a limited period of time with limited objectives.

We have scrupulously observed the 21-mile limit on penetration of our ground combat forces into Cambodian territory. These self-imposed time and geographic restrictions may have cost us some military advantages, but we knew that we could achieve our primary objectives within these restraints. And these restraints underscored the limited nature of our purpose to the American people.

My June 3 interim report pointed up the success of these operations and the massive amounts of supplies we were seizing and destroying. We have since added substantially to these totals. A full inventory is attached as an appendix to the report. Here are some highlights.

According to latest estimates from the field, we have captured:

22,892 individual weapons—enough to equip about 74 full-strength North Vietnamese infantry battalions and 2,509 big crew-served weapons—enough to equip about 25 full-strength North Vietnamese infantry battalions;

More than 15 million rounds of ammunition or about what the enemy has fired in South Vietnam during the past year;

14 million of rice, enough to feed all the enemy combat battalions estimated to be in South Vietnam for about four months;

143,000 rockets, mortars, and recoilless rifle rounds, used against cities and bases. Based on recent experience, the number of mortars, large rockets, and recoilless rifle rounds is equivalent to what the enemy shoots in about 14 months in South Vietnam;

Over 199,552 anti-aircraft rounds, 5,482 mines, 62,022 grenades, and 83,000 pounds of explosives, including 1,002 satchel charges;

Over 435 vehicles and destroyed over 11,688 bunkers and other military structures.

And while our objective has been supplies rather than personnel, the enemy has also taken a heavy manpower loss—11,349 men

killed and about 2,328 captured and detainees.

These are impressive statistics. But what is the deeper meaning of the piles of enemy supplies and the rubble of enemy installations?

We have eliminated an immediate threat to our forces and to the security of South Vietnam—and produced the prospect of fewer American casualties in the future.

We have inflicted extensive casualties and very heavy losses in material on the enemy—losses which can now be replaced only from the North during a monsoon season and in the face of counteraction by South Vietnamese ground and U.S. air forces.

We have ended the concept of Cambodian sanctuaries, immune from attack, upon which the enemy military had relied for five years.

We have dislocated supply lines and disrupted Hanoi's strategy in the Saigon area and the Mekong Delta. The enemy capacity to mount a major offensive in this vital populated region of the South has been greatly diminished.

We have effectively cut off the enemy from resupply by the sea. In 1969, well over half of the munitions being delivered to the North Vietnamese and Viet Cong in Cambodia came by sea.

We have, for the time being, separated troops organized in formal units similar to the Communist main force units—regular conventional armies—from the guerrillas in the southern part of Vietnam. This should provide a boost of pacification efforts.

We have guaranteed the continuance of our troop withdrawal program. On June 3, I reaffirmed that 150,000 more Americans would return home within a year and announced that 50,000 would leave Vietnam by October 15.

We have bought time for the South Vietnamese to strengthen themselves against the enemy.

We have witnessed visible proof of the success of Vietnamization as the South Vietnamese performed with skill and valor and competence far beyond the expectation of our commanders or American advisers. The morale and self-confidence of the Army of South Vietnam is higher than ever before.

These then are the major accomplishments of the operations against the Cambodian base areas. Americans can take pride in the leadership of General Abrams and in the competence and dedication of our forces.

There is another way to view the success of these operations. What if we had chosen the first option—and done nothing?

The enemy sanctuaries by now would have been expanded and strengthened. The thousands of troops he lost, in killed or captured, would be available to attack American positions and with the enormous resources that we captured or destroyed still in his hands.

Our Vietnamization program would be in serious jeopardy; our withdrawals of troops could only have been carried out in the face of serious threat to our remaining troops in Vietnam.

We would have confronted an adversary emboldened by our timidity, an adversary who had ignored repeated warnings.

The war would be a good deal further from over than it is today.

Had we stood by and let the enemy act with impunity in Cambodia—we would be facing a truly bleak situation.

The allied operations have greatly reduced these risks and enhanced the prospects for the future. However, many difficulties remain and some setbacks are inevitable. We still face substantial problems, but the Cambodian operations will enable us to pursue our goals with greater confidence.

When the decision to go into Cambodia was announced on April 30, we anticipated broad disagreement and dissent within the society. Given the divisions on this issue

among the American people, it could not have been otherwise.

But the majority of the Americans supported that decision—and now that the Cambodian operation is over, I believe there is a wide measure of understanding of the necessity for it.

Although there remains disagreement about its long-term significance, about the cost to our society of having taken this action—there can be little disagreement now over the immediate military success that has been achieved. With American ground operations in Cambodia ended, we shall move forward with our plan to end the war in Vietnam and to secure the just peace on which all Americans are united.

THE FUTURE

Now that our ground forces and our logistic and advisory personnel have all been withdrawn, what will be our future policy for Cambodia?

The following will be the guidelines of our policy in Cambodia.

1. There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

2. There will be no U.S. advisers with Cambodian units.

3. We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

4. We will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

5. We will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army. To date we have supplied about \$5 million of these items principally in the form of small arms, mortars, trucks, aircraft parts, communications equipment and medical supplies.

6. We will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia. We welcome the efforts of the Djakarta group of countries¹ to mobilize world opinion and encourage Asian cooperation to this end.

7. We will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material. We applaud the efforts of Asian nations to help Cambodia preserve its neutrality and independence.

I will let the Asian Governments speak for themselves concerning their future policies. I am confident that two basic principles will govern the actions of those nations helping Cambodia:

They will be at the request of, and in close concert with the Cambodian Government.

They will not be at the expense of those nations' own defense—indeed they will contribute to their security which they see bound up with events in Cambodia.

The South Vietnamese plan to help. Of all the countries of Southeast Asia, South Vietnam has most at stake in Cambodia. A North Vietnamese takeover would, of course, have profound consequences for its security. At the same time, the leaders of South Vietnam recognize that the primary focus of their attention must be on the security of their own country. President Thieu has reflected these convictions in his major radio and TV address of June 27. Our understanding of Saigon's intentions is as follows:

1. South Vietnamese forces remain ready

to prevent reestablishment of base areas along South Vietnam's frontier.

2. South Vietnamese forces will remain ready to assist in the evacuation of Vietnamese civilians and to respond selectively to appeals from the Cambodian Government should North Vietnamese aggression make this necessary.

3. Most of these operations will be launched from within South Vietnam. There will be no U.S. air or logistics support. There will not be U.S. advisers on these operations.

4. The great majority of South Vietnamese forces are to leave Cambodia.

5. The primary objective of the South Vietnamese remains Vietnamization within their country. Whatever actions are taken in Cambodia will be consistent with this objective.

In this June 27 speech President Thieu emphasized that his government will concentrate on efforts within South Vietnam. He pledged that his country will always respect the territory, borders, independence and neutrality of Cambodia and will not interfere in its internal politics. His government does not advocate stationing troops permanently in Cambodia or sending the South Vietnamese army to fight the war for the Cambodian army.

Under the foreign policy guidelines first outlined at Guam a year ago, I stressed that a threatened country should first make maximum efforts in its own self-defense. The Cambodian people and soldiers are doing that against the superior force of the North Vietnamese and Viet Cong invaders. The majority of the Cambodian people support the present government against the foreign intruders. Cambodian troops have remained loyal and have stood up well in the face of great pressures from a better-armed and experienced foe.

Secondly, our policy stresses there should be regional cooperation where a country is not strong enough to defend herself. Cambodia's neighbors are providing that cooperation by joining with her in a collective effort. Each of them is a target of Communist aggression; each has a stake in Cambodia's neutrality and independence.

Third, the U.S. will assist such self-help and regional actions where our participation can make a difference. Over the long term, we expect the countries of Asia to provide increasingly for their own defense. However, we are now in a transitional phase when nations are shouldering greater responsibilities but when U.S. involvement, while declining, still plays an important role.

In this interim period, we must offset our lower direct involvement with increased military and economic assistance. To meet our foreign policy obligations while reducing our presence will require a redirection—both quantitatively and qualitatively—in our assistance programs.

Prince Sihanouk wrote in December 1969 about the Communist threat to his country and the balance presented by American forces in Southeast Asia. In a generally anti-American article in the official Cambodian Government Party newspaper he stated:

"On the diplomatic and political plane, the fact that the U.S. remains in our region and does not yet leave it allows us maneuverings . . . to assure on the one hand our more than honorable presence in the concert of nations . . . this presence (and this is an irony of fate for the anti-imperialists that we are) is an essential condition for the 'respect', the 'friendship' and even for the aid of our socialist 'friends.' When the U.S. has left these regions, it is certain that the Cambodia of the Sangkum will be the objective of the shellings of the heavy Communist guns: unfriendliness, subversion, aggressions, infiltrations and even occupations."

THE SEARCH FOR PEACE

In our search for a lasting peace in Southeast Asia, we are applying the three basic principles of our foreign policy which are set forth in the Foreign Policy Report to

Congress last February: partnership, strength and willingness to negotiate.

The partnership of our Vietnamization Program and of our support for regional defense efforts.

The strength of our action against the Communist bases in Cambodia and the steadfastness of the American people to see the war through to an honorable conclusion.

The willingness to negotiate expressed in our generous proposals for a settlement and in our flexibility once Hanoi agrees to serious negotiations.

All three elements are needed to bring peace in Southeast Asia. The willingness to negotiate will prove empty unless buttressed by the willingness to stand by just demands. Otherwise negotiations will be a subterfuge for capitulation. This would only bring a false and transitory peace abroad and re-creation at home.

While we search for genuine negotiation we must continue to demonstrate resolution both abroad and at home and we must support the common defense efforts of threatened Asian nations.

To the leaders in Hanoi, I say the time has come to negotiate. There is nothing to be gained in waiting. There is never an ideal moment when both sides are in perfect equilibrium.

The lesson of the last two months has reinforced the lessons of the last two years—the time has come to negotiate a just peace.

In Cambodia, the futility of expanded aggression has been demonstrated. By its actions in Cambodia, North Vietnam and the Viet Cong provoked the destruction of their sanctuaries and helped to weld together the independent states of Southeast Asia in a collective defense effort, which will receive American support.

The other side cannot impose its will through military means. We have no intention of imposing ours. We have not raised the terms for a settlement as a result of our recent military successes. We will not lower our minimum terms in response to enemy pressure. Our objective remains a negotiated peace with justice for both sides and which gives the people of South Vietnam the opportunity to shape their own future.

With major efforts the North Vietnamese can perhaps rebuild or readjust Cambodia supply areas over a period of months. They can pursue their war against South Vietnam and her neighbors. But what end would a new round of conflict serve? There is no military solution to this conflict. Sooner or later, peace must come. It can come now, through a negotiated settlement that is fair to both sides and humiliates neither. Or it can come months or years from now, with both sides having paid the further price of protracted struggle.

We would hope that Hanoi would ponder seriously its choice, considering both the promise of an honorable peace and the costs of continued war.

We repeat: all our previous proposals, public and private, remain on the conference table to be explored, including the principles of a just political settlement that I outlined on April 20.

We search for a political solution that reflects the will of the South Vietnamese people, and allows them to determine their future without outside interference.

We recognize that a fair political solution should reflect the existing relationship of political forces.

We pledge to abide by the outcome of the political process agreed upon by the South Vietnamese.

For our part, we shall renew our efforts to bring about genuine negotiations both in Paris and for all of Indochina. As I said in my address last September to the United Nations General Assembly:

"The people of Vietnam, North and South alike, have demonstrated heroism enough to last a century . . . The people of Vietnam,

¹ Australia, Indonesia, Japan, Korea, Laos, Malaysia, New Zealand, The Philippines, Singapore, South Vietnam, Thailand.

North and South, have endured an unspeakable weight of suffering for a generation. And they deserve a better future."

We call on Hanoi to join us at long last in bringing about that better future.

*Significant enemy losses in Cambodia**

Ammunition:**

Machinegun rounds.....	4,067,177
Rifle rounds.....	10,694,990
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Total small arms (machinegun and rifle rounds)....	14,762,167
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Anti-aircraft rounds.....	199,552
Mortar rounds.....	68,539
Large rocket rounds.....	2,123
Small rocket rounds.....	43,160
Recoilless rifle rounds.....	29,185
Grenades.....	62,022
Mines.....	5,482
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Weapons:	
Individual.....	22,892
Crew-served.....	2,509
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Food:	
Rice (pounds).....	14,046,000
Man months of rice.....	309,012
Total food (pounds).....	14,518,000
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Facilities: Bunkers/structures destroyed.....	11,688
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Transportation:	
Vehicles.....	435
Boats.....	167
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Examples of Other Equipment:	
Radios.....	248
Generators.....	49
Total communications equipment (pounds).....	58,600
Miscellaneous Explosives (pounds) (including 1002 satchel charges).....	83,000
Medical Supplies (pounds).....	110,800
Documents (pounds).....	12,400
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Personnel:	
Enemy KIA.....	11,349
POW's (includes detainees)....	2,328

* As of June 29, 1970, based on latest available data from the field—subject to change.
**Figures do not include 70 tons of assorted ammunition.

Mr. GERALD R. FORD. Mr. Speaker, the time has come to launch a new effort to get the Paris peace talks moving toward a negotiated settlement of the Vietnam war.

Our present top negotiator, Philip C. Habib, has been doing an excellent job under most difficult circumstances. It seems wise at this point to broaden the U.S. negotiating team by the appointment of high level advisers to those who have carried the burden in Paris. The top level adviser group should come from among the most highly respected and knowledgeable negotiators in the country.

This, I believe, would be the logical follow-through for President Nixon after his impressive report to the Nation on our Cambodian operation.

As the President said, the Vietnam war has reached another crossroad. This is a juncture at which the Communists should opt for a negotiated settlement and an early peace rather than a protracted struggle.

I strongly believe, along with the President, that the Cambodian operation was necessary and that it has proved a solid success. There are those who persist in calling the Cambodian operation a failure because they favor immediate withdrawal from Indochina and want our military operations there to fail. It is impossible for me to understand how

anyone could call our Cambodian operation an invasion of Cambodia when the North Vietnamese were already there and we simply crossed the border to attack them.

One of the most encouraging results of the Cambodian operation is that it showed the South Vietnamese to be increasingly able to handle the North Vietnamese and Vietcong in sustained combat.

This is a big plus and one which indicates to me that withdrawal of U.S. troops from South Vietnam can be speeded up.

GENERAL LEAVE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on this subject following the text of the President's report.

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

Mr. THOMPSON of New Jersey. Mr. Speaker, reserving the right to object, since so many of us have not seen this report, I would ask my distinguished friend from Michigan would he ask for an extension of 2 or 3 legislative days during which Members may comment on the report?

Mr. GERALD R. FORD. Mr. Speaker, I revise my request and ask unanimous consent that all Member be permitted 5 legislative days during which to extend their remarks on the subject of the President's report.

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

There was no objection.

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. HOLIFIELD, for 30 minutes, today.

Mr. PHILBIN, for 15 minutes, today.

Mr. RANDALL, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PUCINSKI, for 60 minutes, on July 1; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. MILLER of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BUSH, for 5 minutes, today.

Mr. STEIGER of Arizona, for 10 minutes, today.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

(The following Members (at the request of Mr. MIKVA) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. RYAN, for 20 minutes, today.

Mr. OBEY, for 30 minutes, July 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON, and to include extraneous matter.

Mr. BROYHILL of North Carolina to revise and extend his remarks immediately before the vote on H.R. 17825.

Mr. YATES in two instances and to include extraneous matter.

Mr. RANDALL in two instances and to include extraneous matter.

Mr. WYATT in two instances and to include extraneous matter.

Mr. NATCHER during his remarks on the District of Columbia conference report and to include a tabulation.

Mr. DAVIS of Wisconsin during his remarks on the District of Columbia conference report.

(The following Members (at the request of Mr. MILLER of Ohio) and to include extraneous matter:)

Mr. CRAMER.

Mr. NELSEN in two instances.

Mr. LUJAN.

Mr. WYMAN in two instances.

Mr. CRANE in two instances.

Mr. ZWACH.

Mr. QUIE.

Mr. LANGEN.

Mr. HARVEY.

Mr. SHRIVER.

Mr. ASHBROOK.

Mr. WEICKER.

Mr. WINN.

Mr. DERWINSKI in two instances.

Mr. TAFT.

Mr. CONTE.

Mr. WIDNALL.

Mr. DENNIS.

Mr. FRELINGHUYSEN.

Mr. FOREMAN.

Mr. LANDGREBE.

Mr. HOGAN in four instances.

The following Members (at the request of Mr. MIKVA) and to include extraneous material:

Mr. BOGGS in three instances.

Mr. BOLLING.

Mr. VANIK in two instances.

Mr. CASEY.

Mr. ADDABBO.

Mr. DANIEL of Virginia.

Mr. GARMATZ.

Mr. PUCINSKI in six instances.

Mr. EDMONDSON in three instances.

Mr. RARICK in three instances.

Mr. ASHLEY.

Mr. RYAN in three instances.

Mr. HATHAWAY in three instances.

Mr. PATTEN in two instances.

Mr. ROSENTHAL in five instances.

Mr. GREEN of Pennsylvania in three instances.

Mr. PATMAN in two instances.

Mr. HARRINGTON in five instances.

Mr. MOORHEAD in two instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in three instances.

Mr. SYMINGTON in two instances.

Mr. DONOHUE in two instances.

Mr. FULTON of Tennessee in two instances.

Mr. DIGGS in two instances.

Mr. BROOKS.

Mr. GONZALEZ in two instances.

Mr. BINGHAM in two instances.

Mr. LEGGETT in five instances.
 Mr. TIERNAN.
 Mr. CHAPPELL in two instances.
 Mr. GALIFIANAKIS.
 Mr. BURKE of Massachusetts.
 Mr. HAGAN in two instances.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 12858. An act to provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by a judgment entered by the Court of Claims against the United States;

H.R. 14118. An act to amend section 213 of the Immigration and Nationality Act, and for other purposes;

H.R. 14720. An act to continue until the close of June 30, 1973, the existing suspension of duties on manganese ore (including ferruginous ore) and related products, and for other purposes;

H.R. 15712. An act to amend the Public Works and Economic Development Act of 1965, to extend the authorizations for title I through IV through fiscal year 1971;

H.R. 17802. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act; and

H.J. Res. 546. Joint Resolution authorizing the Secretary of the Interior to provide for the commemoration of the 100th anniversary of the establishment of Yellowstone National Park, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 4012. An act to extend the Clean Air Act, as amended, and the Solid Waste Disposal Act, as amended, for a period of 60 days.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On June 29, 1970:

H.R. 1695. For the relief of Alfredo Caprara;
 H.R. 1698. For the relief of Joeck Kuncek;
 H.R. 2275. For the relief of John Thomas Cosby, Jr.;

H.R. 2315. For the relief of Josefina Policar Abutana Fullar;

H.R. 3348. For the relief of the estate of Pierre Samuel du Pont Dardan;

H.R. 4246. To discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees;

H.R. 4247. To amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress and to provide equivalent authority for administrative settlement and payment of claims under section 2733 of title 10 and section 715 of title 32, United States Code;

H.R. 4574. To provide for the admission to the United States of certain inhabitants of the Bonin Islands;

H.R. 12941. To authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile;

H.R. 13407. To consent to the amendment of the Pacific Marine Fisheries Compact;
 H.R. 13740. For the relief of Kimball Bros. Lumber Co.;

H.R. 15021. To authorize the release of 40,200,000 pounds of cobalt from the national stockpile and the supplemental stockpile;

H.R. 15831. To authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

H.R. 15832. To authorize the disposal of castor oil from the national stockpile;

H.R. 15833. To authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile;

H.R. 15835. To authorize the disposal of magnesium from the national stockpile;

H.R. 15836. To authorize the disposal of type A, chemical grade manganese ore from the national stockpile and the supplemental stockpile;

H.R. 15837. To authorize the disposal of type B, chemical grade manganese ore from the national stockpile and the supplemental stockpile;

H.R. 15838. To authorize the disposal of shellac from the national stockpile;

H.R. 15839. To authorize the disposal of tungsten from the national stockpile and the supplemental stockpile;

H.R. 15998. To authorize the disposal of Surinam-type metallurgical grade bauxite from the national stockpile and the supplemental stockpile;

H.R. 16289. To authorize the disposal of natural Ceylon amorphous lump graphite from the national stockpile and the supplemental stockpile;

H.R. 16290. To authorize the disposal of refractory grade chromite from the national stockpile and the supplemental stockpile;

H.R. 16291. To authorize the disposal of chrysotile asbestos from the national stockpile and the supplemental stockpile;

H.R. 16292. To authorize the disposal of corundum from the national stockpile;

H.R. 16295. To authorize the disposal of natural battery grade manganese ore from the national stockpile and the supplemental stockpile;

H.R. 16297. To authorize the disposal of molybdenum from the national stockpile;

H.R. 17399. Making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes.

On June 30, 1970:

H.R. 14118. To amend section 213 of the Immigration and Nationality Act, and for other purposes;

H.R. 14720. To continue until the close of June 30, 1973, the existing suspension of duties on manganese ore (including ferruginous ore) and related products, and for other purposes;

H.R. 15712. To amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971;

H.R. 17802. To increase the public debt limit set forth in section 21 of the Second Liberty Bond Act; and

H.J. Res. 546. Authorizing the Secretary of the Interior to provide for the commemoration of the one hundredth anniversary of the establishment of Yellowstone National Park, and for other purposes.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 1, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2159. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 6, 1970, submitting a report, together with accompanying papers and an illustration, on Reedy River, S.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 8, 1964 (H. Doc. No. 91-356); to the Committee on Public Works and ordered to be printed, with an illustration.

2160. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 2, 1968, submitting a report, together with accompanying papers and illustrations, on Placer Creek at Wallace, Idaho, requested by resolutions of the Committee on Public Works, U.S. Senate, and House of Representatives, adopted October 7, 1965, and May 5, 1966 (H. Doc. No. 91-357); to the Committee on Public Works and ordered to be printed, with illustrations.

2161. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 2, 1970, submitting a report, together with accompanying papers and illustrations, on Four Mile Run, city of Alexandria and Arlington County, Va., in partial response to a resolution of the Committee on Public Works, House of Representatives, adopted October 5, 1966 (H. Doc. No. 91-358); to the Committee on Public Works and ordered to be printed, with illustrations.

2162. A letter from the General Counsel, National Council on Radiation Protection and Measurements, transmitting a report on an examination of the Council's accounts as of December 31, 1969, pursuant to the provisions of section 14(b) of Public Law 88-376; to the Committee on the Judiciary.

2163. A letter from the Secretary of Commerce, transmitting an annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the provisions of section 213(c) of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

2164. A letter from the Acting Secretary of Transportation, transmitting amendments to the regulations issued under the Federal Boating Act of 1958, pursuant to the provisions of section 7 of that act; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Foreign postal debts owed to the United States (Rept. No. 91-1260). Referred to the Committee of the Whole House on the State of the Union.

Mr. CAREY: Committee on Interior and Insular Affairs. S. 778. An act to amend the 1964 amendments to the Alaska Omnibus Act (Rept. No. 91-1261). Referred to the Committee of the Whole House on the State of the Union.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1121. Resolution for consideration of H.R. 279, a bill to exempt from the antitrust laws certain joint newspaper operating arrangements (Rept. No. 91-1262). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 17795. A bill to amend title VII of the Housing and Urban Development Act of 1965 (Rept. No. 91-1263). Referred to

the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 18185. A bill to provide long-term financing for expanded urban mass transportation programs, and for other purposes; with amendments (Rept. No. 91-1264). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 14114. A bill to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes; with amendments (Rept. No. 91-1265). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13100. A bill to amend the Public Health Service Act to extend for three years the programs of assistance for training in the allied health professions, and for other purposes; with an amendment (Rept. No. 91-1266). Referred to the Committee of the Whole House on the State of the Union.

Mr. NATCHER: Committee of conference. Conference report on H.R. 17868 (Rept. No. 91-1267). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAs (for himself, Mr. PERKINS, Mr. SCHEUER, Mr. REID of New York, Mr. HANSEN of Idaho, Mr. DENT, Mr. ESCH, Mr. MINK, Mr. DELLENBACK, Mr. MEEDS, Mr. WILLIAM D. FORD, Mr. THOMPSON of New Jersey, Mr. STOKES, Mr. O'HARA, Mr. HAWKINS, Mr. BURTON of California, Mr. HATHAWAY, Mr. DANIELS of New Jersey, Mr. POWELL, Mr. GAYDOS, and Mr. STEIGER of Wisconsin):

H.R. 18260. A bill to authorize the United States Secretary of Health, Education, and Welfare to establish educational programs to encourage understanding of policies and support of activities designed to preserve and enhance environmental quality and maintain ecological balance; to the Committee on Education and Labor.

By Mr. DAVIS of Georgia:

H.R. 18261. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELLENBACK (for himself, Mr. BUCHANAN, Mr. DON H. CLAUSEN, Mr. GOLDWATER, Mr. McCLURE, Mr. ANDERSON of Illinois, Mr. GRIFFIN, Mr. HUNT, Mr. KLEPPE, Mr. HALPERN, Mr. HORTON, Mr. PIRNIE, Mr. ULLMAN, Mr. WYATT, Mr. REIFEL, and Mr. WHITEHURST):

H.R. 18262. A bill to amend the act of April 12, 1926 (44 Stat. 242; chapter 117), as amended; to the Committee on Interior and Insular Affairs.

By Mr. DENNIS (for himself, Mr. McCULLOCH, Mr. POFF, Mr. HUTCHINSON, Mr. SMITH of New York, Mr. McCLOREY, Mr. FISH, Mr. MAYNE, Mr. COUGHLIN, Mr. BIESTER, Mr. SANDMAN, Mr. WIGGINS, Mr. RAILSBACK, Mr. MESKILL, Mr. BRAY, Mr. ZION, Mr. MYERS, Mr. ROUDEBUSH, Mr. LANDGREBE, Mr. MANN, and Mr. MacGREGOR):

H.R. 18263. A bill to provide for the appointment of an additional district judge for the northern and southern districts of Indiana; to the Committee on the Judiciary.

By Mr. ERLÉNBOEN (for himself, Mr. QUITE, Mr. DENT, Mr. SCHERLE, Mr.

FUCINSKI, Mr. DELLENBACK, Mr. DANIELS of New Jersey, Mr. ESCH, Mr. HATHAWAY, Mr. COLLINS, Mr. GAYDOS, Mr. LANDGREBE, Mr. HANSEN of Idaho, and Mr. DON H. CLAUSEN):

H.R. 18264. A bill to amend title IV of the Higher Education Act of 1965 to establish a Student Loan Marketing Association; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 18265. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. LUJAN:

H.R. 18266. A bill to provide for establishment of the Park Plaza National Historic Site in the State of New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York (for himself, Mr. PODELL, Mr. MATSUNAGA, Mr. SCHERLE, and Mr. CAFFERY):

H.R. 18267. A bill requiring that each Member of Congress be notified of the intended disposition of federally owned real property in the district he represents; to the Committee on Government Operations.

By Mr. ROE:

H.R. 18268. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 18269. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Consumer Protection Agency in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes; to the Committee on Government Operations.

H.R. 18270. A bill to implement the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere (56 Stat. 1354); amend Public Law 89-669 (October 15, 1966); and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RYAN:

H.R. 18271. A bill to amend the Truth in Lending Act to require that statements under open end credit plans be mailed in time to permit payment prior to the imposition of finance charges; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 18272. A bill to add California-grown peaches as a commodity eligible for any form of promotion, including paid advertising, under a marketing order; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 18273. A bill to permit interested organizations the opportunity to remove valuable flora from sites before the construction of public works is commenced; to the Committee on Public Works.

By Mr. ASHLEY (for himself, Mr. HARVEY, Mr. DADDARIO, Mr. TAFT, Mr. ANDERSON of California, Mr. HARRINGTON, Mr. MURPHY of New York, and Mr. LEGGETT):

H.R. 18274. A bill to provide partial reimbursement for losses incurred by commercial fishermen as a result of restrictions imposed on domestic commercial fishing by a State or the Federal Government; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOKS (for himself, Mr. HOLIFIELD, Mr. MOORHEAD, Mr. CULVER, Mr. HICKS, Mr. REID of New York, Mr. BUCHANAN, and Mr. STEIGER of Arizona):

H.R. 18275. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the disposal of surplus Federal property for park and rec-

reational uses, and for other purposes; to the Committee on Government Operations.

By Mr. GUDE:

H.R. 18276. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

H.R. 18277. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. MIKVA (for himself, Mrs. HANSEN of Washington, Mr. JACOBS, Mr. KOCH, Mrs. MINK, and Mr. SYMINGTON):

H.R. 18278. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 18279. A bill, the Organized Crime Control Act of 1970; to the Committee on the Judiciary.

By Mr. TUNNEY (for himself, Mr. BROWN of California, Mr. McCLOSKEY, Mr. LEGGETT, Mr. PETTIS, Mr. EDWARDS of California, Mr. BURTON of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. HAWKINS, Mr. REES, Mr. ANDERSON of California, and Mr. WALDIE):

H.R. 18280. A bill to authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the San Bernardino National Forest, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of Ohio:

H.J. Res. 1285. 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. GUBSER:

H.J. Res. 1286. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. WATKINS (for himself, Mr. DEVINE, and Mr. HUNT):

H.J. Res. 1287. Joint resolution proposing an amendment to the Constitution of the United States to reduce the voting age to 18; to the Committee on the Judiciary.

By Mr. WEICKER:

H.J. Res. 1288. Joint resolution to provide for a study by the Secretary of Transportation of the feasibility of Government acquisition, operation, and maintenance of railroad tracks, rights-of-way, signal systems, and other fixed facilities (as a separate activity or as a part of a coordinated Federal transportation program); to the Committee on Interstate and Foreign Commerce.

By Mr. SYMINGTON (for himself, Mr. BOLING, Mr. BUCHANAN, Mr. BURLISON of Missouri, Mr. BURTON of California, Mr. CHAPPELL, Mrs. CHISHOLM, Mr. DADDARIO, Mr. DERWINSKI, Mr. FISH, Mr. FRASER, Mr. FRELINGHUYSEN, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GALLAGHER, Mr. GUDE, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HORTON, Mr. ICHORD, Mr. LEGGETT, Mr. McCLOSKEY, Mr. MANN, Mr. MIKVA, and Mr. MILLER of California):

H. Res. 1122. Resolution expressing the sense of the House of Representatives with respect to an international compact regarding the safety of persons entitled to diplomatic immunity; to the Committee on Foreign Affairs.

By Mr. SYMINGTON (for himself, Mr. MOORHEAD, Mr. MORSE, Mr. MOSS, Mr. OBEY, Mr. PREYER of North Carolina,

Mr. SCHEUER, Mr. WHITEHURST, Mr. CHARLES H. WILSON, and Mr. BUSH):

H. Res. 1123. Resolution expressing the sense of the House of Representatives with respect to an international compact regarding the safety of persons entitled to diplomatic immunity; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H. Res. 1124. Resolution calling for a national commitment to cure and control cancer within this decade; to the Committee on Interstate and Foreign Commerce.

By Mr. GAYDOS:

H. Res. 1125. Resolution to set an expendi-

ture limitation on the American military effort in Southeast Asia; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 18281. A bill for the relief of Mrs. Kayo N. Carvell; to the Committee on the Judiciary.

H.R. 18282. A bill for the relief of Antonio Dominador de Castro; to the Committee on the Judiciary.

By Mr. CASEY (by request):

H.R. 18283. A bill for the relief of Col. Joseph B. Peabody; to the Committee on Armed Services.

By Mr. CORMAN:

H.R. 18284. A bill for the relief of Mrs. Rosita I. Ines; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 18285. A bill for the relief of Luis Francisco Li Donni; to the Committee on the Judiciary.

SENATE—Tuesday, June 30, 1970

The Senate met at 9 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Reverend Howard Stone Anderson, D.D., minister, First Congregational United Church of Christ, Washington, D.C., offered the following prayer:

O God, our help in ages past, our hope for today and forever, give us thankful hearts, humble minds and wills of righteous purpose.

Our fathers came across wide seas and from strange shores and have given us this land of liberty. Make us glad for our heritage and grant that we neither grow faint in faith nor fail in courage.

We confess our blindness, bitterness, and confusion. But we would earnestly pursue and wage peace. Save us from violence and discord, from pride and arrogance, and from every evil way.

We pray for the Members of this Senate, for the President of the United States, and for all who share in the leadership of our Nation. Make us a united people, serving Thee in holy fear and loving trust.

This we ask for Thy name's sake. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 29, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from South Carolina (Mr. HOLLINGS) is now recognized for not to exceed one-half hour.

THE WAR IN VIETNAM

Mr. HOLLINGS. Mr. President, I speak today amidst a rising crisis of confidence

in the Government of our Republic. Tensions flare, passions erupt, and there are angry demonstrations by the radical left and the radical right. The vast majority of Americans in the middle are confused—confused by the simple-minded rhetoric of extremism, confused by a stalemated war in which military strategy plays second fiddle to politics, confused by an administration that drifts from crisis to crisis without leadership and without policy. Every week brings a new somersault, and after years of such gymnastics, it is no wonder we all feel a little bit dizzy.

From the time this war began I have advocated military victory in Vietnam. I protested day in and day out the timidity with which the war was fought. I am neither soothsayer nor prophet, but I believe the battle could have been won. So do many in the military, along with millions of my countrymen. We had the power but lacked the leadership, so instead of making maximum use of our military superiority, we enchain ourselves in a policy of recognizing sanctuaries, of failing to take the war to the enemy's home ground, and we frittered away the power of the world's mightiest Nation. My constituency knew where I stood. President Johnson knew where I stood. President Nixon knew where I stood.

As Lord Palmerston said over 100 years ago, "England has no permanent friends; she has only permanent interests." So it is with America. We had become involved, I believed, in a just and necessary war, a war to protect the interests and the commitments of the United States. The strategy of the Vietnam and the North Vietnamese was as insidious in its own way as the Japanese attack on Pearl Harbor. It was a three-phase strategy of infiltrating the villages and hamlets of the South, then beginning guerrilla operations, and finally engaging in main force, uniformed warfare. The only way to counter such a strategy was to recognize that the war was not confined to the South, but was to spread over all of Indochina. Logically, then, we should have recognized no sanctuaries in Thailand, Cambodia, Laos and, most important of all, North Vietnam.

Mr. President, in the spirit of staying within the confines of the time limit provided me, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the message of

President Johnson to Congress of August 5, 1964, as well as the message when he signed the congressional resolution on Southeast Asia on August 10, 1964.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. HOLLINGS. Mr. President, in the first phases of the war, President Johnson seems to have recognized this threat to the larger strategic interests of the United States. As he said in June of 1964, there were four simple propositions behind his move into Vietnam:

1. *America keeps her word.* Here as elsewhere, we must and shall honor our commitments.

2. *The issue is the future of Southeast Asia as a whole.* A threat to any nation in that region is a threat to all, and a threat to us.

3. *Our purpose is peace.* We have no military, political, or territorial ambitions in the area.

4. *This is not just a jungle war, but a struggle for freedom on every front of human activity.* Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

But as the months wore on, confusion and uncertainty seeped into the administration's explanation of why we were in Vietnam. The President sidestepped and backstepped and waltzed around his original understanding of the problem. The commitment was reduced to one of protecting the self-determination of South Vietnam and the larger problem of Southeast Asia as a whole was conveniently pigeonholed. When Richard Nixon became President, he too failed to see the challenge we face.

Even more obvious is the fact that neither Presidents Johnson nor Nixon fought the war in such a way as to crush the aggression hurled at us by North Vietnam. After 6 years of intense battle for a state not as large as our own State of Missouri, there still remains at this moment 215,000 enemy troops.

In June of 1969, President Nixon announced his withdrawal program, and in September of that year said he would accept a duly-elected Communist government in the South. I did not like it, but a majority of the American people believed that in the absence of victory it was wise to withdraw. One week before the Cambodian invasion the President announced his withdrawal program was working so well that another 150,000 men could be sent home. Victory was no