By Mr. MOSS:

H.R. 18384. A bill to protect consumers against unreasonable risk of injury from hazardous products and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS (for himself, Mr. DINGELL, Mr. GUDE, Mr. MCCLOSKEY, Mr. MOORHEAD, Mr. MOSS, Mr. SAYLOR, Mr. VANDER JAGT, and Mr. WRIGHT):

H.R. 18385. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for the sale as surplus property of certain interests of the United States relating to navigable water, and for other purposes; to the Committee on Government Operations.

By Mr. TUNNEY:

H.R. 18386. A bill to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 18387. A bill to amend the Internal Revenue Code of 1954 to require court orders before individual income tax returns are opened to inspection by officers and employees of the Federal Government other than those directly charged with the administration of the tax laws; to the Committee on Ways and Means.

By Mr. ADDABBO (for himself, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DERWINSKI, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. FULTON of Pennsylvania, Mr. GALLAGHER, Mr. GIBBONS, Mr. HALPERN, Mr. HARRINGTON, Mrs. MINK, Mr. NIX, Mr. PIKE, Mr. REES, Mr. RIEGLE, Mr. RODINO, Mr. ROSENTHAL, Mr. SMITH of New York, Mr. STOKES, Mr. TIERNAN, Mr. TUNNEY, Mr. WOLFF, Mr. YATES, and Mr. MEEDS):

H.J. Res. 1296. Joint resolution creating a Joint Committee on Classified Information; to the Committee on Rules.

By Mr. BUSH (for himself, Mr. FISHER, Mr. DERWINSKI, Mr. SCHNEEBELI, Mr. COLLINS, Mr. GAYDOS, Mr. THOMPSON of Georgia, Mr. WILLIAMS, Mr. BLACKBURN, Mr. GOLDWATER, Mr. ROBERTS, and Mr. HALL):

H.J. Res. 1297. Joint resolution in opposition to vesting title to the seabed in the United Nations or an international regime; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 1298. 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. HOLIFIELD:

H.J. Res. 1299. 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. MINSHALL:

H.J. Res. 1300. Joint resolution to provide that the period of September 7 to September 13, 1970, be designated as "American Square Dance Week"; to the Committee on the Judiciary.

By Mr. BINGHAM:

H. Con. Res. 672. Concurrent resolution terminating the policies contained in House Concurrent Resolution 108 of the 83d Congress; to the Committee on Interior and Insular Affairs.

By Mr. HOWARD:

H. Con. Res. 673. Concurrent resolution expressing the sense of the Congress with respect to an international conference on the creation of an International Environmental Agency; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H. Con. Res. 674. Concurrent resolution to request the President to call a Conference on the International Conservation of Anadromous Fish; to the Committee on Foreign Affairs.

By Mr. ROONEY of New York:

H. Con. Res. 675. Concurrent resolution expressing the sense of the Congress with respect to the conquest of cancer as a national crusade; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'NEILL of Massachusetts:

H.R. 18388. A bill for the relief of Theodore Panagiotakopoulos; to the Committee on the Judiciary.

H.R. 18389. A bill for the relief of Antoine Elias Srour; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 18390. A bill for the relief of 1st Sgt. Albert F. Thompson, U.S. Army (Retired); to the Committee on the Judiciary.

SENATE—*Wednesday, July 8, 1970*

The Senate met at 10 a.m., and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in this reverent morning moment, may this place be to us not only a chamber for work but a holy of holies for the heart and a sanctuary for the soul. Aware of the magnitude of the enterprise committed to us here and sensitive to the vastness of the issues, make us more aware of the sufficiency of Thy grace and wisdom and love.

Give us now, O Lord, the clean hands, the pure hearts, and the holy incentives which qualify us to serve the Republic. Link us to great minds and spirits of the past and to the unfulfilled vision of youth in the present. Make our work as sacred as our prayer. Guide us through this day in glad service and with inner peace.

In the name of the Lord of Life. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 8, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 7, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to limit statements to 3 minutes in relation to routine morning business.

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.

RECOGNITION OF SENATOR TALMADGE TOMORROW

Mr. MANSFIELD. Mr. President, the joint leadership is unable to determine at this moment the time of meeting for the Senate tomorrow. We will arrive at a joint decision later, but I ask unanimous consent now that following the disposition of the Journal on tomorrow, the distinguished Senator from Georgia (Mr. TALMADGE) be recognized for not to exceed 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield to the Republican leader.

Mr. SCOTT. Would the Senator kindly summarize the order of business today and tomorrow, so that it may appear in the RECORD.

Mr. MANSFIELD. Yes; if I could ask the distinguished chairman of the committee in charge of the bill which will become the pending business, how long he anticipates it will take to dispose of the Agriculture appropriation bill today.

Mr. HOLLAND. So far as the handlers of the legislation are concerned, it will not take very long.

As the distinguished leaders know, we cannot tell what amendments may be offered, nor what suggestions may be made by other Senators, but I do not anticipate any long fight. The bill was unanimously reported by the Appropriations Committee.

Mr. SCOTT. In the past, there have been amendments offered by the distinguished senior Senator from Delaware and I suppose they may be again, but I

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do not know of any lengthy proceedings involved here.

Mr. MANSFIELD. The Senator from Utah (Mr. BENNETT) will have an amendment. The Senator from South Dakota (Mr. MCGOVERN) will have an amendment. There may be one or two others but, hopefully, we can finish the bill today.

If so, then we would turn to either S. 3302, the bill to amend the Defense Production Act of 1950, to which there will be a number of amendments offered, or the Mathias resolution, which is Senate Concurrent Resolution 64, the so-called repeal of the Gulf of Tonkin resolution.

Mr. SCOTT. Did we not dispose of that once before?

Mr. MANSFIELD. Yes, after a fashion, but with the unanimity we had behind that repeal, we thought we would drive two nails into the coffin instead of one.

Mr. SCOTT. I have no objection. Drive in four or five nails if the Senator wishes.

Mr. MANSFIELD. Two will be enough.

Then the joint resolution dealing with additional expenditures for the United Nations—Senate Joint Resolution 173—plus the two Utah bills having to do with recreation areas—S. 26 and S. 27—and the bill on certain land claims of Alaskan natives—S. 1830. This will go into next week, of course, and it is anticipated that in the first part of next week we will have the legislative appropriations bill—H.R. 16915—ready for debate and disposal.

Mr. SCOTT. I notice in the press that someone, in testifying before a committee in the other body, was complaining that not enough is being done for science and research.

I think it should be noted in the Senate that yesterday we passed the very important NASA appropriation bill, and that we did provide virtually what was asked for by the administration for essential research to continue the ongoing character of the program.

Mr. MANSFIELD. It is my hope that under section 203, which was discussed at some length yesterday, there will be a smooth transition in research and development from the Department of Defense to the National Science Foundation and other agencies charged with responsibility in the basic areas of that category, and that they would not be penalized in the meantime but would continue to be given the consideration which Congress as a whole has indicated it would like them to receive.

Mr. SCOTT. I think it should be stressed one more time, when people ask what we get out of the space program, that aside from the direct purposes of the program, there is a printed document available to anyone who wishes to send for it which recites literally hundreds of fallout benefits from a program of this kind, in the fields of medicine, physics, and chemistry. I was particularly interested to notice that in mathematics, for example, there is one fallout alone which makes it possible to determine much more rapidly than ever before certain mathematical problems relating to the determination of the square root.

This may not sound terribly important, but in a scientific age such as ours, any shortcuts found in mathematical formulas are translated into direct and positive benefits to all of mankind as we proceed with the development of scientific knowledge, so that there are many, many benefits to be derived from this program that do not appear on the face of it.

I thank the Senator from Montana for his information.

Mr. MANSFIELD. I am sure that what the Senator says is correct. I know it is correct. But what we are trying to achieve is a balance between the various programs. The space program has made many great and substantial contributions, but we have to balance expenditures and find some way by means of which we can bring about a balance between the different areas which all cry out for attention but for which there is only a certain amount of money available.

I thank the distinguished Senator from Pennsylvania for making his well thought out and pertinent remarks.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

REPORT OF U.S. GOVERNMENT COMPTROLLER FOR GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the initial annual report of the U.S. Government Comptroller for Guam for the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

RECOMMENDATIONS ADOPTED BY A GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, recommendations adopted by a General Conference of the United Nations Educational, Scientific, and Cultural Organization, held in Paris on November 19, 1968 (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

A petition was laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A resolution adopted by the Grand Lodge of Ancient, Free and Accepted Masons of Oregon, Forest Grove, Oreg., relating to prisoners of war; to the Committee on Foreign Relations.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The ACTING PRESIDENT pro tempore (Mr. ALLEN) announced that on today, July 8, 1970, he signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with amendments:

S. 2808. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes (Rept. No. 91–1005).

By Mr. HOLLINGS, from the Committee on Commerce, without amendment:

S. 2293. A bill to amend the National Sea Grant College and Program Act of 1966 in order to extend the authorizations for the purposes of such act (Rept. No. 91–1007); and

S. 3617. A bill to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development (Rept. No. 91–1008).

By Mr. MONTOYA, from the Committee on Appropriations, with amendments:

H.R. 16915. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes (Rept. No. 91–1009).

AUTHORIZATION OF APPROPRIATIONS FOR THE CIVIL RIGHTS COMMISSION—REPORT OF A COMMITTEE—INDIVIDUAL AND ADDITIONAL VIEWS (S. REPT. NO. 91–1006)

Mr. HART. Mr. President, from the Committee on the Judiciary, I report favorably, with an amendment, the bill (S. 2455) to authorize appropriations for the Civil Rights Commission, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Arkansas (Mr. MCCLELLAN), and the additional views of Senators HART, KEN-

NEDY, BAYH, BURDICK, TYDINGS, FONG, SCOTT, COOK, MATHIAS, and GRIFFIN.

The PRESIDING OFFICER (Mr. GOLDWATER). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE (for himself and Mr. HART):

S. 4067. A bill to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

(The remarks of Mr. MONDALE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HATFIELD:

S. 4068. A bill for the relief of Josefa V. Aquino; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 4069. A bill for the relief of Haviv Schieber; to the Committee on the Judiciary.

S. 4067—INTRODUCTION OF A BILL TO AMEND TITLE V OF THE HOUSING ACT OF 1949

MIGRANT AND SEASONAL FARMWORKER HOUSING AMENDMENTS OF 1970

Mr. MONDALE. Mr. President, on behalf of myself and my distinguished colleague, the Senator from Michigan (Mr. HART), I introduce for appropriate reference a bill to amend the Housing Act of 1949 by providing for increased housing opportunities for migrant and seasonal farmworkers.

This country tolerates some tragic inconsistencies. One of them is the terrible living conditons of 1,000,000 migrant and seasonal farmworkers and their families. These are the workers who notwithstanding the vagaries of weather and the hardships of migrant life, plant, cultivate, and harvest the abundance of food that all of us depend upon. They are among the most poorly housed of any working group in the United States today.

Traditionally farmworkers have been provided shelter by their employer, the farmer. While in most situations the housing provided to year-round workers on small family farms is adequate, it has become increasingly clear that most farmers no longer have the economic resources to provide decent housing for their migrant and seasonal workers who are employed for only short periods of the year.

Senator HART is particularly aware of the housing crisis facing seasonal workers in Michigan agriculture, for Michigan employed more migrant workers than any other user State in the Nation. I am pleased that he has joined with me in submitting this bill.

The history of this housing problem must be considered to fully understand the need for immediate enactment of this bill. In 1961, the Federal Government took steps to assist the farmer, organizations of farmers, nonprofit groups, and States and their subdivisions in providing housing for farmworkers by making available insured loans at a rate of interest of 5 percent. In 1965, the Federal Government took further steps by making available grants for up to two-thirds of the development cost of housing projects for farmworkers. Those grants were to go to States and their subdivisions and to broad-based nonprofit organizations. Both of these programs are administered by the Farmers Home Administration within the Department of Agriculture pursuant to sections 514 and 516 of the Housing Act of 1949, as amended.

These two programs have been terribly disappointing to those of us interested in seeing that every farmworker, no matter where he is working, has a decent and sanitary place to live. To date, these programs have obligated only $28 million, or about 45 percent of what the Farmers Home Administration was authorized to obligate. The money has provided new or improved housing units only for about 4,000 families and 3,000 individual workers. This amount just scratches the surface of what is believed to be the total need of the 1,000,000 migrant and seasonal farmworkers and their families.

Perhaps one reason that the Federal programs for migrant and seasonal farmworkers have not effectively alleviated the problem is that a different approach is necessary. Presently, the initiative for new projects comes from the local level from people who do not necessarily have a direct interest in seeing that farmworkers are provided with decent housing. Because of the transient nature of the work, the workers themselves often are not permanent residents. Once they have left, there is little sustained initiative for improving the housing crisis.

Several immediate steps can be taken to partially remedy this situation, although a whole new approach may be needed. We therefore offer the following changes which would amend the present legislation to make it more workable. These changes are not offered as a panacea, but only as a temporary measure to meet the present crisis until a more comprehensive plan can be implemented.

First, the ultimate beneficiaries of legislation the purpose of which is to improve farm labor housing—the farmworkers themselves—are excluded as a group from receiving funds under the present legislation. Yet no other group has a more direct interest in having decent housing than these farmworkers. Therefore, we recommend in this bill that nonprofit organizations of farmworkers be added to the list of applicants eligible to receive loans and grants for constructing or repairing low-rent housing to be owned by the organizations.

Second, we recommend that grants be made for amounts of up to 90 percent of the total development cost of any project. Currently the legislation provides for grants of two-thirds of the development costs. The sad truth of the present program is that only 16 organizations have received grants and only five of them have received grants in excess of 50 percent of the development costs. The grant program was ostensibly passed in order to reduce the size of the loan that would have to be paid from rental income from the project. Grants of 50 to 66 percent of development costs often do not allow projects to charge rents within the reach of farmworkers. Income from the rents are needed to pay for the operation and maintenance of the project and to pay back loans required for the balance of the development costs. Higher grants are especially necessary in those areas where farm labor housing is needed for only part of the year.

Third, it should be made clear to the Farmers Home Administration that it is Congress intent that grants be made to broad-based, nonprofit organizations. The present legislation authorizes the Farmers Home Administration to make grants to such organizations as well as to State and local public bodies, yet the Farmers Home Administration has recently decided that only public bodies will be considered eligible for grants. In many areas, particularly rural areas, where farm labor housing is needed, public bodies such as Public Housing Authorities do not exist or are insensitive to farmworkers' needs. The exemption of broad-based nonprofit organizations greatly reduces the potential of the program. I might add that by broad-based nonprofit organizations, I refer to a membership of not only farmers, businessmen, and leaders of the community, but also farmworkers.

In addition, we recommend that a broad-based, nonprofit organization be allowed to build housing anywhere in the State of its incorporation where a need can be established. Existing administrative regulations require a majority of the directors of such an organization to live within the geographic area of the site of the project and the farms on which the laborers are to work. This latter amendment could create better and more efficient management in the projects and allow them to be strategically placed in areas throughout the State under a comprehensive plan.

Fourth, it is a well-documented fact that the constant migration of farmworkers has a terribly disruptive physical and psychological effect on them, and especially on children. Whenever possible, farm labor housing constructed under present program strengthened by this bill should be suitable for year around living.

This Nation must adopt as an overall policy goal the elimination of the need for migrant farm labor in all its misery as it exists today. At least we should adopt a policy to reduce the oversupply of labor. And an interim goal not beyond reasonable implementation is to reduce the need for the farmworker to travel great distances from his permanent home in search of employment. Adequate housing programs should make a positive contribution to a policy of stabilizing the migrant population and encouraging the development of a local farm labor work force.

Finally, if the housing constructed will be used only for very short periods of the year by workers, the Farmers Home Administration should allow the loan and grant funds to be used to purchase furnishings such as stoves, refrigerators,

beds, bedding and furniture. Presently, only those fixtures which become a permanent part of the realty are allowable.

These are all minor steps which will revitalize a program which is drastically needed if this country is to live up to its responsibilities to farmworkers. We can no longer afford to tolerate the sad truth that many of our working people live in unmitigated squalor. Programs designed to eliminate that squalor must be made to work, and work well. These amendments will assist that effort.

Mr. President, I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD in its entirety at the close of my remarks.

The PRESIDING OFFICER (Mr. HUGHES). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4067) to amend title V of the Housing Act of 1949, introduced by Mr. MONDALE (for himself and Mr. HART), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 4067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) that part of subsection (a) of section 514 of the Housing Act of 1949 which precedes the first numbered paragraph is amended to read as follows:

"(a) The Secretary is authorized to insure and make commitments to insure loans made by lenders other than the United States to the owner of any farm or any association of farmers for the purpose of providing housing and related facilities for domestic farm labor employed on a farm or farms within the community; or to any State or political subdivision thereof, or any broad-based public or private nonprofit organization incorporated within the State, or any nonprofit organization of farmworkers incorporated within the State for the purpose of providing housing and related facilities for domestic farm labor any place within the State where a need exists. All such loans shall be made in accordance with terms and conditions substantially identical with those specified in section 502, except that—".

(b) Section 514 (f) (1) of such Act is amended by striking out the semicolon and inserting in lieu thereof the following: "and, in the case of housing for migrant labor, household furnishings;".

SEC. 2. Section 516 of the Housing Act of 1949 is amended—

(1) by striking out that part of subsection (a) which precedes the first numbered paragraph and inserting in lieu thereof the following:

"(a) Upon the application of any State or political subdivision thereof, or any broad-based public or private nonprofit organization incorporated within the State, or any nonprofit organization of farmworkers incorporated within the State, the Secretary is authorized to provide financial assistance for the provision of low-rent housing and related facilities (which may be located any place within the State) for domestic farm labor, if he finds that—";

(2) by striking out in paragraph (2) of subsection (a) "one-third" and inserting in lieu thereof "10 per centum";

(3) by inserting after "thereof" in paragraph (3) of subsection (a) the following: ", and, whenever feasible, such housing and facilities shall be durable and suitable for year around occupancy or use"; and

(4) by striking out in subsection (b) "two-thirds" and inserting in lieu thereof "90 per centum".

Mr. HART. Mr. President, I am pleased to cosponsor the Migrant Farmers Housing Amendments submitted by my distinguished colleague from Minnesota, Senator MONDALE, chairman of the Migratory Labor Subcommittee. His eloquent statement on the housing needs of migrant and seasonal farm labor testifies to his broad understanding of this problem.

Migrant and seasonal farmworkers have performed a vital role in modern agriculture in Michigan. Each year thousands of farmworkers leave the "home base" areas of Florida and Texas to work in "user States" such as Michigan, and more migrants have come to Michigan than to any other State. These workers, while meeting the crucial harvest needs in Michigan cherries and other fruits and vegetables, are too often subjected to seriously depressed living and working conditions.

The influx of migrants to supplement the local farm labor force creates severe problems in meeting such basic human needs as health, education, sanitation facilities, and particularly housing. Most local, rural communities are not equipped to meet fully these problems.

And regrettably the housing situation apparently is no better in Michigan than it is in Minnesota, or New York, or Delaware, or Ohio, or Oregon. The plain fact is that we do not have adequate numbers of housing units for these seasonal workers who contribute so much to the Nation's abundance of agricultural commodities.

Also, farmers who employ migrant workers have a unique problem in meeting the housing needs of their employees. Unlike other industries which have not been burdened with the responsibility of providing housing, many parts of the agriculture industry have accepted this responsibility. This has placed a great financial burden on the farmers of Michigan. Many are reluctant to build housing and maintain it in good condition since they know that it may be vacant for much of the year. The economic pressures on the agriculture industry in Michigan are similar to those faced nationwide, and farmers must now meet the costs of ever increasing advances in mechanization. Adding to the farmers' economic dilemma is that our housing laws have failed to meet these special problems of farmworkers.

One effort on the Federal level to improve the quality of housing has met with mixed results. Strict Government regulations of housing conditions have been adopted by the U.S. Department of Labor for interstate agricultural workers recruited through its employment security facilities. This program provides that before an agricultural employer may use State employment security agencies in planning for the interstate recruitment of workers, he must first furnish housing that is hygenic and adequate to the climatic conditions of the area of employment; can reasonably accommodate the workers sought; and will not endanger the lives, health, or safety of the workers. The State of Michigan has also adopted strong regulations on migrant housing.

While the increased enforcement activity under these regulations has served the worthy purpose of eliminating units which should not have been occupied in the first place, an increasing number of well-intentioned Michigan farmers are faced with the crisis of not having an adequate number of units for migrants. And for economic reasons, they have not replaced condemned housing. The migrant and his family are the ones who all too often end up sleeping on the side of the road, in tents or in cars.

I join in submitting this bill today because I am committed to finding solutions to this pressing problem. It is my sincere hope that Federal funds will soon be made available to alleviate the crisis. Economics too frequently prevent the farmer from making adequate and necessary housing available. Similarly, the farmworker does not have the economic resources necessary to assure himself of adequate housing. I join in the introduction of this bill in the hope that it will provide a vehicle for solving this tragic problem. It will relieve the farmer from having the full responsibility of meeting his workers' housing needs. But equally important, it will provide justice and dignity for the farmworker by enabling him to participate in providing housing for himself and his family.

The amendment would:

First. Permit nonprofit organizations of farmworkers to receive loans and grants;

Second. Increase the limit on grants for migrant housing projects from 66 to 90 percent of cost;

Third. Authorize broad-based, nonprofit organizations as well as official public bodies to receive loans and grants;

Fourth. Require that, whenever possible, migrant housing, constructed with Federal funds, be available for year around living; and

Fifth. Permit purchase of kitchen equipment and furniture with program funds.

These changes are needed because:

First. Farm workers, ultimate beneficiaries of the programs, are now excluded from receiving funds.

Second. Rents are used to reimburse loans and pay operating and maintenance costs. Experience has shown that grants of 66 percent often do not allow projects to charge rents within reach of migrant farm workers.

Third. Many rural areas do not have official local bodies such as public housing authorities to apply for and receive loans and grants.

Fourth. Constant migration has serious disruptive physical and psychological effects on workers and their families. Adequate housing programs should make a positive contribution to stabilizing the migrant population and to developing local farm labor work forces.

Fifth. The law now permits loans and grants to be spent only for fixtures which become permanent parts of the units.

ADDITIONAL COSPONSORS OF BILLS

S. 2662

Mr. NELSON, Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Michigan (Mr. GRIFFIN) to be added as a cosponsor of S. 2662, to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 3562

Mr. HUGHES. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Vermont (Mr. PROUTY) be added as a cosponsor of S. 3562 to provide a comprehensive Federal program for the prevention and treatment of drug abuse and drug dependence.

The PRESIDING OFFICER (Mr. GOLDWATER). Without objection, it is so ordered.

S. 3752

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. PACKWOOD) be added as a cosponsor of S. 3752, to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes.

The PRESIDING OFFICER (Mr. HUGHES). Without objection, it is so ordered.

S. 3936

Mr. ERVIN. Mr. President, I ask unanimous consent that at the next printing the names of the Senator from Nevada (Mr. CANNON) and the Senator from Missouri (Mr. EAGLETON) be added as cosponsors of S. 3936.

This bill, the "Speedy Trial Act of 1970," is designed to give effect to the sixth amendment right to a speedy trial for persons charged with offenses against the United States, and to reduce the danger of recidivism by strengthening the supervision over persons released on bail, probation, or parole, and for other purposes.

The PRESIDING OFFICER (Mr. GOLDWATER). Without objection, it is so ordered.

S. 3976

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Colorado (Mr. ALLOTT), the Senator from Utah (Mr. BENNETT), the Senator from Idaho (Mr. CHURCH), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), and the Senator from Washington (Mr. JACKSON) be added as cosponsors of S. 3976, to make it unlawful to interfere in any way with any person's exercise of his constitutional rights of religion, speech, press, assembly, or petition, and to make available injunctive and other relief in Federal district courts in the event of such unlawful interference.

The PRESIDING OFFICER (Mr. GOLDWATER). Without objection, it is so ordered.

S. 4024

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from California (Mr. CRANSTON) and the Senator from New Mexico (Mr. MONTOYA) be added as cosponsors of S. 4024, to provide special educational services to veterans.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 4041

Mr. TOWER. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Kansas (Mr. PEARSON) be added as a cosponsor of S. 4041 to repeal section 7275 of the Internal Revenue Code of 1954, relating to amounts to be shown on airline tickets and advertising.

The PRESIDING OFFICER (Mr. GOLDWATER). Without objection, it is so ordered.

SENATE RESOLUTION 425—SUBMISSION OF A RESOLUTION TO PERMIT A SENATE EMPLOYEE TO TESTIFY IN A CIVIL ACTION

Mr. WILLIAMS of New Jersey submitted an original resolution (Senate Resolution 425) to permit a Senate employee to testify in a civil action, which was considered and agreed to.

(The remarks of Mr. WILLIAMS of New Jersey when he submitted the resolution appear later in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 422

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Wisconsin (Mr. PROXMIRE), the Senator from Maine (Mr. MUSKIE), the Senator from Indiana (Mr. BAYH), the Senator from Rhode Island (Mr. PELL), the Senator from Idaho (Mr. CHURCH), the Senator from Washington (Mr. JACKSON), the Senator from Iowa (Mr. HUGHES), the Senator from New York (Mr. GOODELL), and the Senator from New Mexico (Mr. ANDERSON) be added as cosponsors of Senate Resolution 422, to authorize representation of the U.S. Senate by counsel in judicial proceedings concerning constitutional validity of the Voting Rights Act Amendments of 1970.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950—AMENDMENTS

AMENDMENTS NOS. 767 AND 768

Mr. PROXMIRE submitted two amendments, intended to be proposed by him, to the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes, which were ordered to lie on the table and to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 8, 1970, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

George Beall, of Maryland, to be U.S. attorney for the district of Maryland for the term of 4 years, vice Stephen H. Sachs, resigning.

Edward S. King, of New York, to be U.S. marshal for the western district of New York for the term of 4 years, vice Alvin Grossman.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, July 15, 1970, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ADDITIONAL STATEMENTS OF SENATORS

AMERICAN PRISONERS OF WAR

Mr. GURNEY. Mr. President, someone—Disraeli, I believe—once said, "Nurture your mind with great thoughts: to believe in the heroic makes heroes." Surely no one who has listened to the testimony of men released by the North Vietnamese can deny that the other American prisoners of war left behind are truly heroic. They are the very stuff of which heroes are made.

NO DRAFTEES TO SOUTHEAST ASIA

Mr. PROXMIRE. Mr. President, on July 2 the distinguished Senator from

Colorado (Mr. DOMINICK) was interviewed on Metromedia Radio News. During the interview, Senator DOMINICK made a number of interesting remarks in regard to the possibility of no longer sending draftees to Vietnam. I was most encouraged in hearing what Senator DOMINICK had to say in light of an amendment that Senators NELSON, HUGHES, and I have recently submitted on this subject, and in view of the fact that Senator DOMINICK is a respected member of the Committee on Armed Services.

The Proxmire-Nelson-Hughes amendment to the fiscal 1971 military authorizations bill will provide that after the enactment of this bill no funds may be expended for the purpose of sending draftees to South Vietnam, Cambodia, or Laos, unless specifically authorized by Congress at a later date.

During the Metromedia interview, Senator DOMINICK was asked by Carl Leubsdorf:

There's been some speculation in that regard that the Administration will probably announce at some point, maybe before the elections, that draftees would no longer be sent to Vietnam? Would you expect that to happen?

To this, Senator DOMINICK replied:

I rather suspect that it won't be announced in that form, but I also suspect that those draftees that don't want to go to Vietnam will be permitted not to go. I think it will be on a voluntary basis.

Now, let me just take an example of some of the young people that I happen to know in the armed services. Those people who got in, we'll say, just a few days before the draft, and they got in on account of the draft, that's the only reason they got it; a lot of them, after they have been in basic and advanced training in the camps around the United States would infinitely prefer to go to Vietnam than they would to stay here. They don't particularly like the military life, they figure that there's more spit and polish over here than there will be in Vietnam. They'd much prefer to be where the action is, and where the rules are a little less strenuous than they are here.

Consequently, a lot of them volunteer to go, and the complaints that you find are the fellows who've come back from Vietnam, and suddenly get back in the spit and polish again, before their contract term is over; and they get very uptight, to use the modern phrase, about all the harrassment that they say they get through the military system in the United States.

Therefore, I would think, to specifically answer your question, that there won't be any announcement that way, because this would mean that those people who want to go couldn't go. I rather suspect that those people who do want to go will be permitted, and there will be quite a few of them who may be draftees.

Mr. President, Senator DOMINICK, in his reply to Mr. Leubsdorf's question, hit upon two very important points. First, any proposal to end the practice of sending draftees to South Vietnam must be made on a voluntary basis. Senators NELSON, HUGHES, and I certainly concur with this point of view. Therefore, in our amendment, we have included a provision that will allow those men who have been inducted into the armed services pursuant to the Military Selective Service Act of 1967 the option of volunteering for duty in South Vietnam, if they so desire. We should not bar the door to serving in Vietnam if the draftee wishes to do so.

Second, Senator DOMINICK has pointed to the fact that there will be men who will go to Vietnam, freely, of their own will. According to the Senator:

A lot of them would infinitely prefer to go to Vietnam than they would to stay here. They don't particularly like the military life, they figure that there's more spit and polish over here than there will be in Vietnam. They'd much prefer to be where the action is, and where the rules are a little less strenuous than they are here.

For those who doubt we would be able to maintain our troop strength in Vietnam without the draftee, I believe Senator DOMINICK has offered one argument to the contrary.

Mr. President, I, along with Senators NELSON and HUGHES, am convinced that we no longer need to send draftees to Southeast Asia. The facts are there to support this belief. The President's announced troop withdrawals of 265,000 men since he took office 18 months ago more than doubles the approximately 115,000 draftees now serving in Vietnam. Furthermore, draftees in South Vietnam comprise only 4 percent of our total military strength of 3.1 million men. Surely there will not be any hardship in not sending any more draftees to South Vietnam to relace the 115,000 or fewer draftees now there.

Mr. President, in light of these facts, and the two points Senator DOMINICK made in his Metromedia interview, I urge the Senate to give the Proxmire-Nelson-Hughes amendment its utmost consideration when we bring this amendment up during the debate on the military authorizations bill.

ATTORNEY GENERAL SPEAKS ON RIGHT OF DISSENT

Mr. GRIFFIN. Mr. President, in an address before the Texas State Bar Association and State Junior Bar Association in San Antonio on July 2, 1970, Attorney General John N. Mitchell made some significant observations on the right of dissent. I ask unanimous consent that the text of his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN N. MITCHELL, ATTORNEY GENERAL OF THE UNITED STATES

I. INTRODUCTION

It is a great pleasure for me to be here in San Antonio to address this combined annual meeting of the Texas State Bar Association and the Junior Bar.

The topic I would like to discuss today is the First Amendment protection for freedom of speech and assembly which many commentators have said is the most treasured amendment in our Bill of Rights.

I have chosen to speak on the First Amendment for a number of reasons.

Only yesterday in Washington, we celebrated the 100th anniversary of the Department of Justice. As you know, most of our first century was dedicated to the problems of federalism and economic rights.

It was not until 1919 that the Supreme Court decided a First Amendment case involving the Federal Government; and not until 1927 that the First Amendment was made applicable to the states.

The Civil Rights Division in the Department of Justice was only founded 14 years ago but it has become one of our most active divisions.

Our Community Relations Service, which is devoted to racial harmony, was only founded six years ago.

The pattern seems clear: in our second century the Department of Justice will spend a great deal of time and effort protecting human rights, protecting those incorporeal values that are so necessary for the human dignity that must accompany a free society.

The Department of Justice is proud of its reputation as the institutional commitment of the Executive Branch to "equal justice under law" in order to secure the blessings of liberty to ourselves and our posterity."

And you may be sure that the President and this Administration are firmly committed to making human dignity a reality for all of our citizens.

These values have come to us in the words of the Declaration of Independence, whose signing we celebrate this weekend.

The Declaration is basically a legal document—a list of juridical complaints against the English King.

When these complaints are all put together, they become a moral indictment of despotism whose first rule is to stop free speech and association.

Your own great State of Texas has a similar tradition of independence which is symbolized by the Alamo here in San Antonio.

Your State suffered at the hands of three separate despotic governments—the French, the Spanish and the Mexican—before asserting the rights of free men.

But perhaps the most compelling reason for discussing the First Amendment today is that I am addressing a number of younger lawyers from the Junior Bar.

It is today's young men and women who will be the custodians of our Constitution system in the future.

It is today's young people who are becoming increasingly active in social and political affairs and who—at the same time—are questioning some of the fundamental institutions of the nation.

Some are asking, for example, if our tradition of freedom of speech is really working and whether the First Amendment guarantees—as we know them—have any relevance in today's society.

What I propose to do in this short address is to discuss the legal and practical problems that face all of us in making freedom of expression a living concept.

And let me remind you that there is no nation in the world today which offers the average citizen more opportunity to speak his mind without fear or intimidation than the United States of America.

II. A NEW AGE OF DISSENT

The necessity to reexamine and reaffirm the principles of the first Amendment comes about because we are in a new age of dissent.

Thirty years ago, our young people came out of colleges and law schools anxious to make a living in an era of economic depression. Later, they went off to war and then to the relatively quiet domestic situation of the Eisenhower Administration.

It was not until the early 1960's that the young people in our country began to believe that they had a significant role to play.

Some joined the civil rights movement. Others joined the Peace Corps, the Job Corps, Neighborhood Legal Services and other projects, without much thought of financial remuneration.

The "generation gap" had started, although neither generation was prepared for the intensity of the chasm.

This intensity developed because of two trends which were not entirely obvious at the time.

First: The older generation did not fully recognize that the activists among the younger generation were indirectly attacking fundamental values of the Establishment. They were sacrificing the accepted values of financial security in favor of the human values of working with the poor and underprivileged.

But, at the same time, they were becoming disillusioned with their own efforts. Being young, they were not prepared for the years of hard work that is necessary to implement reform programs.

And so, having given their best efforts to reform society overnight within the system, they started criticizing the system itself on the grounds that it is not responsive to the needs of the nation.

Frequently, I might add, they rely on rhetoric and not facts. They throw around catch-word phrases like "repression" and "relevance" without any serious inquiry into the particular cases they cite as examples of government misfeasance.

Basically, their dissent and activism has taken two forms.

A small minority chose violence. But the great majority of the young dissenters have chosen to highlight their cause by exercising freedom of expression as it is protected by the First Amendment.

They march and sing. They walk silently with candles past the White House. They produce songs and books and newspapers and plays. They have developed their own motion picture and art techniques. They have evolved their own dress and language styles.

As they become more impatient, their message becomes more militant; their marches larger; and their platforms more radical; and they have gained some adherents of all ages.

They are a whole new culture: parading in the streets, striking against schools, crowding the halls of Congress, and organizing political campaigns.

In general, they are activist but also peaceful young men and women who—in our best traditions—are working within the system in order to change it.

Therefore, I must reject the claim that our established Constitutional methods of dissent are not working effectively for the dissemination of minority views.

If there is any greater proof that the First Amendment is alive and well and that it is working in today's society, we need only look at the recent growth and vitality of citizen action programs—most of them depending upon young people for their strongest support.

What this proves beyond a reasonable doubt is that there is more freedom of speech and more freedom of assembly today than at any time in our nation's history; and so long as I am Attorney General I will do everything within my power to see that these rights continue to flourish.

III. THE CONSTITUTIONAL RIGHT TO DISSENT

The First Amendment is based on the premise, as Mr. Justice Holmes said, that "the best test of truth is the power of the thought to get itself accepted in the competition of the market . . ."

Why we should permit this market of ideas is perhaps well explained by Mr. Justice Brandeis in his dissent in *Whitney* v. *California*. He said:

". . . we must bear in mind why a state is, ordinarily, denied the power to prohibit dissemination of social, economic and political doctrine which a vast majority of its citizens believes to be false and fraught with evil consequence.

"Those who won our independence . . . believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth . . .

"They knew that . . . fear breeds repression; that repression breeds hate; that hate menaces stable government; (and) that the path of safety lies in the opportunity to discuss freely supposed grievances."

In line with this reasoning, the Supreme Court has vigilantly guarded First Amendment rights and has reserved some of its most caustic comments for those who attempt to infringe on free speech and assembly.

The court has insisted that, ordinarily, citizens have the right to speak, to write and to disseminate even the most unpopular ideas by peaceful methods.

They have the right to use the streets and other public grounds to conduct peaceful demonstrations, to distribute handbills, to quietly picket; to broadcast on radio and television; to produce controversial motion pictures, and to ignore ex parte injunctions.

As evidence of our high regard for the First Amendment we have even evolved special procedural rules. These permit attacks on prospective government action limiting freedom of speech on the grounds that we must discourage any "chilling effect" on such a vital right.

IV. THE LIMITS OF DISSENT

However, there are limits beyond which the First Amendment may not be carried.

The most famous, of course, is that laid down by Mr. Justice Holmes in *Schenck*.

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater, and causing a panic.

"It does not even protect a man from an injunction against uttering words that may have all the effect of force.

"The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree."

V. FREEDOM OF ASSEMBLY

Nowhere are the questions of "proximity and degree" more difficult than under the right of assembly provision of the First Amendment, as opposed to the right of free speech.

While today we tend to speak of assembly and speech in the same breath, they are two different rights. During the Constiutional Convention, there was a heated debate over the freedom of assembly clause, with its detractors claiming it was "minutiae."

The Supreme Court has pointed out the two different standards. It said in *Cox* v. *Louisiana:*

"We emphatically reject the notion . . . that the First and Fourteenth Amendments afford the same kind of freedom to those who would communicate ideas by conduct such as patrolling, marching, and picketing on streets and highways, as these amendments afford to those who communicate ideas by pure speech."

The Court added:

"We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations."

Thus, the Supreme Court has ruled that demonstrators do not have a constitutional right to cordon off a street or to use a loud amplification system or to block the entrance of a building, or to insist that passers-by listen to speeches, or even to peacefully demonstrate on public property, such as a county jail, which is set aside for specific governmental purposes.

In that case, the Court noted:

"The United States Constitution does not forbid a State to control the use of its own property for its own nondiscriminatory purpose."

VI. THE APPLICATION OF THE FIRST AMENDMENT

Here, we come to the most difficult question: How do we, as lawyers and public officials, insure a maximum range for free speech while, at the same time, attempting to insure a minimum opportunity for violation of the rights of those who are not involved in a demonstration?

Here are some of the guidelines that we in the Federal government follow in Washington and which I believe should be considered by local and state officials.

1. Encourage the peaceful exercise of First Amendment rights, regardless of how unpopular the cause. Merely to tolerate freedom of expression is not good enough.

We believe it is appropriate to establish an atmosphere in which citizens want to express themselves on the issues of the day.

And to make sure that persons wishing to conduct a demonstration be given the benefit of the doubt; that in questionable situations it is always wiser to offer a little more freedom than a little less.

2. Realize that most large political demonstrations may entail a certain amount of inconvenience to local residents, may impose additional expenses on local taxpayers, and may engender widespread community hostility to demonstrators.

Traffic may have to be rerouted. Sidewalks may become crowded. Police and health officials may have to leave their normal routine. Additional manpower may have to be employed.

Because the police have the primary government obligation of insuring an orderly demonstration, perhaps a few words of guidance are in order.

Police should remember that they are professional law enforcement personnel who should not be swayed by their approval or disapproval of the views expressed by the demonstrators.

They should be sensitive to and understanding of the fact that persons emotionally involved in a demonstration do not always behave in a normal fashion.

If arrests must be made, they should be accomplished with a minimum of force needed to restore order.

We have found in Washington that the key to a successful demonstration is careful preparation and extended negotiations with the demonstrators.

When both the local government and the demonstrators attempt to understand the problems that each side faces, the problems tend to be solved quickly in an atmosphere of compromise.

Of course, there may be a sizeable cost in terms of manpower and money. But we think that this should be a cost that a local community is more than willing to absorb as the price of being part of a free republic.

Given our times, we cannot expect political demonstrations to be conducted like prayer meetings. We must expect language which may incite hostility or may be obscene.

This is because the First Amendment protects all of us, including men and women who choose to be unruly, unreasonable, and impolite.

On the other hand, residents of local communities have rights, rights which should not be seriously impaired.

Businessmen must be able to conduct their affairs. Schools and municipal services must be provided. The ordinary life and commerce of a city must be allowed to function effectively.

I reject the notion that persons exercising freedom of speech have a right to shut down a community any more than a community has a right to keep out demonstrators.

But this leaves several difficult problem areas still unresolved. Generally, these are cases where public officials have good reason

to believe there may be violence perpetrated by the demonstrators or against them.

Because local officials have the obligation of protecting the demonstrators and the community, certain limitations may be in order on how and where the demonstration is conducted.

Most of these problems come down to case-by-case decisions, frequently made under extreme pressures of time. I do not think there are any hard and fast rules. Local officials should be familiar enough with their own communities to work out acceptable compromises.

Of course, there are always the courts as a last recourse for either side. But judges are hardly in a better position to make law enforcement decisions than are reasonable and responsible city officials.

VI. CONCLUSION

In recent months hundreds of thousands of American citizens have come to Washington, D.C., to exercise their rights of free speech and peaceable assembly.

The Department of Justice has now furnished to the Senate a voluminous report on the lessons we have learned and the steps we have taken to protect and confirm the First Amendment rights.

I think you will find the report encouraging and I believe you will agree that it matches performance to the promise offered by President Nixon when he said:

"Peaceful protest is part of the American tradition. The right to dissent is a force for change, but it is the right to disagree, not the right to disobey laws.

"So let us have order in America—not the order that suppresses dissent and discourages change, but the order that guarantees the right to dissent and provides the basis for peaceful change."

REPORT ON TEXAS TORNADO DISASTERS

Mr. TOWER. Mr. President, so that Senators may be kept well informed of Federal activities in regard to the tornado disasters earlier this year in Lubbock and the Panhandle of west Texas, I ask unanimous consent to have printed in the RECORD an updated report on such activities which I have recently received from George A. Lincoln, Director of the Office of Emergency Preparedness.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL ACTIVITIES IN TEXAS MAJOR DISASTER, DECLARED MAY 13, 1970

On May 13, 1970, President Nixon declared a "major disaster" for Texas as a result of the tornadoes and windstorm April 17 in the Panhandle-South Plains area of the State and the devastating tornado May 11 in Lubbock. This declaration was amended June 26 to include Hays County because of flood damage in San Marcos April 15. This special report covers some of the principal relief and recovery actions by Federal agencies under Public Law 81-875 and other authorities, during the first month after the Presidential declaration. (It does not, therefore, include actions in response to the San Marcos flooding.)

Under recently adopted procedures, the Office of Emergency Preparedness is responsible for allocating from the President's disaster relief funds whatever amounts may be required for a particular "major disaster." Thus far, $2 million has been earmarked for assistance in the tornado-stricken area—the counties of Briscoe, Cochran, Donley, Gray, Hale, Hockley, Lamb, Lubbock, Parmer, and Swisher.

These funds are to be obligated for project applications submitted by the State or by local governments and approved by the OEP Regional Office for debris clearance, protective and health measures, road and bridge repair, temporary housing, and repair of public facilities and utilities. Project applications may be submitted up to 90 days after the disaster declaration. Funds are also used to reimburse other Federal agencies for work performed under mission assignments from OEP. To provide unemployment compensation for disaster victims, OEP has advanced $250,000 to the Department of Labor.

Most of the work necessitated by the April 17 disaster is being carried out through supplemental Federal assistance of this kind. The May 11 disaster in Lubbock has required considerably greater aid, especially in housing.

In Lubbock, OEP promptly established a disaster field office at 1420 Texas Street, under OEP Region 5 Director George Hastings, to coordinate Federal agencies' efforts. Two "one-stop centers," where information could be obtained on all Federal disaster assistance programs, were also set up—at the Mi Casita Northeast Community Center, 2420 E. Erskine Street, and at the Guadalupe Center, First Street and Avenue P—each with an OEP official in charge.

Th centers were publicized, in English and Spanish, through newspapers, radio, pamphlets distributed at churches, and loudspeakers in cars, to reach all disaster victims. Also, a 90-minute telecast over KCBD-TV, featuring Representative George H. Mahon of Lubbock and George Grace, head of OEP's Field Operations Office, was viewed by an estimated 10,000 persons; the program was taped and translated into Spanish for rebroadcast by radio.

A Red Cross survey of the destruction in Lubbock reported 540 dwellings and house trailers destroyed, 519 with major damage, and 764 with minor damage. Some 2,500 persons were given emergency shelter in the city's colosseum through May 18, when the shelter was closed. Meanwhile, temporary housing was made available by the Department of Housing and Urban Development and the Veterans Administration. Much of this was represented by a vacant HUD-owned housing project. HUD placed 309 families immediately after the declaration, had 387 units ready for occupancy on May 14, and had turned over 543 properties to the city by May 17. By May 15, VA had delivered 38 properties, with 18 more repaired and available. The combined figures from both agencies as of June 8 showed 774 units available, 700 of them turned over to the city, 666 occupied, 74 still under repair; only 30 applications were pending. At the request of the victim-occupants, some units were made available before they could be brought up to satisfactory condition; repairs on these were continued after occupancy.

The rental policy agreed upon by HUD and OEP provided rent-free occupancy for the first three months, with monthly charges thereafter (for the remainder of the first year after the declaration) ranging from $45 to $60, depending on number of bedrooms. Occupants pay for utilities and refuse-collection. In hardship cases, rentals and other charges can be adjusted.

Homeowners and businessmen whose properties were damaged in these disasters can obtain long-term low-interest loans from the Small Business Administration under its own authority. SBA declared a disaster loan area for western Texas on April 18, as well as another for Zapata County after a May 24 tornado and one for Hays County because of the May 15 San Marcos flooding. SBA offices were quickly opened in Plainview and Clarendon, after the April tornadoes, in addition to Lubbock.

Because so many of the victims of the Lubbock tornado were Mexican-Americans, special efforts were made to assure observance of civil rights. An OEP compliance team, sent to Lubbock, worked closely with the White House Staff, the Department of Justice, the U.S. Civil Rights Commission, the Cabinet Committee on Opportunities for the Spanish-Speaking, the Labor Department's Office of Federal Contract Compliance, and, locally, several Mexican-American leaders, Mayor James Granberry's 11-member advisory committee on rehabilitation, and the Disaster Legal Assistance Project. Matters of principal concern to the team were employment, housing, transportation, legal services, insurance, and land ownership. As of May 25, legal assistance cases undertaken by the Disaster Project of the Lubbock County Bar Association and the legal aid society numbered 135.

Because the OEP compliance team was concerned with so many post-disaster aspects, it served as a catalvst in determining available assistance. It helped, for example, in obtaining additional slots for the Labor Department's local Neighborhood Youth Corps and "Operation Mainstream" projects.

The team's "Civil Rights Compliance Report Re Tornado Disaster in Lubbock, Texas," submitted on June 9, is especially useful as a study of the early stages of Federal assistance. It is therefore appended to this report.

OEP has also undertaken a case study of Federal efforts in providing assistance to individuals in the Lubbock disaster (especially as authorized by Public Law 91-79), to determine better ways of helping to meet human needs in future disasters.

INNOVATIONS IN INDIAN EDUCATION

Mr. MONDALE. Mr. President, there is so much "bad" about the State of Indian education that we do not always give proper attention or credit to those individuals and programs which are contributing significantly to the slow but important improvements that are being made.

Mrs. Rosemary Christensen, an Indian leader in Minnesota and a staff member of the Upper Midwest Regional Educational Laboratory, took a look at some of the innovations in Indian education in a speech this spring before the League of Women Voters of Minnesota. The league itself has been one of the Indian's most consistent advocates in Minnesota.

Mrs. Christensen pointed out three categories in which innovations have taken place: First, nationally, at the Rough Rock Demonstration School on the Navajo Reservation; second, regionally, at the demonstration classrooms on the Red Lake Reservation in Minnesota; and, third, statewide, the progress being made under the guidance of Minnesota's director of Indian education, Mr. Will Antell.

Although much remains to be done, nationally, regionally, statewide, and locally, I am proud of the progress being made in Minnesota. I ask unanimous consent that Mrs. Christensen's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

INNOVATIONS IN INDIAN EDUCATION

(Talk given at League of Women Voters of Minnesota Biennial Council Meeting, April 15, 1970, by Rosemary Christensen)

It is such a pleasure for me to be here at the League of Women Voters Biennial Council meeting. The League holds a special place in my esteem for the outstanding work done

in the area of Indian affairs. This is not to slight other equally important League interests illustrated by the booklet I recently received entitled "Equality of Educational Opportunity" (a very timely work indeed!). The League holds a well-deserved reputation as a hard-working, fair, responsible organization. The research behind each League publication speaks for itself and deserves everyman's admiration. Perhaps I should say open-mouthed admiration when it is added that all the work is volunteer.

But my special appreciation is expressed for such works as *Indians in Minnesota* and *Indians in Minneapolis*. Well-researched documents on Minnesota and Minneapolis Indians are a scarcity, and we have the League to thank for those statistics that are available in the afore-mentioned documents. I have heard these publications quoted from Albuquerque to Washington, D.C.—from the NCAI to the Senate Subcommittee on Indian Education. I am, of course, eagerly awaiting the soon-to-be-ready updated League publication on the Minnesota Indian.

My remarks here tonight are entitled innovations in Indian education. The word "innovation" is heavily used at the moment and perhaps overused or misused in some instances. But in looking at the word itself, it means, according to Webster's, the introduction of something new—a new idea, method, or device—to make change. And in looking at the statistics available on Indian education *a change is necessary*.

Accordingly to Senate subcommittee findings, the number of suicides and alcoholics among the native population has increased. Adolescent suicide rates on the Quinault Reservation in the state of Washington and the Fort Hall Reservation in Idaho are termed of "epidemic proportions." In South Dakota suicide attempt rates are more than twice the national average. The drop-out rate everyone knows about, and though it changes numerically from region to region, the overall average in both the drop-out and suicide rate is a national disgrace—or as the subcommittee entitled their report: *"Indian Education: A National Tragedy—A National Challenge."*

In discussing innovations, I have placed them in three categories:

1. Rough Rock Demonstration School in Arizona (as a national famous example);

2. Red Lake classrooms and the regional laboratories (as a regional example);

3. Leadership provided by the Director of Indian Education in Minnesota (as a state example).

The first area: The Rough Rock Demonstration School is, of course, nationally known. Dillon Platero, the Navaho director of Rough Rock, cites three innovative approaches at his school:

1. The first and most important—The school is controlled by the community. The school board is all Navaho—the director is Navaho; decisions are made and carried out by the Navaho people.

2. The Navaho Curriculum Center—Here books and materials are prepared for use in the school's curricula. These items reflect Navaho culture through music, stories, and folkways of the people—a recent publication is biographies of famous Navahos. I saw a copy of this book; it's beautifully illustrated, interestingly written, and any child would be pleased to learn of his forebears in this way. Additional materials being prepared are permeated with the Navaho culture. The very stories used are traditional Navaho stories. The heroes have Navaho names and the illustrations look like Navaho people—past and present. The writing is currently being done by Navaho writers. The language of the people is used to teach the younger children, and English is taught as a second language.

3. The third area is the cultural input at Rough Rock—When you visit the Rough Rock School, it's very apparent you're in Navaho country. Famous Navaho legends and paintings are on the walls. Navaho women (usually traditionally dressed and sometimes carrying babies on cradleboards) are in the classrooms, dorms, and on the grounds. Little girls are busily learning to weave Navaho rugs in the classrooms during their free time. The children are taught in Navaho with Navaho teachers in the beginning grades. And as mentioned above, curriculum materials reflect Navaho folkways and culture.

Mr. Platero sums it all up by saying, "The school belongs to the DINE (the people), and it's an integral part of the community." He added that the school is used as a community center—for recreation—and the school is now exploring the possibility of working with the community in building houses, etc.

In the second example mentioned, the Red Lake classrooms numbering seven on the Red Lake Indians Reservation, are under the auspices of a regional laboratory. There are 15 laboratories scattered around the country funded in the most part by OE and devoted to Educational Research. Of the fifteen, four have programs in Indian Education. This region comprising five states—Wisconsin, Minnesota, North and South Dakota, and Iowa—is served by UMREL.

UMREL's program is, in brief, the development of systems and decision rules which will make it possible for scientifically proven principles of behavior to be applied in school environments. Much of educational research in the past has lacked the developmental work which is necessary for effective use. Thus, UMREL is examining each step carefully on the basis that the behaviors of *all* persons in the school environment must contribute to the desired behavior changes in the student.

The Red Lake demonstration classrooms were begun in April of 1969. Training programs for teachers and aides were devised and used on the Red Lake site as well as the St. Stephen's school in Minneapolis. Based on educational and psychological research on the ways children learn, these classrooms are arranged to provide the best possible learning environment for the students. Put very simply, research findings show children learn best when learning is reinforced with pleasant consequences. Classrooms are arranged with this in mind. Two areas are defined in such a classroom: task area, or work area, and the reinforcement area. All instruction is individualized to the student, and every lesson is prepared in sequences every child can handle taking into account individual differences and abilities.

The children were first tested to establish their starting performance level. Then the teacher gives them individually prescribed lessons. Each child works independently at his own speed. When he finishes the lesson, he takes his paper to the teacher-aide who checks and records his work. If the work is okay, he chooses an interesting activity from several pictured on the RE menu.

After he chooses an activity (give examples), he goes to the RE area, (separated from the task area by a screen), engages in the chosen activity for several minutes, and is then directed by the aide to go back to the task area for further tasks. Under this type of classroom, all children receive pleasant consequences for doing classroom work—they are successful—they compete only against their own past performance as they work independently on tasks. Careful records are kept to provide teacher, parent, and the child clear and precise information on how he is doing in the classroom. Record keeping is in the form of a data sheet called the PPDF (Pupil Performance Data Form). Detailed data on lessons, performance time, RE events can be kept on this form. The PPDF is a form designed for computer use. The lab has plans for computer use that are very exciting; but since I have seen the computer in operation only once, I cannot speak knowledgeably of that part of the program.

The third example, as I mentioned previously, is at the state level. We are very fortunate here in Minnesota to have a state director of Indian Education. Under his leadership many exciting things are happening on the Indian scene; such as: Teacher-training workshops are planned for the summer sessions of 1970. These sessions will provide knowledge of Chippewa and Sioux history, culture, and values; also the social, economic, political, and educational aspects of contemporary Indian affairs. They will provide the opportunity to develop skills to bring the history and culture into the content of the curriculum, to identify and use in classroom activities, valid resources of Indian culture and history. This will be done by interaction with Indian lecturers, Indian teachers, Indian professional people, plus valid records of Indian history, culture, and Indian life styles. Tribal officers, Indian leaders, and Indian people who are spokesmen for the Indian world will also contribute. In brief, these workshops, under the auspices of the director of Indian education and the Minnesota Indian Education Committee, will provide input to teachers that should be provided (and are not) by the colleges and universities in their pre-service and inservice sessions.

Another exciting aspect of Indian education in Minnesota today is what is happening or what may happen at several of the predominantly Indian schools in the state. The idea is to take the above two examples—national and regional—and combine these two innovations to make a third change; that is, to take the educational and psychological research on the ways children learn—incorporate into this the Indian imput with Indian leadership and Indian participation as illustrated by the Rough Rock example. This, in my opinion, is truly innovative—to use the behavioral framework as the base of the school operation with Indian imput reflected in the curriculum in the form of Indian history, language, and especially prepared units of study on many aspects of Indian culture. This could be reflected in the teaching of basic skills in phy. ed., home ec.—the possibilities are endless.

This last example is still in the planning stage so I hesitate to speak about it, but things are happening in Indian education in Minnesota today.

Indians are pushing for 1) better textbooks; that is, books that are historically accurate for all peoples; 2) more realistic teacher-training methods to be incorporated into colleges and universities; 3) a wider spectrum of human knowledge to be reached in all schools today, not just Indian schools or minority population schools; but all kids should learn about Indians and other peoples—the contributions to this country—the other side of the history coin should be in all the books children read. Kids will grow up into adults, and adults will continue to look with misgivings, suspicion, and downright hate at someone different than he in life style, values, color, and ethic background if this information is not part of the school curriculum. If we are to live together—let us learn together.

CREDIBILITY GAP IN EDUCATIONAL AND POLITICAL CRISIS

Mr. McINTYRE. Mr. President, the months of May and June are traditionally devoted to resounding—and too often empty—oratory on the part of politicians, educators, and other public figures. Our youth are bombarded with the sounds of challenge as they embark upon new adventures within the formal

educational structure or the practical world of day-to-day occupations. Too often, however, these speakers lack credibility as the young compare their words with their actions in everyday life.

This enormous credibility gap is at the heart of our current educational and political crisis. Both sides know this—and both share the responsibility. Yet, in the end, it is those who sound the noble tone—and painfully fail to observe it—that must shoulder the greater burden. These failures, no doubt, are often inadvertent—many times they are not failures at all, but lack of communication—and occasionally they are the inventions of the overzealous and uninformed.

Yet this lack of credibility, and lack of meaningful communication, whatever its source, is an important element of a national crisis of conscience that must receive immediate and thoughtful attention by those whose primary duty is public service. The challenge begs for attention. No meaningful view of public service and of patriotism can ignore the tremendous reservoirs of resentment among the young minorities, and other disenfranchised elements of our population. It is time to act in a sensitive and perceptive manner to rekindle hope and involvement among those whose lot leads them to despair. This capacity has always been the hallmark of our political system. To ignore this duty is to participate in its disestablishment.

I feel that we all share this duty, whether as public officials or as citizens. And we must all take that one, large, additional step—make that additional commitment—that would allow us to be judged, not solely by our words, but by our deeds.

Following my remarks today, I ask unanimous consent that the text of a recent speech delivered by Mr. Ralph Nader at Franklin Pierce College, Rindge, N.H., be inserted in the RECORD following my remarks. My comments today are called forth by certain ideas expressed in this speech.

On that occasion, I feel, there was no credibility gap. Mr. Nader has struck a responsive chord among the young that deserves our attention. I do not necessarily subscribe to all of the views expressed in this speech; but I do feel that it is a necessary document. Mr. Nader's view of citizenship as a duty to question and participate deserves thoughtful and considerate response especially as we consider the unrest so prevalent among our young people.

Too often, we have focused on what is wrong with our young without taking into account their tremendous concern and high ideals. And we have too often underestimated their capacity for following the dictates of that concern in judging our institutions and policies.

We must remember that most of our young people do not want to see the destruction of our system; they earnestly seek its improvement. They lack leadership—and faith in their leaders. It is this issue to which Mr. Nader addressed his remarks. These words have a special relevance to the college graduates that he addressed; and they have a special relevance to those who choose to devote their lives to public service. I commend Mr. Nader's remarks to the attention of Senators and ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

IMPROMPTU REMARKS BY RALPH NADER AT THE FRANKLIN PIERCE COLLEGE COMMENCEMENT

The world that you will enter in as citizens is one which will span the years conforming to your careers—one that will extend into the twenty-first century. The changes in the next 45 years will dwarf in all dimensions the rapid pace of change we scarcely began to understand and respond to in the past generation. The Planet earth is finally beginning to be seen as a finite, eminently exploitable structure in which three and one-half billion people now live and perhaps some seven billion will be living at the turn of the century. The view of the planet as a concrete embodiment of the finiteness of man and everything that binds him to his fellow man, has not long been a secular view. The humility it brings, the awareness it develops, the sensitivity it creates, is primarily a hopeful sign. But while we are confronted with overwhelming forces and complexities, while we see man increasingly delegate his responsibilities and his actions to institutions and to machines, perhaps we can once again recognize that basic to all our hopes and progress is the individual human being and the reliance on that human being to make his contributions . . . however modest . . . however grand . . . to the earthly design.

There are many skills that are said to be developed in a formal educational structure. Many areas of substance . . . areas of technique. I would like to focus on a number of major characteristics that will never be developed even partially in a formal educational structure unless they are linked with the longevity of individual concern and self-renewal. The first is sensitivity—a development of sensitivity that ranges from the aesthetic to the ability of one to empathize the problems of others who live in less than healthful or adequate conditions.

The increasing difficulty or inability, to sensitize ourselves to those in our midst, those who are suffering from severe malnutrition . . . poverty . . . those who are suffering from the serfdom of technology . . . those who are suffering from being sent abroad to engage in deeds whose only nobility is in the semantics that are given to describe them . . . the lack of sensitivity toward the young . . . the exceptional lack of sensitivity towards the very old . . . is the bedrock on which despair and rage are built. The constant driving to engage ourselves and expose ourselves to the phenomena, to the feelings and to the facts so that we can increasingly sensitize ourselves to these problems . . . must become part of the human condition.

More and more we are becoming increasingly removed from the problems of our fellow man. They are only brought to our attention in rather cool, impersonal statistics or short media developments and as a result, we can become insensitive to the point of cruelty quite beyond our willingness to express those unfortunate traits. A nation which can generate mass pathos and concern for a dog that has fallen down a well but on the other hand can view with historic insensitivity the starvation deaths of two million human beings in Biafra illustrates this enormous gap between our presumed stature as human beings caring for others and the environment that reduces us to these levels of priorities.

Beyond sensitivity one can build and suggest many remedies. But perception can be seen as a more intellectualized extension of sensitivity, and analysis can be seen as a more precise and scientific extension of perception. Perception is what we so badly need . . . the ability to perceive that which is before us clearly, candidly, unequivocally. A major current illustration of our inability to perceive that the destruction of our environment here at home, of air, water, and soil, purity, is a form and a very pervasively massive form, of environmental violence. In our inability to view this environmental destruction with its abusive replay on man and on unborn generations illustrates the ability which certain forces, who do not wish that this perception be widespread, the ability for them to succeed in dulling and diverting and depreciating the proper intensity of reaction.

A nation which can sentence a breaker into a phone coin box to a jail term of two years, but can leave with impunity, with no enforcement of existing laws, no enactment of other more stringently needed laws, thousands of plants and other industrial polluters to desecrate and ravage and contaminate rivers and streams, lakes, and air and soils, and of course, human beings, is a nation that is exceedingly perched on a lethally hyprocritical double standard.

Our political leaders chide the young . . . do not (they say) do not justify the means by the ends . . . you may have a worthy cause in your strivings for world peace . . . but don't engage in these techniques that disrupt and confront. These elders are justifying means and ends whose violence and cruelty utterly dwarf the objects of their scorn and contempt in the younger generation. What is the war in Vietnam but a justification of the means for the end?

A justification of probably the most massive persistent form of violence ever inflicted on a country of comparable size. What is the de facto, decades-long justification of environmental pollution? Of the destruction of the very substance of the patria—the land, the air, the water, other than justifying the means for the end? The justifications were couched in thoughtless boosterism—"that's the price of progress," "that's the smell of the payroll," and other similar easy explanations. What other reason can be given for the massive illegalities among the properties, among the corporations, among the large unions, among government agencies themselves, in areas that range from health and safety standards to open, democratic procedures, to the allocation of economic resources to the corruption of public officials. What other reason can be given than that ours is becoming endemically a lawless society . . . lawless from one end to another . . . lawless in the form of a governor of a southern state thumbing his nose at federal law . . . lawless in the form of many unions making a mockery of the labor laws, lawless in the form of corporations bribing public inspection officials, undermining the integrity of government, manipulating laws to exclude their criminal behavior from criminal sanctions. Lawlessness at the top inevitably breeds disrespect from the law throughout the population. It becomes a contagion.

A society takes on some of the organic characteristics of a fish—it rots from the head down. And nobody understands more immediately the hypocrisies and the illegalities and the disgraceful behavior at the top than those who receive their impact at the bottom of the economic ladder. For many years we have been engaging in a very easy tribute to law enforcement officials. At the same time those in our slums had a much more realistic appraisal of the endemic and institutionalized corruption of significant numbers of these very officials sworn to uphold the law . . . corruption in the form of bribery . . . corruption in the form of involvement in criminal activities . . . the kind of corruption that is now being made

public in New York City and its police force. When basic grassroots enforcement officials have succumbed to a degree where their honest colleagues are intimidated from speaking out, from reporting, from attempting to change, then the corruption is no longer episodic . . . it's epidemic.

Perception allows us to describe reality regardless of the symbols, regardless of whether reality comes in sneakers or in cufflinks, regardless of whether the acts are committed in a slum or in a corporate suite. Perception is not enough; analysis is necessary. Man tends to move toward change and resolving conflicts first by sensitivity and then by perception and finally by analysis . . . which in our system largely must mean law. The complexity of our society is such that the velocity of inter-relationships has reached a point of fantastic intensity compared to last century's. We now interact actively, unconsciously, subconsciously, indirectly with so many forces impinging upon us all. We are now so interdependent that interdependence, which can be a source of strength, can now be a source of enormous weakness if it is disrupted. The institution that resolves the conflicts, that anticipates the problems, that establishes freedom and order, must be the law. There is no other institution that is embedded with the duly constituted authority of the people . . . in any democracy that means rule of the people by the people and for the people as a continuous condition.

Analysis means telling people what the facts are . . . it means analyzing systems of power . . . it means sweeping aside the kinds of facades that only serve to camouflage injustice, corruption, brutality, inaction, apathy or simply laziness. It means, for example, a recovery of the true meaning of patriotism which isn't just saluting the flag or singing "My Country Tis Of Thee". Patriotism involves deeds. And until we begin to consider the ruining of our environment . . . the suppression of rightful claims of minority groups . . . the inequities in our governmental structures and our relationships with others in the world as serious challenges to patriotism, meaningfully defined, we will continue to follow the emergence of new political demagogues who wave the American flag . . . who disgrace it . . . who transform it into a fig leaf to cover their shames . . . to cover their insensitivity to justice . . . to cover their inability to develop wisdom. And until we begin to take these symbols back to our own embrace and ally them with our courses of humanity and equity those who would use them for their own nefarious, myopic or politically opportunistic purposes will continue to have them by their side, without any claim of legitimacy, for use as mass diversions or brainwashings.

The overriding concern with institutions should be how we as individuals can tell our institutions that they are not going to have a momentum of their own . . . otherwise known as bureaucracy . . . that they are going to reflect individual inputs . . . that the individual in these large institutions whether they are companies or government agencies or other organizations, must reassert his rights . . . and that every person who is part of a large organization must have that line drawn for himself beyond which he will no longer subserve himself to the dictates of the organization, beyond which he will say . . . my loyalty to mankind, to my society, to my fellow citizen, overrides my loyalty to my organization and that is where I must place my commitment and knowledge. Unless every individual somewhere in his mind draws that line when he will no longer simply take orders, when the pressure point is built up in terms of public hazard or public interest that he must stake his claim as an individual . . . unless every individual has that line drawn for himself he will have within him a potential slice of the Nuremberg problem.

Analysis of institutions is in its infancy. We know so little of what goes on inside of government, inside corporations, and inside many other large and influential groups. Whatever we wish to develop in terms of a social design for the future, one critical responsibility emerges . . . a new kind of citizenship . . . a word which is bandied around in our civics books, in our lecturn rhetoric, but a word which must mean a certain commitment of time, of energy, of sacrifice on the part of each member of the democracy. It must mean a recognition that no longer can it be possible . . . if it ever was . . . for a country to call itself democratic when the supposed democracy has only a handful of citizens. No longer can we expect to delegate our citizenship responsibilities to elected or appointed officials and have it at that. No longer can we rationalize the problems around us on the basis that it's entirely due to other forces but not due to our own inabilities or inadequacy to participate.

Responsibility has to be allocated, to be sure. In a generic sense the people are responsible, in a specific sense some groups are more responsible than others for various kinds of problems . . . lawyers for our court systems . . . doctors for the hospitals . . . politicians for our government agencies . . . corporations for our environment and marketplace. And while we must never forget the importance of allocating responsibility on those shoulders that perpetrate the problems in the direct sense, and have the greatest ability to prevent them, or diminish them, we must never let that allocation of responsibility exempt us, as citizens, from the necessary stamina . . . and sweat . . . that we're going to have to develop if we are going to meet a generation of crisis.

If the analysis of our scientists and our more farsighted political leaders and our students and scholars is correct . . . if we are now approaching a term in our history when the complexity of technology . . . the terrible allocation of our very affluent resources away from so many yawning, gaping human needs . . . when the impersonality and nonresponsiveness of large institutions grows . . . when all of these, by deferring year after year the tending to problems that begin as small ones and build up into crisis levels . . . can we have anything other than a generation of new, bold, endeavors and commitments? Can we expect a repeat generational pattern to deal with these critical problems, or must we expect a new type of human involvement, in the local and state, national and international community?

It seems quite clear we cannot go on simply protesting, disclosing, warning, without also trying to carve out new and more forceful involvements on the part of everybody. No one can be excused from contributing in a small or larger way as a citizen outside his occupational endeavor and inside his occupational activities to the betterment of the society around him.

There are two easy ways to go through life—one is to believe everything, the other is to believe nothing—they both avoid thinking . . . thinking unlike reading is very hard work. Applying one's thoughts to concrete programs of action is even harder work. The level of stamina that is necessary simply to stop a slide toward disaster that proceeds from inadvertence is very very impressive. And, that perhaps is what differentiates our times from prior times . . . that catastrophes . . . disaster . . . disease . . . injury . . . destruction . . . cannot only proceed from willful conspiracies or thermonuclear wars, they now can proceed simply by continuing "business as usual" domestically to do what we're doing. There is an increasing recognition that we can now destroy ourselves domestically and inadvertently because we have unleashed a terrifying technology that is overwhelming our environment, because that technology has not been developed in a balanced way, in a humane way. The awareness of that power perhaps may bring us to the requisite degree of sobriety relative to the forces that are in and around us.

I think in the last analysis the issue is operational ethics to what extent can we find out what must be done and then set about to do it. That is a function not only of a sense of injustice, but also a sense of knowledge and analysis. And to what extent are we calling to engage in these changing life patterns . . . the ways we use our time . . . our ability to engage in necessary controversy . . . our ability to dissent . . . our ability to communicate with our fellow citizens and not proliferate this great gap between formally educated groups and the non-formally educated groups in our country. All of these are going to be very severe task masters and I wonder whether enough of the younger generation is up to it. I wonder to what extent most of the campus concern is only a level of indignation . . . finely grounded . . . that will later begin to wither away in direct proportion to the day-to-day demands of occupational status symbols and the attrition of one's ideals which is the only true sense of aging.

Putting it realistically, those who will pioneer will be in the minority as they always have been. But those who choose not to for their own reasons must appreciate and observe that their peers who will break new paths will require your support . . . require the support of those who work in conventional occupations, carrying on some of the work of the world as it is . . . that they need your help. And when you see your former fellow student move in and begin undertaking the tough tasks of any social pioneer, let us hope that he will have your support . . . your knowledge . . . and that you will resist the importunities of the deepening irrationality . . . the appeal of emotion . . . the appeal to false symbols of patriotism . . . the manipulative techniques which seem to be getting more and more effective, and that you will be continually developing your sensitivity, your perception, your analysis, your concept of the role of a free individual inside and outside of institutions so as to enlarge your citizen involvement and put the "demos" back into democracy.

AIR TRAVEL PROTECTION AGENCY

Mr. SMITH of Illinois. Mr. President, 3 weeks ago, in a speech on the Senate floor, I denounced the absence of adequate protection for air travelers aboard America's airlines. In the strongest possible terms, I called the Federal Aviation Administration to task for treating aircraft security as "a side line" interest of that agency's assistant flight surgeon. I introduced a bill that would create an Air Travel Protection Agency within the FAA, whose sole purpose would be the protection of persons and property aboard aircraft from the skyjackers, air pirates, and deranged persons who have been terrorizing the flying public with impunity up to now.

Two weeks later, the FAA announced that it was creating a special bureau to concentrate on air travel security. While I appreciate the FAA's move off center on the matter, I remain skeptical of any air protection effort that falls short of full-time research and development of protection systems, full-time airport surveillance, and a full manpower complement.

Last Thursday, one of my aides, Joe Fisher, was permitted to board United Airlines flight No. 553 in Washington, carrying a large plastic bag filled with gasoline-colored liquid in an open leather portfolio. Fisher made no attempt to conceal the portfolio's contents. Although the liquid was in fact water colored with food dye, it could easily have been the volatile substance that accused skyjacker Arthur Barkley carried aboard TWA's flight from Phoneix, Ariz., on June 4. As soon as Fisher was permitted to board the plane he proceeded the dump the liquid in the plane's lavatory so as not to place passengers or crew in any apprehension of danger.

Mr. President, we conducted this experiment to demonstrate again that the airlines and airline employees are not the appropriate persons to safeguard airline passengers from those intent upon violence in the air, and to demonstrate that fulltime police or agency surveillance and protection systems in all of the Nation's airports are a must.

OIL POLLUTION AND HUMAN RIGHTS—II

Mr. PROXMIRE. Mr. President, yesterday I discussed two new treaties submitted recently by the President which are designed to curb oil spills on the high seas. Both of these treaties would serve to protect the newest human right: The right to a clean and safe environment. As basic as the right to life itself, this new right is becoming increasingly important as pollution threatens to destroy the environment we are all dependent on. Oil pollution, although relatively new, represents one of the most serious threats to this new human right.

As larger and larger oil tankers are developed, the threat of massive oil spills looms larger and larger. Tankers twice the size of the *Torrey Canyon* are now under construction. The potential for disaster is enormous. Despite the risks, the major oil companies are pushing ahead with plans to build more and more of these supertankers. Should just one of them rupture off our coast, the resulting destruction to the environment would overshadow Santa Barbara. The most frightening fact about this situation is that we have no effective means for cleaning up oil spills. Despite massive research efforts, straw is still the best weapon against oil.

In view of the danger posed by these new tankers, there is a clear need for strong preventive measures which will provide incentives to take every precaution against accidents. These two new treaties provide the needed incentives. One treaty would impose strict civil liability upon the owner of vessels responsible for pollution damage to coastal areas, regardless of the location of the vessel. The second treaty would empower the United States to take preventive action against vessels on the high seas which threaten imminent pollution danger to American coasts.

Mr. President, I strongly urge the Senate to give these two treaties immediate attention. The need for them increases with each day. Will we have to endure yet another environmental disaster like the *Torrey Canyon* before we act? Let us move quickly to ratify these treaties before another disaster strikes.

THE BIG THICKET: A MASTERWORK OF NATURE; CORPUS CHRISTI CALLER-TIMES CALLS FOR SAVING

Mr. YARBOROUGH. Mr. President, field hearings were held in Beaumont, Tex., on June 12, 1970, on S. 4, my bill to establish a 100,000 acre Big Thicket National Park. This was a most encouraging move toward realization of a long-sought objective of many concerned citizens.

The hearings, held by the distinguished senior Senator from Nevada (Mr. BIBLE), chairman of the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, were very informative and they demonstrated the great interest for preserving this beautiful area of Texas.

An excellent article on the Big Thicket and the hearings, written by Dr. Hans A. Suter, was published in the Corpus Christi Caller-Times of June 21, 1970, at page 2B.

Mr. President, I ask unanimous consent that the article, entitled "The Big Thicket . . . A Masterwork of Nature," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BIG THICKET . . . A MASTERWORK OF NATURE

(By Hans A. Suter, Ph. D.)

The establishment of a Big Thicket National Park has moved one more step forward. Sen. Ralph Yarborough introduced in this session of Congress his SB 4 calling for the creation of a national park of at least 100,000 acres in the Big Thicket area. The heart of the proposed park would be about in Kountze, the county seat of Hardin County, a small community of some 3,000 people, 26 miles north-northwest of Beaumont. On June 12, Sen. Alan Bible of Nevada, chairman of the subcommittee on parks and recreation of the Senate Committee on Interior and Insular Affairs conducted a hearing in Beaumont to determine public sentiment in the area about the park.

Some 30 persons offered testimony in favor of the establishment of the proposed park. Interestingly, all witnesses favored the Big Thicket National Park. While conservationists spoke strongly for an area of at least 100,000 acres (one proposal called for 800,000 acres), vested interests represented by the lumbering industry and the Texas Forestry Association favored a park of only 35,500 acres in nine disconnected tracts. If our federal legislators are attuned to public sentiment and not to short term interests, there is no doubt in my mind that a park of at least 100,000 acres will be established.

The original Big Thicket is a region roughly bordered by the Sabine River on the east, and the Brazos River on the west; on the north the Camino Real (which today corresponds to U.S. 190) forms its limits and to the south the woodlands gradually fade into the grassy expanses of the coastal prairies. This corresponds to an area of 3.5 million acres, once covered with a dense forest of hardwoods and pine trees. Early travellers avoided the Big Thicket and went around it. The only human traffic in the region was by Indians, who penetrated the forest in their canoes through the creeks, bayous and rivers which meander through the lush woods.

The Big Thicket area has been called by biologists and ecologists "the biological crossroads of North America". Here species from the Appalachians, the coastal plains, open woodlands, and the everglades reach the limits of their ranges, overlapping in unique proximity. Sixty inches of rain a year and the moist Gulf climate result in an extraordinary richness and diversity of plant life. Eight distinct plant communities are found: Upland, savanna, beech-magnolia, baygall, palmetto-bald cypress-hardwood, bog, streambank, and flood-plain forest. Numerous champion-sized trees have been located in the area. Unfortunately many have succumbed to "progress". Near Hardin, on the road from Liberty to Livingston, is a huge holly tree, at least 130 years old, because it was discovered and preserved when the forest was cleared to establish farmland. It is the largest known holly tree on the American continent. The late Lance Rossier, the St. Francis of the Big Thicket, showed it to me on a trip through the area some three years ago. Aside from the arboreal wealth the area is rich in other flora such as wild orchids and insectiverous plants.

Animal life also abounds and representatives of rare or endangered species fight there for survival. The nearly extinct ivory-billed woodpecker, a crow-size crested bird, was recently discovered to still grace the impenetrable jungle of the Neches flood plain. This is the rarest bird species in North America, rarer than the much publicized whooping crane. Only a handful of pairs are known to survive.

The great diversity of species, both animals and plants, makes for a stable biological community. The redundancy of checks and balances assures the permanency of such an environment. This stability through diversity contrasts markedly with the frailty of systems containing vast numbers of representatives of only one or very few species. A natural example of such a frail system is the tundra of the north. Most modern agricultural systems are monocultures which survive only through great expenditure of energy by man. Where would the cotton fields or grain fields of South Texas be without fertilizers or pesticides? The same applies to the manicured tree farms of timber-dependent industries.

Much of the original Big Thicket has disappeared. Lumbering and agricultural clearing have reduced the stands of virgin forest to some 300,000 acres. And it is estimated that man's activities are consuming some 50 acres of untouched forest land per day. The craving of modern man for retreat from urban life is taking its toll in the Big Thicket by claiming land for weekend homes or small homesteads.

Public land soon feels the pressure of man for outdoor recreation. And outdoor recreation is not restricted to motorboating, water skiing, sailing or fishing. National parks and wilderness areas are the prime targets for the increasing numbers of city dwellers who search for relaxation in natural surroundings. It is true that man and wilderness cannot coexist. But wilderness can be preserved to a certain degree if the area set aside is large enough to absorb the impact of man. Designating as a national park or monument the small disconnected areas of the so-called "string-of-pearls" concept, the idea urged by vested lumber interests, would only hasten their destruction. Buffer zones and environmental corridors, and not off-limit signs, must be established to lessen public pressures so that generations yet unborn may marvel at these masterworks of nature.

NEW METHOD FOR PROTECTION OF MINUTEMAN SILOS

Mr. CASE. Mr. President, an article written by Orr Kelly and published in the Washington Star of July 6, 1970, quoted Air Force officials as stating that a new method has been found of providing protection for our Minuteman silos.

As a byproduct of the Air Force "hard rock" research program, according to the news report, it was found that additional concrete could be poured around missile silos in such a way that the resistance of these silos against attack could be increased by a factor of 10. In fact, Air Force officials were quoted as predicting that this technique would produce "substantially the same results" as the previous plan for boring silos in solid rock.

This discovery could represent a far-reaching breakthrough and could, as the writer of the article suggests, provide a relatively inexpensive alternative to Safeguard ABM as protection for our land-based nuclear deterrent against surprise attack.

I ask unanimous consent that Mr. Kelly's article entitled "New Protection Found for Minuteman Silos," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW PROTECTION FOUND FOR MINUTEMAN SILOS

(By Orr Kelly)

The Air Force has found out how to make its existing Minuteman missile force much less vulnerable to a surprise attack by "hardening" the underground silos in which the missiles now are hidden.

Critics of the Safeguard antiballistic missile system undoubtedly will cite the new technique as further evidence against the massive ABM system.

Air Force officials said the new "hardening" technique, which involves pouring more concrete around the existing silos, would produce "substantially the same results" as a now-discarded plan for burying the missiles in solid rock—but would be "singularly inexpensive."

No decision has yet been made on whether to harden all or some of the 1,054 Minuteman silos, but Air Force officials said the hardening technique is one of three methods under consideration that might be used to protect the landbased missiles from surprise attack.

The other two methods involve making some of the Minutemen mobile—probably on big trucks based on government-owned target ranges in the Western desert—or providing close-in, hard-point defense for the missiles with special radars and anti-missile missiles.

STILL FAVOR SAFEGUARD

Air Force officials say they still favor the Safeguard missile defense system because it would provide area coverage over the missile fields and would complicate the planning of a surprise attack.

But one of the major arguments in favor of going ahead now with Safeguard has been that the Minuteman force might be vulnerable to a surprise attack sometime in the middle or late 1970s.

Opponents of Safeguard may well argue that hardening the existing silos provides a relatively inexpensive alternative to Safeguard.

The technique for hardening the silos is an outgrowth of the Air Force's "hard rock program." The theory was that holes could be drilled in solid granite and that a missile buried in such a hole could survive some 3,000 pounds per square inch of blast from a nuclear attack. This compares with only 300 pounds or less for existing silos.

The hard rock program did not work because of geological complexities. An unexpected fracture line in the rock, for example, could make a silo much less resistant to a blast than had been hoped.

ADDITIONAL CONCRETE

But in the process of tests in the hard rock program—most of them conducted by the Kirtland Air Force Base Special Weapons Center in Albuquerque, N.M.—it was found that additional concrete could be placed in such a way as to greatly increase the strength of the existing silos.

During the tests, another troublesome problem was solved.

Air Force planners have long been worried that a missile might be able to survive the blast of an enemy weapon but be buried under the dirt thrown up by the explosion. Now, new ways have been found to push the dirt aside without letting it fall into the silo.

Various means of protecting the Minuteman force have divided the Air Force into what one official called "assorted zealots and factions." But they are all agreed that the emphasis on the need for the Safeguard system has tended to make the Minuteman system, on which the country has spent some $10 billion, seem far more vulnerable than it is or may become.

The mobile Minuteman idea has been revived in recent months as a means of making it impossible for Soviet planners to be sure they could destroy all the Minutemen in a surprise attack.

The most prominent method now under consideration would involve mounting the 60-foot missile on large trucks. Each missile-truck crew would have a choice of several "garages" or shelters. They could hide in one or another and move quickly from one to another.

HIGH COST CITED

Gen. Bruce K. Holloway, commander of the Strategic Air Command, told a reporter for the Armed Forces Journal recently that the mobile Minuteman is "a pretty wild scheme whose cost would be astronomical."

"The way to go mobile that makes sense would be in the air. The next best way is in the sea, and the least best is land," he said.

One high-ranking Pentagon official acknowledged that the mobile Minuteman was unpopular with SAC, but insisted that didn't necessarily rule it out of consideration.

"They have a gut feeling there's something wrong with it and sometimes their gut feelings are pretty good," he said. "They say they could tell us what's wrong if they took time to give it a good hard look. We've asked them to give it a good look."

The third alternative under consideration would involve protecting each Minuteman—or enough of them to provide a credible deterrent—with its own radar and short-range, high-speed missiles—an ABM system.

If the Pentagon decides to build the mobile Minuteman, the other two alternatives probably would be dropped—partly because of expense and partly because they wouldn't be needed.

But the hard silo and the close-in defense could be combined. In that case, an enemy not only would have to fire enough missiles to saturate the defense, but would have to use big enough missiles to knock out the Minutemen after penetrating the defense.

1972 BUDGET GOAL

Air Force officials now are trying to refine the cost figures on the three alternatives. The answer on which will be recommended in the 1972 budget will depend to a large extent on costs.

An agreement in the strategic arms limitation talks to limit nuclear arms could, of course, make all three unnecessary.

For the Russians, the development of a way to make existing Minuteman silos harder could be a serious disappointment if, as some American officials believe, they hoped to be able to overwhelm the Minuteman force with their large SS–9 missiles.

They are reported by American officials to have deployed 220 SS–9s with another 60 under construction—for a total cost of more than $8 billion. To upgrade their SS–9 force so it could overwhelm a Minuteman force in hard silos would entail a substantial increase in accuracy or numbers—and at a considerable additional cost.

TRIBUTE TO SENATOR YOUNG OF OHIO

Mr. MOSS. Mr. President, I recently came across an article in the Nation which recognized the dedication and wisdom that the Senator from Ohio (Mr. YOUNG) has displayed in the Senate. So that others may read this tribute to Senator YOUNG, I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

STEVE YOUNG and I came to the Senate on the same day. From the very beginning of our acquaintanceship I have admired his courage to say what he thought, no matter whose toes he stepped on.

Unfortunately for the Senate, STEVE YOUNG is retiring this year. The Senate will miss him.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A GREAT PUBLIC SERVANT

It is easy to jibe at Congress. Mark Twain suggested that it could be shown by facts and figures that "there is no distinctly native American criminal class except Congress"; at another time he asserted that the difference between Congressmen and fleas was that the fleas were more educable. Coming down to realities, however, the fact is that beside the inescapable rogues and fools, the Congress of the United States has been served by capable, dedicated men, without whom the Republic could not have survived. Nor is the Congress lacking in illustrious figures today: among these is the oldest member of the Senate, Stephen M. Young, whom we are about to lose by retirement.

Senator Young served as a Representative in four Congresses, beginning with the 73rd; his service as a Senator began in 1958. He has held many other public offices, and throughout his career has expressed the results of his investigations lucidly and courageously.

To speak so requires greatness of character, and it is manifested today as at the start of a career which began in 1911 with Mr. Young's admission to the Ohio bar. If anyone doubts it, let him refer to the results of the Senator's investigation of the Kent State University massacre (*Congressional Record—Senate,* June 8, 1970, 18707. As a lawyer and a former criminal prosecuting attorney, Mr. Young stands for genuine law and order. He would like to see those guilty of burning the ROTC building punished, but the more serious crime is what engrosses him. He has statements from witnesses indicating that a lieutenant's order to fire preceded the volley which killed four students who were in no way connected with the disorders, and wounded ten other boys and girls, one of whom is paralyzed from the waist down. Senator Young wants to see the lieutenant, the deputy adjutant general who was on the scene, and the adjutant general himself, charged with murder in the second degree. Probably they won't be, but the forthright demand is characteristic of the man who made it.

HIDDEN TAX ON AIRLINE PASSENGER TICKETS

Mr. PEARSON. Mr. President, I am today joining with the Senator from Texas (Mr. TOWER) as a cosponsor of S. 4041, which would repeal section 7275 of the Internal Revenue Code of 1954 as established in section 203 of the Airport-Airways Revenue Act of 1970.

As one who was deeply involved with that portion of the Airport-Airways Act which delineated the manner in which funds would be allocated for the improvement of our Nation's airport and airways for the next decade. I am deeply troubled—as are many of the people in my State—by that portion of the bill which establishes a hidden tax on passenger tickets. It would indeed be unfortunate, in my opinion, if this historic effort to expand and make safe our Nation's airport-airways system were to be remembered not for those worthy aims but rather for the imposition of a hidden tax which, if disclosed, is punishable by a $100 fine. As Senator TOWER has so eloquently indicated, the taxpayers of this country whether they be members of the flying public or not, have a right to know how much they are paying for their taxes.

The proponents of this section apparently intended to speed up the ticket purchasing process and to inform the public of the total fare for a particular flight. Certainly, these are worthwhile intentions but, Mr. President, I question the wisdom of withholding information from consumers of air services. I question the wisdom of punishing any person who informs a consumer of air services as to the amount of the tax. I question the wisdom of Government policy which puts speed and convenience ahead of straightforwardness and truth in taxation.

It should be made clear that:

First. A buyer should know exactly where his money goes.

Second. A company or an individual should not be penalized for telling a buyer where his money goes.

Third. The Government should not try to pass the buck of rising taxes onto the company under the guise of a fare increase.

Mr. President, the Airport-Airways Act is important to my State as it is for the Nation. It will facilitate the construction and improvement of airport facilities all across Kansas and all across the Nation. The concept of user charges was written into the bill, the intent being to place the burden of taxation upon those who use the aviation facilities of this country. The concept was not only necessary to raise the required revenues but, in the opinion of everyone concerned, was eminently fair. It is clearly unfair, in my opinion, to hide from the users of our aviation system the fact, the reality, the amount of these charges. Accordingly it is in the interest of the buying public, the aviation industry, and certainly Congress to rectify this provision.

Mr. President, I am pleased to join with the distinguished Senator from Texas in this effort to repeal section 7275 of the Internal Revenue Code of 1954. I urge that the Senate give prompt consideration to the matter.

THE SENATE MEETS ITS OBLIGATION TO AMERICA'S WOUNDED VETERANS

Mr. YARBOROUGH. Mr. President, as a result of extensive hearings conducted by the Subcommittee on Veterans' Affairs of the Senate Labor and Public Welfare Committee, under the chairmanship of the able junior Senator from California (Mr. CRANSTON), America has been made aware of the deplorable conditions that exist in our Veterans' Administration hospitals. Having discovered the existence of the problem, the Senate responded in an effective manner by approving $100 million in additional funds for Veterans' Administration hospital and medical care. These additional funds will not eliminate the crisis in veterans' medical care; however, it is a positive step forward in that direction. I urge the House of Representatives also to approve funds so that action can be taken immediately to bring Veterans' Administration hospital and medical care back to the high level which our veterans deserve.

The desperate need for Congress to eliminate this glaring problem is spelled out in an editorial entitled "Debt of Honor," published in the Washington Evening Star of July 7, 1970. Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEBT OF HONOR

It would seem to be an elementary rule of decency that men wounded in our nation's wars should be cared for by the people for whom they fought. Yet a combination of budget-scrimping, ignorance and bureaucratic failure—all of it amounting to neglect—has resulted unconscionably in an increase of suffering for some victims of the hostilities in Vietnam.

The evidence of this neglect cannot be discounted. Testimony before a subcommittee headed by Senator Cranston of California included authoritative accounts of filthy conditions, inadequate staffing, obsolete and uncomfortable buildings, broken equipment and lack of space in many Veterans Administration hospitals. Assurances from the VA that all is well have a hollow sound beside the tales of disillusioned veterans who thought their country would do what it could to compensate for their sacrifice.

Making the VA mess all the more inexplicable is the fact that, in other respects, our soldiers are treated better than ever. Their equipment is the best in the world, and they enjoy more amenities in the battle zones than their counterparts in past wars. They have a better chance of surviving serious wounds because of efficient evacuation methods and quick surgical attention. There have been few complaints about the military hospitals, where most of the wounded recuperate for further duty.

But the level of attention to the needs of the wounded man drops off sharply at the point where it is determined he cannot return to duty and must be discharged and sent to a VA hospital for long-term care. In such a case the patient may be permanently disabled, having paid a price as great as death itself for the privilege of serving his country.

It it particularly fitting in the wake of the star-studded Fourth of July festivities—at which we were exhorted to realize how great a nation we are—to consider whether we seem so great to a paralyzed veteran waiting to be tended in an understaffed hospital.

There is plenty of blame to spread—among this administration, Congress and their predecessors—for the failure to provide the best possible care for the most seriously wounded of the returning veterans. It is more important, though, to rectify the situation immediately.

The administration has asked for a $122 million increase in the VA medical budget, and Cranston would add another $174 million. These amounts may not be enough. But whatever is needed to make VA medical care the best there is, the American people ought to provide it.

SALUTE TO LOUIS ARMSTRONG

Mr. McGOVERN. Mr. President, on July 4, Mr. Louis Armstrong, the great American trumpeter, singer and entertainer observed his 70th birthday. A series of essays about Mr. Armstrong appears in the July 4, 1970, issue of the Saturday Review of Literature under the title, "The Man Who Revolutionized Jazz." As a longtime admirer of the talent and the personality of this remarkable American musician, Louis Armstrong, I ask unanimous consent that the article from the Saturday Review of Literature be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MAN WHO REVOLUTIONIZED JAZZ—I: LOUIS ARMSTRONG, AMERICAN ORIGINAL

(By Stanley Dance)

No one, and certainly not the contemporary audience that knows him best for "Hello, Dolly!" should be surprised to learn that Louis Armstrong began his musical career as a singer. It was, in fact, as the tenor in a youthful vocal quartet that he met his destiny on the streets of New Orleans, where he was born on July 4, 1900, a mere seventy years ago this week.

The well-known story tells how Louis (alias Dippermouth, alias Dipper), Little Mack, Big Nose Sidney, and Happy Bolton, were walking down Rampart Street, entertaining and celebrating, on New Year's Day, 1913, when a youngster on the other side of the street fired a gun in the air. Louis, egged on by his friends, replied with his stepfather's .38, which he had borrowed for the occasion. Unfortunately, or fortunately, depending on the point of view, Louis promptly fell into the arms of the law and soon found himself in the Waif's Home.

Life in the home was quite different from that in the fast neighborhood where he had been raised, but he adjusted rapidly. The discipline he experienced and the musical tuition he received there were to serve him well in later life. Encouraged by Peter Davis, the music instructor, he progressed rapidly from tambourine to drums, to alto horn, to bugle, to cornet, and to leadership of the band. Music was in his blood, and his very first drum break brought cheers from the other boys. Singing, however, was now to take second place to the cornet.

He was fourteen when he left the Waifs' Home, and, although he had acquired a reputation by leading its band in parades, there was difficult years ahead. To help his mother and sister, he drove a coal cart, delivered newspapers, helped on a milk wagon, unloaded bananas, and worked with a wrecking crew. As far as the night people were concerned, he was, as he reveals in his autobiographical *Satchmo: My Life in New Orleans*, "pretty wise to things. I had been brought up around the honky-tonks on Liberty and Perdido where life was just about

the same as it was in Storyville except that the chippies were cheaper."

He was befriended by cornetist Joe Oliver, whom he has always credited with being his greatest influence. When Oliver left for Chicago in 1917, Louis took his place in a band led by trombonist Kid Ory. The following year, he played with Fate Marable and several notable musicians from New Orleans on a Mississippi riverboat. A major step came in 1922, when Oliver, now "King" Oliver, sent for him to take the second cornet chair in his band at the Lincoln Gardens in Chicago.

The Chicago period was one of ferment and fertilization, with which Bud Freeman, an eye and ear witness to it all, deals on pages 15–17. The interlude with Fletcher Henderson in New York was one that Russell Procope, one of Duke Ellington's sax veterans, recalls (from hearing the band at the Manhattan Casino): "Swing was years in the future, but Louis was certainly swinging them on numbers like 'Shanghai Shuffle.' I don't think anything before or since made such an impression on me as that band, and I think it decided for me that I was going to do with my life."

Following the memorable days with Earl Hines at the Sunset Café in Chicago (1927–28), of which the great pianist has said, "Some of the happiest days of my career, and some of my biggest thrills, were with Louis Armstrong," came his emergence, mostly through the great records of the new "microphone" period, as a force far from where he could be heard in person.

"We played all Louis Armstrong's things note for note," Cat Anderson recalled. "In school, all the trumpet players played 'Shine' and made a hundred Cs with the F on top."

"Louis was my only influence," Dud Bascomb declared, "and I never forgot hearing the whole Earl Hines trumpet section play his 'Chinatown' in four-part harmony."

"Louis Armstrong used to come to the Palace ballroom in my hometown," Snooky Young said, "but I wasn't old enough to be allowed inside. I used to stand in the street—and even the street would be crowded—and Louis would be playing the most beautiful trumpet I ever heard. He was my main influence."

"Down South, I used to listen to Louis Armstrong on the radio, playing with Fletcher Henderson from the Roseland ballroom," Cootie Williams remembered. "'Boy,' I used to say to myself, 'if only I could get to New York and hear *him*.'" Eventually, Williams reached the big city. "When the band played the Savoy, I'd walk backward and forward and to work with him. I was in my glory!" More than four decades later in 1970 when Duke Ellington wrote "A Portrait of Louis" for his *New Orleans Suite*, Williams was delighted to be called upon to interpret it. Ellington's own verbal appraisal of Armstrong's influence is also of unusual interest. Says the Duke: "Louis Armstrong is, of course, the man, when heard playing trumphet, inspired thousands of people to try to play like him, to play the Louis Armstrong style. Hundreds of thousands more were simply inspired to play the same instrument he played. And who knows how many millions just love to listen to him? Louis Armstrong is what I call an American standard, an American original."

As the greatest single influence on jazz, Armstrong provided it with a vocabulary that was paramount until the bop revolution of the Forties brought changes. This vocabulary, along with his phraseology, was used not merely by trumphet players but *all* jazz instrumentalists. "Louis Armstrong was my first inspiration," violinist Stuff Smith insisted, "I was supposed to be practicing classics, but I'd get my little Victrola, go into the woodshed, and listen to Louis and practice Louis."

"When Johnny Hodges and I were young," baritone saxophonist Harry Carney recalled, "we used to copy off records by Louis Armstrong," Vic Dickenson, the trombonist, got the message a different way. "Jimmy Harrison and Jack Teagarden both sounded like Louis Armstrong," he affirmed, "and they influenced me because they were playing the way I wanted to play before I heard them."

For a summation at this point, it is hard to top what pianist Teddy Wilson told Tom Scanlan in *Down Beat* eleven years ago: "I think Louis Armstrong is the greatest jazz musician that's ever been. He had a combination of all the factors that make a good musician. He had balance . . . this most of all. Tone. Harmonic sense. Excitement. Technical skill. Originality. Every musician, no matter how good, usually has something out of balance, be it tone, too much imitativeness, or whatever. But in Armstrong, everything was in balance."

Armstrong's singing was essentially an extension of the way he played trumpet, and the two together had a remarkable effect on popular singers. Previously, there had been a tendency for their phrasing to follow that of saccharine saxaphone players, but in the Thirties his trumpet phraseology began to appear in wholly unexpected areas. In jazz itself there was direct imitation by trumpet players doubling as vocalists, such as Walter Fuller, Taft Jordan, and Ray Nance, but singers like Ethel Waters and Ella Fitzgerald also paid affectionate homage in choruses where they simulated his throaty vibrato. "He influenced us all," Tony Bennett said recently, "and taught everybody about phrasing." And language was no barrier. "I heard Louis Armstrong, whom I loved, when I was only eleven," said the Swedish soprano Alice Babs. Behind the Iron Curtain, or in the Congo, wherever he went, his message communicated heart to heart.

His first trip abroad had been to England in 1932, where he was received with great enthusiasm at the London Palladium, and from that time onward his international reputation spread until foreign tours became a regular part of his itinerary. As a world figure, beloved by the masses, he made many best-selling records. After the Decca period, about which Milt Gabler writes elsewhere, "Mack the Knife," "Hello Dolly!" and "What a Wonderful World!" were yet to come, the last being a bigger hit abroad than in his own country. When Paul Anka, who also had a big success with "Mack the Knife," asked Louis how he felt about impersonators, he had a characteristic answer, "Pops, a lot of cats have copied the Mona Lisa, but people still line up to dig the original."

The big band, which had become obligatory during the Swing Era, was given up in 1947, when Armstrong returned to the traditional six-piece instrumentation of New Orleans. With clarinetists such as Barry Bigard, Edmond Hall, and Buster Bailey; trombonists such as Jack Teagarden, Trummy Young, and Tyree Glenn; and pianists such as Earl Hines and Billy Kyle, his presentation was at once more relaxed and informal. However, the postwar breed of critics, who favored "intellectuality" and a new "relevancy" in jazz, often found fault with its entertainment values. They missed what those playing alongside him heard.

"Louis doesn't care about being a guy you can put in a book," Trummy Young said. "He just likes to play what he likes to play, and he picks up his horn every day. It's amazing to me the beauty he can put into those numbers night after night. Nobody, but nobody, sounds like him. His sound is so big and clear. I watch him blowing, and studying him, I've learned plenty about sound."

Louis still blows his horn every day, in the evening, before dinner. Recuperating from a serious illness, he awaits with obvious impatience his doctor's permission to blow again in public. But sing he may, and does. When he recorded an album for Bob Thiele's Flying Dutchman label in May, his zest and humor were as infectious as ever.

"There's a couple of high Es there," he said when confronted with "Mood Indigo," "but we can probably squeeze 'em out." And as he finished a moving version of the number, he added, "Sure is a lot of gumbo in that one!"

His ability to ad-lib creatively was also well in evidence on such material new to his repertoire as "His Father Wore Long Hair," "We Shall Overcome," and the Beatles' "Give Peace a Chance." So was his professionalism. After the fourth take of "My One and Only Love," Thiele expressed satisfaction from the control booth, but Louis, without turning around, pointed his index finger upward to indicate that he wanted to do it one more time.

The first session anticipated his birthday on July 4 with a party at which he advanced threateningly toward a big chocolate cake, brandishing a long knife like a pirate, but managing to avoid damage to the trumpet in yellow icing that adorned it. Around him was gathered an unusual cross section of the profession, the many guests including Bobby Hackett (probably his greatest admirer), Miles Davis, Tony Bennett, Leon Thomas, Eddie Condon, Ornette Coleman, George Wein, and Father Norman O'Connor.

It was a prelude to the celebrations of his seventieth birthday planned for this month. On the night of the third, he will be present at a huge concert, billed as "Hello, Louis!" in the Los Angeles Shrine Auditorium, the proceeds going to a fund for a statue to be erected in his honor in New Orleans (the city has already provided an attractive site). Among the many musicians set to participate in the concert are Barney Bigard, Tyree Glenn, Benny Carter, and Clark Terry.

A week later, at Newport, there is to be a special "New Orleans Salute to Louis Armstrong," when many famous New Orleans veterans will make their first appearance at the annual Rhode Island jazz festival. Also on hand to greet him will be Mahalia Jackson, who was born in the same city, and such trumpet players as Bobby Hackett, Ray Nance, Dizzy Gillespie, Wild Bill Davison, Jimmy Owens, and Joe Newman.

Meanwhile, New York, not to be left out of the celebrations, has appointed him and Lauren Bacall host and hostess, respectively, of its 1970 Summer Festival. With Louis Armstrong in charge, Fun City should swing this year, and live up to its nickname.

THE MAN WHO REVOLUTIONIZED JAZZ—II: THE FATHER AND HIS FLOCK

(By Bud Freeman, in conversation with Irving Kolodin)

The scene is a room stocked with books, records, and memories.

KOLODIN: You've known Louie a long time, haven't you, Bud?

FREEMAN. Oh, yes—I was about seventeen when I first heard the great Louie, and I'm sixty-four now, so it must have been 1923, or thereabouts. . . . It was even before I began to play professionally that the great drummer, and our good friend, Davie Tough, told me about this great band—the greatest he had heard—at the Lincoln Gardens . . . up to that time [1923] the big influence was the New Orleans Rhythm Kings and other white bands around. . . .

KOLODIN. The Lincoln Gardens was on the South Side. . . .

FREEMAN. Yes—in the Negro district of Chicago. . . . Now here was this tremendous hall-like nightclub . . . the only light was over the bandstand, dimmed by smoke and haze. Being a Negro nightclub, this made us rather conspicuous . . . but, interestingly enough, they paid no attention to us . . . but

after a few visits this huge doorman (he must have weighed three hundred pounds) used to greet us by saying, "Well, it looks like the little white boys is out here to get your music lessons," which would just break us up. So the first time I heard Louie was in the King Oliver band, with Lil Hardin, who was later to marry Louie, on piano; Honoré Dutrey, I think, on trombone; Johnny St. Cyr on, then, banjo—guitar came later; Johnny Dodds on clarinet; and Baby Dodds on drums. . . . Now the thing I remember about it is this. The Negro bands we had heard and those that had made records didn't seem to be much different from the white bands. They didn't have what I would call the real jazz beat. . . . But in this band we first heard what was later recognized as the *real* jazz beat.

KOLODIN. This was music played for dancing, right?

FREEMAN. Right, They'd take a stock arrangement [Note: for sale in any music store], play it from the top right down to the bottom, and then start playing choruses. . . . They might take twenty minutes to play one tune . . . and the couples were moving around but not much . . . They had a floor manager who'd say, "Come on, now, get off that dime—move around, now," and it was a picture of rhythm such as I had never seen . . . They played all the great tunes—"Dipper-mouth," "St. Louis Blues," and so on—with Louie on second cornet. . . .

KOLODIN. Not trumpet?

FREEMAN. No, that came later—second cornet . . . and I never heard any music so strong, so forceful, as regards swing, of course.

KOLODIN. So this band did swing. . . .

FREEMAN. Oh, yes. . . . The word wasn't used then, but we'd say it was "the beat" or they "had the rhythm"—but it meant the same thing. . . .

KOLODIN. This beat, or swing—it was not a property of general Negro bands?

FREEMAN. No. I feel certain that having heard all the top music then available, that this was by far the best—and, as you know, every member of the band went on to be a top soloist on his own. . . . But to get back to Louie. . . . King, who played a great melodic cornet (his blues could bring tears to your eyes), kind of held Louis down—not that he suppressed him, but because, as I say, Oliver was the great King and felt Louie should bide his time. . . . But if you listen to any of the records of the great New Orleans parade tunes they made, you hear breaks played in which Louie, then about twenty-three, plays a perfect second to King's lead—none of it rehearsed, all testifying to Louie's magnificent ear. . . . But the first time I heard Louie as the great soloist was at a place called the Sunset Café. . . .

KOLODIN. That was later on. . . .

FREEMAN. Yes, of course . . . in the meantime, he had gone to New York with a fine offer from Fletcher Henderson, who thought he was ready for New York, and he came, in his button shoes and little cap, looking like a country hick. . . . Fletcher knew that Louie had this great talent and just let him alone until he felt comfortable. Then, one night, he let him go, and that was it—he owned the band. . . . They had never heard anything like it. Incidentally, the great Coleman Hawkins was in this band, and if you listen carefully to some of the records of that time, you will have to agree that, until he heard Louie, Hawkins was kind of corny. . . . He didn't become the great Hawk until after he heard Louis . . . and started to play a beautiful melodic line and phrase. I would like to add that Hawkins became certainly the greatest tenor player I ever heard. I loved Lester Young and many others, but Hawkins was certainly the most powerful, authoritative voice on the instrument that I ever heard. . . . But to say that he was influenced by Louis is merely to say that almost everybody was influenced by Louie . . . and that, with all due respect to the other greats I have heard and admired—Bix, Jimmy Noone on clarinet, the great James P. Johnson and "Fats" [Waller] on piano, not to mention the marvelous things that Ellington has done—Louie has to be recognized as the greatest, the father of American jazz music. . . . I think that everything you hear today, even in Dizzie's playing and Miles Davis's, you will hear something of Louie. . . .

KOLODIN. That's especially interesting for me to hear you say. . . . I had an idea of calling Armstrong, in the context of this seventieth anniversary, "The man who invented jazz . . ." but that seemed a small measure of exaggeration. . . .

FREEMAN. Excuse me, Irving, but I don't think so—and I'll tell you why it is not even a small measure of exaggeration. When you say "invented jazz," you must remember that a few years before there wasn't any jazz; there was a thing we called ragtime. . . . Players who didn't have a feeling for jazz would take a series of eighth notes and play them dotted, like da-ta, da-ta, da-ta, ta. . . . Whereas Louie, out of his New Orleans background, or the riverboats, or sheer instinct, would take the same group of notes and give them a beautiful, graceful, powerful line of playing. . . . For instance, if I may use an example, like "Strut-tin' with Some Barbecue," which he made up and first began to play around 1927 . . . lededadada da-do-deet-deet-doo. . . . There was always a drive to the playing, never the corny type of phrasing others were using; I am sure you will appreciate the difference. . . .

KOLODIN. The one strikes me as a mechanical division of the metric values into uneven figures, but with the accent always in the same place, whereas with Armstrong, there was always an element of surprise. . . .

FREEMAN. Well said—but whenever I am asked to explain what jazz is, I am reminded of what Louie himself said on such an occasion: "If you have to ask, you'll never know." How true and honest. It's like looking at a great painting and asking what it means.

KOLODIN. How about the Sunset period?

FREEMAN. It came along at this time, when Louie decided to leave Fletcher. . . . He knew he couldn't make a living in New Orleans, and Lil, his wife, was in Chicago, so he came back, to join a band led by . . . Carroll . . . some—Carroll Dickerson was his name, a fine violinist . . . and he finally persuaded Earl Hines, who was at a place called the Elite Gardens, to join him . . . and I remember the first night they worked together. Earl on piano began, and Louie was sitting there, rockin' back and forth, hardly able to wait his turn, because Earl, whose beat was something *all* his own, inspired him. . . . The Sunset, which was managed by Joe Glaser, who became Louie's great friend and adviser and manager for decades, had a floor show—for which Louie, as a member of the band, had to play—and this I think was responsible for a change in his style. . . . He was now playing trumpet, working with acts like Brown and McGraw, a fabulous dance team; Rector and Cooper, another pair of great dancers—and when Buck and Bubbles would play the Palace downtown, they would come in and double at the Sunset. . . . Louie began to develop a high range nobody had ever heard in Chicago. . . .

KOLODIN. Some say he got the idea from B. A. Rolfe, whom he had heard in New York.

FREEMAN. I doubt it very much. Louie's way was all his own. One occasion he hit a high F in a place so unexpected the whole band just about lost their minds . . . because, with Louie, high notes were never for show or to display technique but part of a melodic design, which is why they had such tremendous impact—they always *meant* something. . . . Then, when he and Earl got so big, they each had to go their own ways, Louie to New York and Earl to the Grand Terrace in Chicago, where he had the band for many years. It was the start of something new all over. Louie had just made those marvelous records, "Blue Turning Grey Over You," "I Can't Give You Anything But Love," . . . and I had come on from Chicago with Ben Pollack's band, and I used to hear Louie a lot at Connie's Inn. . . .

KOLODIN. Wasn't this just about the time Louie went into a show called *Hot Chocolates*, in which there came a moment when he sang "Ain't Misbehavin' " by Fats Waller?

FREEMAN. Oh, absolutely . . . and I was going to refer to it sometime, but now that you brought it up, I would add that this introduced a whole new dimension of Louie's talent . . .

KOLODIN. And influence. . . .

FREEMAN. Of course—any outstanding singer you can think of, from Ethel Waters and Ella and Billie Holiday, even Bing . . . owes an enormous debt to Louie, whether in the phrasing or the attack, or in the scat, as they called it, singing he invented using syllables rather than words. . . . Then after New York and Connie's Inn, Louie went out to California for quite a time, and when he came back to Chicago, it was a great homecoming. In My Cellar—as the place was called—and again it was a whole new thing—at the top of the horn—not just for an effect, but as a regular thing . . . with this went something else—economy . . . he had to have perfect time in his whole body to play, when the tempo was real fast, in half time—as in "Swing That Music"—which recalls something Mezz Mezzrow told me. Louie was playing at a Harlem theater, and Mezz was visiting with him in the wings, where Louie was warming up to go on. . . . By accident, Mezz put his hand on Louie's back, and it was like he touched a live electric wire—his whole body vibrated when he played. . . .

KOLODIN. As time went on, Louie was seen much more in personal appearances, so called, in theaters—for which some people put him down—but which, for all the sums of money he earned, were really expressive of the fact that Louie had so many facets to his talent that they just couldn't be exposed through jazz alone. . . .

FREEMAN. So right. . . . He was a great entertainer, one of the greatest—which brings to mind, too, that Louie didn't play only jazz; he played all the fine classical melodies we know, the operatic arias, the symphony selections—which recall an anecdote in which I had a personal part. Louie was now playing at the Savoy Ballroom, an elegant place on the South Side, in a Caroll Dickerson band, and because he wasn't too well known yet, they had the McKinney's Cotton pickers, a fine band, and very popular, to share the draw. . . . It had Benny Carter and many other fine players. . . . So the McKinney's Cotton Pickers did an hour's set for dancing, and just broke it up. Now they were finished and I was standing with Benny, an old, good friend, and the Dickerson band came on easy and slow, comfortable—and then Louie got up and played a fabulous arrangement of "Liebestraum"—unimaginably beautiful—and drove everybody wild. Now it was the turn of the Cotton Pickers again, and Benny turned to me, and said: "Bud, what is left for us to play?"

KOLODIN. And now we come to the last important point. . . . How about you as a player . . . and Louie?

FREEMAN. Well, when Louie played at the Sunset for the first time, which would be around 1926–27, he would be delighted to have us sit in. I had a lot of nerve doing it,

but we were nervier when we were kids . . . but I will never forget the thrill of sitting in with this godlike man. . . . Then, I remember, in 1928 I made an Okeh record of "Can't Help Lovin' That Man" and "Crazeology" . . . and to my ear today, it's all Armstrong. I put in everything I could remember he played . . . but as time went on, now having played forty-six years, something has rubbed off onto my playing, and I hope it is my own—something of Fats and Bix and Earl and all the others I admired . . . the great drummers, Davie and Baby Dodds. . . . I heard Bix before Louie, and also King Oliver, but in my mind it all begins with Louie. . . . I think the tenor players who swing, who play the kind of music I like, all derive from Louie . . . Lester Young, one of the truly great tenor players, had to be influenced by Louie, you can hear it in the beat. Ben Webster, like Hawkins, I hear it in their playing, it's all there. . . .

KOLODIN. And Hampton, who played with him in California, on vibes?

FREEMAN. Lionel, definitely. . . . Now, it is sad to me today to encounter people who never knew the great Louie, what he did, what he stands for. . . . If you go back to the early records, you realize that here is a man who did more for this kind of music than any man who ever lived. Some people put him down as an entertainer, but to me, Louie swings more telling a joke than most others do playing a horn. And if Louie is to play again, I think we will hear a whole new Louie again, because there is no end to his being creative. . . . And if he doesn't play the horn, he will still sing the horn, because he is the horn. Louie will go on forever, he will never be forgotten, because he is the master of this kind of music. . . .

THE MAN WHO REVOLUTIONIZED JAZZ—III: MY THOUSAND-YEAR MAN

(By Milt Babler)

"Louie," "Pops," "Satchmo," "Face," "Gate," "Daddy," all of these words mean only one person: Louis Armstrong, my man, my thousand-year man. There is an expression among musicians that Jonah Jones taught me. When you can count on a friend, you can measure his worth by the span of years you have known and trusted him. A twenty-year man is real good. To Jonah, I was a hundred-year man. This was very flattering, because you cannot hope to do much better than that. Well, Louis Armstrong is my thousand-year man. That's the way it is, period.

Some people represent different things to different people, but "Louie" means the same the world over. He speaks a universal language, his name is like "sterling" on silver. He was the fountain, the source, and the inspiration for millions of people, a lot of them not musicians. Many of them, like myself, were just in love with what he did and does. The sight and sound of him just gladden your heart.

I first heard Louie on a record in the late Twenties. I still remember the record. It was "Heebie Jeebies," and the back was "Muskrat Ramble." I also remember the number. It was Okeh 8300. It was a revelation. I had never heard a horn like that.

I finally met Louis in the middle Thirties; it was backstage in his dressing room at Loew's State Theater in New York. My good friend, George Wettling introduced us. All of the Chicagoans had known him from the King Oliver-Sunset Cafe days, and Louie was just as friendly and as nice as he is today, not just to me, to everyone. At that point in my life I was selling records retail at my Commodore Music Shop and having the time of my life trying to pay bills while specializing in jazz. The big problem was trying to get stock from the manufacturers on such a ridiculous commodity. I was my own best customer.

His music was bought by male and female, black and white, red and yellow, and every shade in between. Musicians (of course), politicos, royalty, stage and screen stars, writers, doctors, lawyers, Indian chiefs, students, professors, dancers, clerks, cabbies, cops, call-girls, and more musicians.

Don't get the idea that the King can do no wrong. In 1944, when I got my first assignment to record Louis (I must get dignified and put the 's' on Pops's name), I broke down and cried. Wow! I was going to record God. I was young and didn't realize Louis was human and not a superman. It was World War II time, and the Armstrong orchestra had been playing Army camps. They arrived by bus after many one-nighters, with no adequate rest. The sidemen were knocked out and in no shape for recording. Pops looked fine, but then he always does. Teddy McRae was putting the band through its paces. I was in the booth trying to get a band balance, and praying. To myself I said, "What the hell does he need the big road band for? Why does Louis have to travel with an outfit like this? Boy, if I only had Condon and Zutty and Pee Wee and Brunis and Sullivan or Stacy, I could make history." Then I would console myself and blame the war for taking all the good sidemen. Well, I'd try to make it work for Pops' sake. I wouldn't dog it. We worked three hours and made three sides that I wouldn't approve for release (one was later released in the Decca Jazz Heritage series.) I was a broken man I cried.

I am not the only man who has cried at an Armstrong session. Louis can make strong men cry. That is the way we feel about him. A remarkable man in our business, and a creative genius in his own right, is Gordon Jenkins. The conception of "Blueberry Hill" in 1949 was Gordon's idea. Three things happened on that session. First, Gordon cried. We had the full Jenkins orchestra and about thirteen singers to accompany Louis. When Louis records, the side men and singers fight to get on the sessions. Actually, I would bet that most of them would play the date for zero if the American Federation of Musicians would allow it. Well, Gordon is like I am when it comes to Louis. When everyone was seated, he got up on the little conductor's podium, tapped his stand for attention, and started his speech about how he had loved Louis Armstrong and been inspired by him, and how this moment was the greatest in his life and could never be surp—, and he broke down and cried with tears of joy, his heart was that full.

Now, we come to the actual recording of "Blueberry Hill" and two other unforgettable incidents. In the second chorus of the song, Gordon had written special patter for Louis to sing against the regular lyrics while it was being immortalized by his chorus of singers. Louis was to sing "Higher than the moon we'll go, then to a saloon we'll go" (a typical Jenkins couplet). Gordon had the right idea. Today, I wish I had kept his line, but at that time I was afraid of censorship. I had him change the line to "To a wedding in June we'll go." He protested, but went along with my stupid line. Now every time I hear the record, I think of Gordon's original phrase, and I die.

Situation three on "Blueberry Hill" was the sort of decision I hope I shall never have to make again. I decided to have an Armstrong-type muted-trumpet obbligato behind Louis while he was singing in the first chorus, as if Louis were playing and backing up his own voice. In the trumpet section we had Yank Lawson and Billy Butterfield, both of whom loved Louis more than themselves. I called Gordon into the booth and told him what I wanted to do, but I wanted him to choose either Yank or Billy, as I liked them equally and did not want to show any preference. Gordon was the leader and he should decide. He refused. I did not want an Alphonse and Gaston situation (this causes overtime); so we explained our dilemma to the two boys, tossed a coin, and Butterfield won. It is not "Satch" you hear behind Louis on "Blueberry Hill" but the ecstatic Billy Butterfield. This is how great records are born.

I remember another incident on an Armstrong session with Gordon Jenkins. We were all set in 1954 to do the special version of "The Whiffenpoof Song" and three other tunes up at our Pythian Temple studio in New York. It was to be a normal three-hour call, and the usual large orchestra and chorus were there on time, but no Louis Armstrong. Louis had never been late before; so we started to rehearse the orchestra and chorus. We finished with the first song, and still no Louis; so we went through the other three selections as well. Of course, I phoned Joe Glaser, but he was out. His staff told me that Louis knew about the session, but he had had an early dentist appointment prior to the recordings. Two-and-a-half hours later, Louis got to the studio, full of remorse and also with his jaws full of novocain. He could hardly talk. I asked Louis if he could work the next day. Pops had other commitments.

I told Gordon to start running the songs down with Louis. Maybe his jaws would loosen up. We made a playback, and someone said, "Listen to Pops's voice. It sounds like he has a cold." I said, "I've been listening to Louis all my life and he always sounds like he has a cold. That's his style!" How can anyone tell when Louis has a cold? P.S.—We finished the four sides with only an hour overtime.

The greatest project I ever did with Louis was his musical autobiography. It was a thrill re-creating so many of the great sides he made before he was on Decca. Bob Haggart and Sy Oliver were absolutely fabulous to work with. They knew the old Louis sides as well as myself. I knew that the critics and fans would compare them to the originals and most likely rap the new even if they were good.

However, Louis was beautiful, and it is amazing how the flame was rekindled. Sy Oliver would generally notate the trumpet line on Louis's part and write in a message to the effect, "Something like this. Go for yourself." Louis insisted on making it as Sy had taken it from the old record, saying, "Is that what I played? I don't want people to think I can't read." Believe me, Louis reads music. Not as far as you have to play on the *Tonight Show* if you're in the brass department, but Louis is still the boss, and he made the notes those boys are playing now, a very long time ago. Ask Doc Severinsen, and I'll bet a Beatles LP that he, too says, "My man, my thousand-year man."

ST. JOHN'S COLLEGE—RATIONAL DISSENT

Mr. MATHIAS. Mr. President, at a time when violence and destruction on campuses are so widely publicized I feel that it is of the utmost importance that rational and nonviolent action receives the attention it deserves. One outstanding example of such action may be seen in the activities of St. John's College during the final weeks of their academic year. During this time the college continued to operate on a normal schedule. The students did not miss a day of classes. This should not be interpreted as implying any lack of concern on the part of the members of the college. Rather, the whole college engaged in an additional day of study of Vietnam and of the question of dissent. Students and faculty gave up a Saturday for these special, extra classes.

J. Winfree Smith, a member of the

faculty, in his speech at St. John's commencement, stressed the dangers of irrationality and the need for academic inquiry. This principle is also clearly evident in a letter which individual students, faculty, and administrators wrote to President Nixon. Editorials in two local newspapers praised the students of St. John's College for their rational restraint in expressing their dissent.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of the letter from the members of the St. John's community to the President, Mr. Smith's commencement address, and copies of the editorials from the Annapolis Evening Capital and Anne Arundel Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 7, 1970.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: We as individual students, faculty members, and administrative officers of St. John's College wish to convey to you our deep concern over the most recent expansion of the undeclared war in Southeast Asia and over the resulting dissension and division in our country, especially within our colleges and universities.

We are deeply troubled by the sacrifice of our young men and by the drain upon our country's resources. There is a basic question which disturbs us as well. We doubt the constitutionality of this undeclared war which was embarked upon by a previous administration. We agree with Senator Charles Mathias that the Senate seems to have been denied its historic constitutional role of declaring or not declaring war. We would hope for a speedy return to the proper delineation of the functions and responsibilities of the three branches of the Government, the Executive, the Legislative, and the Judicial. In grave moments of history like these, nothing can be more important that a strict upholding of the Constitution.

Many of us recognize that we do not have the necessary background or facts to assess the wisdom or necessity for the original American involvement in Indo-China or for the subsequent escalation of the fighting. We are not experts on power politics, Communist subversion, political vacuums, or military strategy. However, we share a repugnance for the conflict which has devastated this area of the world for nearly two decades. We earnestly want to believe you when you publicly commit yourself and our government to withdrawal of our armed forces as rapidly as is consistent with safety and prudence.

St. John's College is devoted to the life of the mind, to reason, and to dialogue. We cannot subscribe to irrational and violent methods of dissent since they imply an abandonment of the fundamental principles for which a college or university should stand. We doubt whether confrontations can advance the cause of reason. Nor will the welfare of the country be advanced by a national strike of students or the closing of our colleges and universities.

We shall continue with our regular academic program. We believe that our primary responsibility as students and teachers is to continue to study and learn. Only then will we be properly equipped to exercise our lifelong responsibilities as participating members of the political communities which depend upon enlightened and rational leadership—our towns and cities, our states, and our nation.

This decision should not be interpreted as implying any lack of concern on our part. Though the College considers it inappropriate to take an institutional stand on such a matter of national policy, we as individuals may choose to show our own personal positions in appropriate and dignified ways. We hope that our actions may commend themselves to students and faculties in other colleges and universities and may prove to have a sobering effect in a period of campus turmoil and national division.

Therefore, as individual citizens and members of the St. John's community, we hereby record our dissent and in so doing insist that such dissent be registered in the proper way.

(Signatures).

COMMENCEMENT ADDRESS

(Given at St. John's College, Annapolis, Md., June 7, 1970, by J. Winfree Smith)

In a church near London there is a plaque with the following inscription:

"In the year 1653, when all things sacred in the kingdom
Were either profaned or demolished,
This Church was built by Sir Robert Shirley, Baronet
Whose singular praise it was
To do the best things in the worst times
And hope them in the most calamitous."

These times in which we live are not the worst times or the most calamitous. But they are bad times, and they threaten worse and more calamitous times. In the United States of America we have special troubles which arise partly from our power and wealth, but also, and maybe consequently, from a disrespect for law. We can understand how for many black people and others among us "law" means only an instrument of injustice and oppression. It has, however, been the greatness of the United States as a political society to have combined law and freedom, to have made freedom possible by means of law, which is the only way it is possible. We must think both of the common law and of constitutional law. Murder committed by Black Panthers endangers society; committed by police, it endangers society even more. Arson, whether committed by the frustrated poor in ghettos or by frustrated students on campuses, is as criminal as arson anywhere, and is not to be justified as a form of rhetoric. There can be no freedom where men fear the destruction of their lives and the external means of living them. A concern for life and property is not necessarily a bourgeois concern.

We the people of the United States in adopting the Constitution declared in the words of that document that it was to be the supreme law of the land. Sometimes those whose very powers depend upon the Constitution speak and act in such a way as to contravene it. The Congress in passing the Omnibus Crime Bill of 1968 may have been acting in response to the mood of the people and with respect for one kind of law. But in doing so they were also clearly attacking the independent authority of the Supreme Court. The President, when recently the Senate was about to vote on a certain nomination to that court, referred to himself as "the one person entrusted by the Constitution with the power of appointment" of Supreme Court justices. He was forgetting or deliberately ignoring the constitutional, and by no means nominal, requirement that such appointment be made only with the advice and consent of the Senate. Furthermore, it is hard to avoid the conclusion that those who talk most about law and order are not deeply concerned to preserve the law contained in the Bill of Rights, the law that directly protects specific freedoms.

Americans who would not have their country destroyed will respect both the common law and constitutional law and will respect legal process for the removal of unjust law. They will refuse to be "polarized" no matter who may be playing on which of their passions to attract them to this pole or repel them from that. In independence of soul they will not allow the present confusion of good and evil to overwhelm their power to discriminate them.

Many teachers in our colleges and universities, as well as many students, are determined that those institutions shall as such become active in political affairs. There may be occasions when such institutions have to act politically. For instance, it would surely be their duty to resist by all lawful political means a measure such as that not long ago proposed in Congress, though not passed, to require every college "to adopt an approved code of conduct for its students and teachers before it or they could be eligible for federal aid." The reason it would be their duty is that such a measure would destroy the independence of the educational institution. A college is of service politically exactly by keeping itself out of political action. It is of service because its independence does not mean indifference, but rather the occasion and the freedom to discuss and debate political issues with rational detachment, which is the only way to obtain light upon them. It is a truly amazing thing that some teachers and students don't believe in such debate or the possibility of any rational detachment. They have become champions of blind action. Although I've never seen it defined, I suppose that the name "activists" sometimes refers to such champions. The action they desire they often call "revolution", which is also not defined, but it seems to mean destroying all human institutions. There is an echo of Marxism in this though without the painstaking Marxist argument designed to show that in capitalist society all law and government, all religious and educational institutions are derivative from that society and in the dialectic of history destined to be destroyed along with it.

In these bad times we who belong to this small college, but all the greater for being small, often feel ourselves to be like the philosopher in the 6th book of Plato's *Republic* who amid the circumstances of actual political life is like one "in the storm of dust and sleet which the driving wind hurries along." If we retire to the shelter of a wall, it is partly to get a place where we may begin to see and understand what is going on in that storm and what should and could be done about it. And if we sometimes manage to ignore the storm, we do not consider that we are self-indulgent for there is a seraph that constantly whispers to us that we have a true self that is above the storm and that knowledge belongs to another world and is itself good. Others hurrying past may call to us to leave our shelter and join them. They think it is no time for business as usual. They do not know that when it is a question of the business in which we are engaged it is always time for business as usual.

Last year's commencement speaker referred to our program and the character of our studies as presupposing the authority of intellect. Let me stress the word "authority." The authority of intellect is not the authority of doctrine. St. John's College has no authoritative doctrine. But it is devoted to asking questions about all the things around us. This asking of questions is meaningful not because we can always find answers, but because learning occurs. That genuine learning does occur means that the intellect is not a servant or an instrument, but that it has authority.

Graduates of the Class of 1970, I bid you do the best things in these bad times and in the worst times, if such should overtake you. Cultivate temperance in political judgment and action. Cultivate the courage to stand firm for reason and sense against unreason and nonsense. Support what justice there is in our laws, our institutions, and our ways without losing sight of a higher justice by which they must be measured. Be intemperate and erotic in the quest for

wisdom and understanding. Value charity and humility, since he who hates or condemns his brother abides in death, as someone has said.

What hope can I offer you for the future of this earth? I do not know. Things do not look good. The future is perhaps not as much within man's hands as he has persuaded himself in our modern era. It is, of course, my own belief that it is in the hands of a beneficent God, and that is ground for hope. If you do not share that belief, is there some ground? Ignorance of the future is not reason for despair, but neither is it reason for hope. Yet I would pray that it be your singular praise, no matter how bad the times, not only to do, but to find it possible to hope, the best things.

[From the Annapolis (Md.) Evening Capital, May 25, 1970]

REASON OVER RIOT

The strong antiwar sentiments among students across the nation have apparently left few colleges and universities immune from strikes, demonstrations and violence during these troubled times. However, St. John's College has commendably managed to rise above the throwing of rocks and bottles, the shouted obscenities and the bitter confrontations with National Guardsmen and police.

This has nothing whatsoever to do with the apathy. There is little doubt in anyone's mind that the St. John's student body is as opposed to the war in Southeast Asia as are the campuses at Berkeley, College Park and Kent. The difference is the manner in which St. John's has chosen to channel its protest.

A couple of weeks ago, many St. John's students participated in a 24-hour peace vigil that was carried off without any violent incidents. Not only did the students decide against participating in the student strikes, they voted to hold the extra day of classes. On Saturday, seminars on the Vietnam War were held at St. John's. There was no need for fixed bayonets or tear gas. This civilized approach might not satisfy the appetite for revolution prevalent among campus militants, but it was one college's way of choosing to reason rather than to riot.

And it is through reason that this nation must let its leaders know how it feels about our involvement in Vietnam and Cambodia. Occupying and burning college buildings, violent demonstrations and angry shouting matches are unlikely to bring any results other than a widening of the gap between those who feel we should leave Vietnam and those who feel our presence there is protecting the world from communism.

It is a tribute to the students and faculty of St. John's College that they chose an infinitely more responsible route to air their feelings rather than to subject themselves and a fine institution to the turmoil that which all too many colleges have fallen prey within the past weeks.

[From the Anne Arundel Times]

"WAY AHEAD" IS MORE LIKE IT

Residents of Annapolis who sometimes look askance as "way out", students of St. John's College peacefully make their way through town should be mindful of the fact that the students are more "peaceful" than "way out."

A case in point is the unfortunate reaction of students in colleges and universities across the nation, following the United States invasion of Cambodia. Disorder, destruction, and even death, were everyday campus occurrences. The campus of St. John's College, both in Annapolis and Santa Fe, New Mex., remained calm.

Which is not to say that students approved of the military action. On the contrary, a letter making clear their opposition was hand-delivered to the President of the United States by the president of the college. But the same letter contained a pledge to maintain a regular schedule at the college. If President Nixon did not reply favorably and thankfully to what is surely a rare communication—and Dean Robert A. Goldwin of St. John's College knows of no such response—the President is remiss.

Instead of upheaval, the students and faculty members heard two authoritative speakers discuss both sides of the Cambodian issue. An orderly, and therefore, fruitful, question and answer period followed.

The next day, a Saturday, students and faculty members participated in a seminar on Vietnam. Again, two positions—those of the United States and North Vietnam—were weighed.

The Students of St. John's College, it would seem, are not so "way out" after all. "Way ahead" is a more accurate term.

FREEDOM IN AMERICA

Mr. McGOVERN. Mr. President, the July 14, 1970, issue of Look magazine contains an important, thoughtful article by one of America's most distinguished historians, Henry Steele Commager, of Amherst College. Professor Commager addresses himself in this article to the question, "Is Freedom Dying in America?"

I ask unanimous consent that this provocative article by Professor Commager be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS FREEDOM DYING IN AMERICA?

(By Henry Steele Commager)

"There are certain words,
Our own and others', we're used to—words we've used,
Heard, had to recite, forgotten,
Rubbed shiny in the pocket, left home for keepsakes,
Inherited, stuck away in the back-drawer,
In the locked trunk, at the back of the quiet mind.

Liberty, equality, fraternity,
To none will we sell, refuse or deny, right or justice.
We hold these truths to be self-evident.

I am merely saying—what if these words pass?
What if they pass and are gone and are no more . . . ?

It took long to buy these words.
It took a long time to buy them and much pain."

STEPHEN VINCENT BENÉT.

"Those, who would give up essential liberty to purchase a little temporary safety," said Benjamin Franklin, two centuries ago, "deserve neither liberty nor safety."

Today we are busy doing what Franklin warned us against. Animated by impatience, anger and fear, we are giving up essential liberties, not for safety, but for the appearance of safety. We are corroding due process and the rule of law not for Order, but for the semblance of order. We will find that when we have given up liberty, we will not have safety, and that when we have given up justice, we will not have order.

"We in this nation appear headed for a new period of repression," Mayor John V. Lindsay of New York recently warned us. We are in fact already in it.

Not since the days when Sen. Joseph McCarthy bestrode the political stage, fomenting suspicion and hatred, betraying the Bill of Rights, bringing Congress and the State Department into disrepute, have we experienced anything like the current offensive against the exercise of freedom in America. If repression is not yet as blatant or as flamboyant as it was during the McCarthy years, it is in many respects more pervasive and more formidable. For it comes to us now with official sanction and is imposed upon us by officials sworn to uphold the law: the Attorney General, the FBI, state and local officials, the police, and even judges. In Georgia and California, in Lamar, S.C., and Jackson, Miss., and Kent, Ohio, the attacks are overt and dramatic; on the higher levels of the national administration, it is a process of erosion, the erosion of what Thomas Jefferson called "the sacred soil of liberty." Those in high office do not openly proclaim their disillusionment with the principles of freedom, but they confess it by their conduct, while the people acquiesce in their own disinheritance by abandoning the "eternal vigilance" that is the price of liberty.

There is nothing more ominous than this popular indifference toward the loss of liberty, unless it is the failure to understand what is at stake. Two centuries ago, Edmund Burke said of Americans that they "snuff the approach of tyranny in every tainted breeze." Now, their senses are blunted. The evidence of public-opinion polls is persuasive that a substantial part of the American people no longer know or cherish the Bill of Rights. They are, it appears, quite prepared to silence criticism of governmental policies if such criticism is thought—by the Government—damaging to the national interest. They are prepared to censor newspaper and television reporting if such reports are considered—by the Government—damaging to the national interest! As those in authority inevitably think whatever policies they pursue, whatever laws they enforce, whatever wars they fight, are in the national interest, this attitude is a formula for the ending of all criticism, which is another way of saying for the ending of democracy.

Corruption of language is often a first sign of a deeper malaise of mind and spirit, and it is ominous that invasions of liberty are carried on, today, in the name of constitutionalism, and the impairment of due process, in the name of Law and Order. Here it takes the form of a challenge to the great principle of the separation of powers, and there to the equally great principle of the superiority of the civil to the military authority. Here it is the intimidation of the press and television by threats both subtle and blatant, there of resort to the odious doctrine of "intent" to punish anti-war demonstrators. Here it is the use of the dangerous weapon of censorship, overt and covert, to silence troublesome criticism, there the abuse of the power of punishment by contempt of court. The thrust is everywhere the same, and so too the animus behind it: to equate dissent with lawlessness and nonconformity with treason. The purpose of those who are prepared to sweep aside our ancient guarantees of freedom is to blot out those great problems that glare upon us from every horizon, and pretend that if we refuse to acknowledge them, they will somehow go away. It is to argue that discontent is not an honest expression of genuine grievances but of willfulness, or perversity, or perhaps of the crime of being young, and that if it can only be stifled, we can restore harmony to our distracted society.

Men like Vice President Spiro T. Agnew simplistically equate opposition to official policies with effete intellectualism, and cater to the sullen suspicion of intellectuals, always latent in any society, to silence that opposition. Frightened people everywhere, alarmed by lawlessness and violence in their communities, and impatient with the notion that we cannot really end violence until we deal with

its causes, call loudly for tougher laws, tougher courts or—as in big cities like New York or small towns like Lamar—simply take authority into their own hands and respond with vigilante tactics. Impatient people, persuaded that the law is too slow and too indulgent, and that order is imperiled by judicial insistence on due process, are prepared to sweep aside centuries of progress toward the rule of law in order to punish those they regard as enemies of society. Timid men who have no confidence in the processes of democracy or in the potentialities of education are ready to abandon for a police state the experiment that Lincoln called "the last best hope of earth."

The pattern of repression is, alas, all too familiar. Most ominous is the erosion of due process of law, perhaps the noblest concept in the long history of law and one so important that it can be equated with civilization, for it is the very synonym for justice. It is difficult to remember a period in our own history in which due process has achieved more victories in the courts and suffered more setbacks in the arena of politics and public opinion than in the last decade. While the Warren Court steadily enlarged the scope and strengthened the thrust of this historic concept, to make it an effective instrument for creating a more just society, the political and the law-enforcement agencies have displayed mounting antagonism to the principle itself and resistance to its application. The desegregation decision of 1954 has been sabotaged by both the Federal and local governments—a sabotage dramatized by the recent decision of the Justice Department to support tax exemption for private schools organized to frustrate desegregation.

There are many other examples. Pending legislation, including the Organized Crime Control Act of 1969, provides for "prevention detention" in seeming violation of the constitutional guarantee of presumption of innocence; limits the right of the accused to examine evidence illegally obtained; permits police to batter their way into a private house without notice (the no-knock provision); and provides sentences of up to 30 years for "dangerous special offenders." And the government itself, from local police to the Attorney General, persists in what Justice Holmes called the "dirty business" of wiretapping and bugging to obtain evidence for convictions, though this is a clear violation of the right of protection against self-incrimination.

Equally flagrant is the attack on First Amendment freedoms—freedom of speech, press, petition and assembly—an attack that takes the form of intimidation and harassment rather than of overt repudiation. The President and the Vice President have joined in a crusade designed to force great newspapers like the New York *Times* and the Washington *Post* to moderate their criticism of Administration policies, and to frighten the television networks into scaling down their coverage of events that the Government finds embarrassing; a position that rests on the curious principle that the real crime is not official misconduct but the portrayal of that misconduct. Mr. Agnew, indeed, has gone so far as to call on governors to drive the news purveyed by "bizarre extremists" from newspapers and television sets; it is an admonition that, if taken literally, would deny newspaper and TV coverage to Mr. Agnew himself. All this is coupled with widespread harassment of the young, directed superficially at little more than hairstyle, dress or manners—but directed in fact to their opinions, or perhaps to their youthfulness. And throughout the country, government officials are busy compiling dossiers on almost all citizens prominent enough to come to their attention.

Government itself is engaged increasingly in violating what President Dwight D. Eisenhower chose as the motto for the Columbia University bicentenary: "Man's right to knowledge and the free use thereof." The USIA proscribes books that criticize American foreign policy at the same time that it launches a positive program of celebrating the Nixon Administration and the conduct of the Vietnam war through films and a library of "safe" books selected by well-vetted experts. The Federal Government spends millions of dollars presenting its version of history and politics to the American people. The Pentagon alone spends $47 million a year on public relations and maintains hundreds of lobbyists to deal with Congress, and the Defense Department floods schools and clubs and veterans organizations with films designed to win support for the war.

Meantime, the growing arrogance of the military and its eager intervention in areas long supposed to be exclusively civilian gravely threaten the principle of the superiority of the civil to the military power. Military considerations are advanced to justify the revival of the shabby practices of the McCarthy era—security clearances for civilians working in all establishments that have contracts with Defense—a category that includes laboratories, educational institutions and research organizations. What the standards are that may be expected to dictate security "clearance" is suggested by Vice President Agnew's proposal to "separate the [protest leaders] from our society—with no more regret than we should feel over discarding rotten apples from a barrel." That is, of course, precisely the philosophy that animated the Nazis. Military considerations, too, are permitted to dictate policies of secrecy that extend even to censorship of the *Congressional Record*, thus denying to congressmen, as to the American people, information they need to make decisions on foreign policy. Secrecy embraces, not unnaturally, facts about the conduct of the war; Attorney General Mitchell, it was reported, hoped to keep the Cambodian caper secret from Congress and the people until it was a *fait accompli*. So, too, the CIA, in theory merely an information-gathering agency, covers its far-flung operations in some 60 countries with a cloak of secrecy so thick that even Congress cannot penetrate it. The Army itself, entering the civilian arena, further endangers freedom of assembly and of speech by employing something like a thousand agents to mingle in student and other assemblies and report to the Army what they see and hear. This is, however, merely a tiny part of the some $3 billion that our Government spends every year in various types of espionage—more every year than the total cost of the Federal Government from its foundation in 1789 to the beginning of the Civil War in 1861!

It would be an exaggeration to say that the United States is a garrison state, but none to say that it is in danger of becoming one.

The purpose of this broad atack on American freedoms is to silence criticism of Government and of the war, and to encourage the attitude that the Government knows best and must be allowed a free hand, an attitude Americans have thought odious ever since the days of George III. It is to brand the universities as a fountainhead of subversion and thus weaken them as a force in public life. It is to restore "balance" to the judiciary and thereby reverse some of the great achievements of the 16 years of the Warren Court and to reassure the Bourbons, North and South, who are alarmed at the spectacle of judicial liberalism. It is to return to a "strict" interpretation of the power of states over racial relations and civil liberties—a euphemism for the nullification of those liberties.

The philosophy behind all this, doubtless unconscious, is that government belongs to the President and the Vice President; that they are the masters, and the people, the subjects. A century ago, Walt Whitman warned of "the never-ending audacity of elected persons"; what would he say if he were living today? Do we need to proclaim once more the most elementary principle of our constitutional system: that in the United States, the people are the masters and all officials are servants—officials in the White House, in the Cabinet, in the Congress, in the state executive and legislative chambers; officials, to, in uniform, whether of the national guard or of the police?

Those who are responsible for the campaign to restrict freedom and hamstring the Bill of Rights delude themselves that if they can but have their way, they will return the country to stability and order. They are mistaken. They are mistaken not merely because they are in fact hostile to freedom, but because they don't understand the relation of freedom to the things they prize most—to security, to order, to law.

What is that relationship?

For 2,500 years, civilized men have yearned and struggled for freedom from tyranny—the tyranny of despotic government and superstition and ignorance. What explains this long devotion to the idea and practice of freedom? How does it happen that all Western societies so exalt freedom that they have come to equate it with civilization itself?

Freedom has won its exalted place in philosophy and policy quite simply because, over the centuries, we have come to see that it is a necessity, a necessity for justice, a necessity for progress, a necessity for survival.

How familiar the argument that we must learn to reconcile the rival claims of freedom and order. But they do not really need to be reconciled; they were never at odds. They are not alternatives, they are two sides to the same coin, indissolubly welded together. The community—society or nation—has an interest in the rights of the individual because without the exercise of those rights, the community itself will decay and collapse. The individual has an interest in the stability of the community of which he is a part because without security, his rights are useless. No community can long prosper without nourishing the exercise of individual liberties for, as John Stuart Mill wrote a century ago, "A State which dwarfs its men, in order that they may be more docile instruments in its hands . . . will find that with small men no great thing can really be accomplished." And no individual can fulfill his genius without supporting the just authority of the state, for in a condition of anarchy, neither dignity nor freedom can prosper.

The function of freedom is not merely to protect and exalt the individual, vital as that is to the health of society. Put quite simply, we foster freedom in order to avoid error and discover truth; so far, we have found no other way to achieve this objective. So, too, with dissent. We do not indulge dissent for sentimental reasons; we encourage it because we have learned that we cannot live without it. A nation that silences dissent, whether by force, intimidation, the withholding of information or a foggy intellectual climate, invites disaster. A nation that penalizes criticism is left with passive acquiescence in error. A nation that discourages originality is left with minds that are unimaginative and dull. And with stunted minds, as with stunted men, no great thing can be accomplished.

It is for this reason that history celebrates not the victors who successfully silenced dissent but their victims who fought to speak the truth as they saw it. It is the bust of Socrates that stands in the schoolroom, not the busts of those who condemned him to death for "corrupting the youth." It is Savonarola we honor, not the Pope who had him burned there in the great Piazza in Florence. It is Tom Paine we honor, not the English judge who outlawed him for writing the *Rights of Man*.

Our own history, too, is one of rebellion

against authority. We remember Roger Williams, who championed toleration, not John Cotton, who drove him from the Bay Colony; we celebrate Thomas Jefferson, whose motto was "Rebellion to tyrants is obedience to God," not Lord North; we read Henry Thoreau on civil disobedience, rather than those messages of President Polk that earned him the title "Polk the Mendacious"; it is John Brown's soul that goes marching on, not that of the judge who condemned him to death at Charles Town.

Why is this? It is not merely because of the nobility of character of these martyrs. Some were not particularly noble. It is because we can see now that they gave their lives to defend the interests of humanity, and that they, not those who punished them, were the true benefactors of humanity.

But it is not just the past that needed freedom for critics, nonconformists and dissenters. We, too, are assailed by problems that seem insoluble; we, too, need new ideas. Happily, ours is not a closed system—not yet, anyway. We have a long history of experimentation in politics, social relations and science. We experiment in astrophysics because we want to land on the moon; we experiment in biology because we want to find the secret of life; we experiment in medicine because we want to cure cancer; and in all of these areas, and a hundred others, we make progress. If we are to survive and flourish, we must approach politics, law and social institutions in the same spirit that we approach science. We know that we have not found final truth in physics or biology. Why do we suppose that we have found final truth in politics or law? And just as scientists welcome new truth wherever they find it, even in the most disreputable places, so statesmen, jurists and educators must be prepared to welcome new ideas and new truths from whatever sources they come, however alien their appearance, however revolutionary their implications.

"There can be no difference anywhere," said the philosopher William James, "that doesn't make a difference elsewhere—no difference in abstract truth that doesn't express itself in a difference in concrete fact. . . ."

Let us turn then to practical and particular issues and ask, in each case, what are and will be the consequences of policies that repress freedom, discourage independence and impair justice in American society, and what are, and will be, the consequences of applying to politics and society those standards and habits of free inquiry that we apply as a matter of course to scientific inquiry?

Consider the erosion of due process of law—that complex of rules and safeguards built up over the centuries to make sure that every man will have a fair trial. Remember that it is designed not only for the protection of desperate characters charged with monstrous crimes; it is designed for every litigant. Nor is due process merely for the benefit of the accused. As Justice Robert H. Jackson said, "It is the best insurance for the Government itself against those blunders which leave lasting stains on a system of justice. . . ."

And why is it necessary to guarantee a fair trial for all—for those accused of treason, for those who champion unpopular causes in a disorderly fashion, for those who assert their social and political rights against community prejudices, as well as for corporations, labor unions and churches? It is, of course, necessary so that justice will be done. Justice is the end, the aim, of government. It is implicitly the end of all governments; it is quite explicitly the end of the United States Government, for it was "in order to . . . establish justice" that the Constitution was ordained.

Trials are held not in order to obtain convictions; they are held to find justice. And over the centuries, we have learned by experience that unless we conduct trials by rule and suffuse them with the spirit of fair play, justice will not be done. The argument that the scrupulous observance of technicalities of due process slows up or frustrates speedy convictions is, of course, correct, if all you want is convictions. But why not go all the way and restore the use of torture? That got confessions and convictions! Every argument in favor of abating due process in order to get convictions applies with equal force to the use of the third degree and the restoration of torture. It is important to remember that nation after nation abandoned torture (the Americans never had it), not merely because it was barbarous, but because, though it wrung confessions from its victims, it did not get justice, it implicated the innocent with the guilty, it outraged the moral sense of the community. Due process proved both more humane and infinitely more efficient.

Or consider the problem of wiretapping. That in many cases wiretapping "works" is clear enough, but so do other things prohibited by civilized society, such as torture or the invasion of the home. But "electronic surveillance," said Justice William J. Brennan, Jr., "strikes deeper than at the ancient feeling that a man's home is his castle; it strikes at freedom of communication, a postulate of our kind of society . . . Freedom of speech is undermined where people fear to speak unconstrainedly in what they suppose to be the privacy of home or office."

Perhaps the most odious violation of justice is the maintenance of a double standard: one justice for blacks and another for whites, one for the rich and another for the poor, one for those who hold "radical" ideas, and another for those who are conservative and respectable. Yet we have daily before our eyes just such a double standard of justice. The "Chicago Seven," who crossed state lines with "intent" to stir up a riot, have received heavy jail sentences, but no convictions have been returned against the Chicago police who participated in that riot. Black Panthers are on trial for their lives for alleged murders, but policemen involved in wantonly attacking a Black Panther headquarters and killing two blacks have been punished by demotion.

Turn to the role and function of freedom in our society—freedom of speech and of the press—and the consequences of laying restrictions upon these freedoms. The consequence is, of course, that society will be deprived of the inestimable advantage of inquiry, criticism, exposure and dissent. If the press is not permitted to perform its traditional function of presenting the whole news, the American people will go uninformed. If television is dissuaded from showing controversial films, the people will be denied the opportunity to know what is going on. If teachers and scholars are discouraged from inquiring into the truth of history or politics or anthropology, future generations may never acquire those habits of intellectual independence essential to the working of democracy. An enlightened citizenry is necessary for self-government. If facts are withheld, or distorted, how can the people be enlightened, how can self-government work?

The real question in all this is what kind of society do we want? Do we want a police society where none are free of surveillance by their government? Or do we want a society where ordinary people can go about their business without the eye of Big Brother upon them?

The Founding Fathers feared secrecy in government not merely because it was a vote of no-confidence in the intelligence and virtue of the people but on the practical ground that all governments conceal their mistakes behind the shield of secrecy; that if they are permitted to get away with this in little things, they will do it in big things—like the Bay of Pigs or the invasion of Cambodia.

And if you interfere with academic freedom in order to silence criticism, or critics, you do not rid the university of subversion. It is not ideas that are subversive, it is the lack of ideas. What you do is to silence or get rid of those men who have ideas, leaving the institution to those who have no ideas, or have not the courage to express those that they have. Are such men as these what we want to direct the education of the young and advance the cause of learning?

The conclusive argument against secrecy in scientific research is that it will in the end give us bad science. First-rate scientists will not so gravely violate their integrity as to confine their findings to one government or one society, for the first loyalty of science is to scientific truth. "The Sciences," said Edward Jenner of smallpox fame, "are never at war." We have only to consider the implications of secrecy in the realm of medicine: What would we think of doctors favoring secrecy in cancer research on the grounds of "national interest"?

The argument against proscribing books, which might normally be in our overseas libraries, because they are critical of Administration policies is not that it will hurt authors or publishers. No. It is quite simply that if the kind of people who believe in proscription are allowed to control our libraries, these will cease to be centers of learning and become the instruments of party. The argument against withholding visas from foreign scholars whose ideas may be considered subversive is not that this will inconvenience them. It is that we deny ourselves the benefit of what they have to say. Suppose President Andrew Jackson had denied entry to Alexis de Tocqueville on the ground that he was an aristocrat and might therefore be a subversive influence on our democracy? We would have lost the greatest book ever written about America.

There is one final consideration. Government, as Justice Louis D. Brandeis observed half a century ago, "is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example." If government tries to solve its problems by resort to large-scale violence, its citizens will assume that violence is the normal way to solve problems. If government itself violates the law, it brings the law into contempt, and breeds anarchy. If government masks its operations, foreign and domestic, in a cloak of secrecy, it encourages the creation of a closed, not an open, society. If government shows itself impatient with due process, it must expect that its people will come to scorn the slow procedures of orderly debate and negotiation and turn to the easy solutions of force. If government embraces the principle that the end justifies the means, it radiates approval of a doctrine so odious that it will in the end destroy the whole of society. If government shows, by its habitual conduct, that it rejects the claims of freedom and of justice, freedom and justice will cease to be the ends of our society.

Eighty years ago, Lord Bryce wrote of the American people that "the masses of the people are wiser, fairer and more temperate in any matter to which they can be induced to bend their minds, than most European philosophers have believed possible for the masses of the people to be."

Is this still true? If the American people can indeed be persuaded to "bend their minds" to the great questions of the preservation of freedom, it may still prove true. If they cannot, we may be witnessing, even now, a dissolution of the fabric of freedom that may portend the dissolution of the Republic.

AT 18, BE SURE DIRECTION IS RIGHT—ADDRESS BY DEBBY JOHN

Mr. MILLER. Mr. President, recently, Debby John, an 18-year-old senior, addressed her fellow graduates at the Harlan, Iowa, Community High School.

The thoughts expressed are those of an exceptional young lady, gifted with an understanding and perceptiveness that reflects great credit on her generation.

I believe that her remarks merit the attention of the readers of the CONGRESSIONAL RECORD, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

AT 18, BE SURE DIRECTION IS RIGHT

"Today is the first day of the rest of our lives."

We have 18 years behind us, not a whole lot when we consider the number of years that lie before us, years during which we are sure we will change the world. All of us will, simply by living, but will it be for better or worse?

Presently, many youths are rebelling physically and mentally against what has been termed "the Establishment." But how many of us know exactly what the Establishment is? It consists of society, and you and I and everyone else are part of it.

True, it is far from being perfect, but the entire blame for its present condition does not lie solely with the older generation. They have sought to change it with only minimal success. But this is the story of all generations, and whether we think so or not, it will be the story of ours.

Every generation makes mistakes; they always have and always will because man is imperfect. But the older generation, or more accurately termed the adults, have contributed a tremendous amount to our nation and to the world.

And yet too many members of the younger generation overlook these mighty efforts at improvements and dwell upon the failures, because somewhere along the way we have come up with the idea that we are the ones destined to save the world before we are 25. Well, it is time we realize that we are 18 years old and we do not have all the answers now and will not have them in five, 10, or even 15 years.

Because we are aware of world problems and very concerned about them, we think that we can solve them almost overnight. Man has tried for centuries to solve the exact same problems—war, poverty, and hate—and he has had only limited success.

But now for some, either they solve them all this week or blindly join a wrecking crew of paranoids; they demand total victory by Wednesday or burn the building and destroy property not even theirs to touch; either they win now or escape to a commune and quit.

Exaggerated? Is it really?

Youth has always been filled with impatient idealism. If they were not, there would be no change.

But this does not extend to guns, fire bombs, riots, and vicious arrogance. That is not idealism—it is childish tyranny.

Any four-year-old can throw a rock or have a temper tantrum. In fact, the only difference between some, and I say *some* young rioters and a four-year-old is that the younger cannot throw as hard or as far.

It is time to call a halt—to start acting as we should. By what right and what accomplishments should thousands of teenagers, who have not gained the judgment or wisdom to even act decently, suddenly become the sages of our time? Why should we follow the people who seem to think the only way to improve the world is to tear it apart?

I am not saying that we should sit back quietly and watch the world go by. I am simply saying that we should start giving respect and begin doing things which will gain respect for ourselves. It is time to stop thinking solely about our generation and how we want things, and start thinking about the other generations that also live on this earth.

The peace and love we are striving for are not new ideas—man has sought them since the beginning of time. But neither will come with the destruction of buildings and institutions. They will come only with the downfall of the invisible barriers that separate man from man.

We have shouted long and loud that we are going to turn this country around and set it straight. The time is long overdue for us to turn around and look at what we have done and what we may yet do to this nation unless we set ourselves straight.

We want to be adults.

It is quite a bit to live up to. And we can say that there are many, many persons of all ages who just do not make it. But that is no excuse for not trying; we have to start somewhere. We have chosen as our class motto: "Push, pull, or get out of the way."

Well, "today is the first day of the rest of our lives." The strength, the energy, the idealism—they are all within every one of us. But let's make sure that we are going to push or pull in the right direction.—*Omaha World-Herald.*

DISTRICT OF COLUMBIA CRIME

Mr. MATHIAS. Mr. President, I would like to remind Congress of our responsibility in facing and dealing with the serious crime problem in the District of Columbia, since Congress has chosen to retain virtually exclusive governmental authority within the District.

To this end, I ask unanimous consent to insert in the RECORD a listing of crimes committed within the District yesterday as reported by the Washington Post. Whether this list grows longer or shorter depends on this Congress.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA CRIME

ROBBED

Francis Scott Key hotel, 600 20th St. NW, was held up about 1:50 p.m. Sunday by a young man who passed a note to the desk clerk which read, "Put all the money in a paper bag. I have a loaded gun. Don't make me shoot." The clerk handed the man a $5 bill from the cash register and he fled out of the hotel into an alleyway.

Bradley C. Bell, of Westmore, Md., was held up about 10:05 p.m. Monday by four men who surrounded him in the 3100 block of Dumbarton Avenue NW. One of them pulled out a knife and threatened, "Give me your money or I'll kill you." After taking Bell's wallet, the men ran off.

Liquor store, 1118 U St. NW, was held up shortly after 9 p.m. Monday by two armed youths wearing stocking masks who forced the owner, Isadore Egberg, to give them a large amount of money from the cash drawer and his wallet and then ran out of the store.

Arthur M. Brown, of Washington, a driver for the Thompson Dairy Co., was held up about 11:05 a.m. Monday while he was sitting in his truck in the unit block of Seaton Place NW. A man approached the left side of the truck and placed a revolver through the window. Before the gunman could speak, Brown's assistant, William W. Ruble, tried to push the weapon aside. The gunman then opened the truck door, ordered, "Hand it all over," and took a large amount of bills from Brown's pocket. "Pull away and don't look back," he said and ran south on North Capitol Street.

Beatrice Sutherland, of Washington, was robbed of a large amount of money shortly after 5 p.m. Friday when an unseen pickpocket removed her wallet full of bills and change from her pocketbook in the 1100 block of H Street NE.

Lloyd Smith, of Washington, was beaten and robbed about 4:05 p.m. Monday by two young men, one displaying a gun, in the 600 block of N Street NW. "All right give up the money," the gunman demanded and took the cash Smith offered. The unarmed man began hitting Smith in the face, the gunman fired two shots which did not hit him, and then both men fled.

Aubrey Jones, of Greenbelt, was held up about 12:30 p.m. Monday by two youths, one with a gun, who approached him in the 600 block of S Street NW. "This is a holdup. Give me your money or I'll shoot," the gunman said and pointed his weapon at Jones while the other youth removed the victim's wallet, containing $600.

Cornell Smith, of Washington, was held up shortly before 4 p.m. Monday when he stopped his car for a traffic sign at 10th Street and Florida Avenue NW. Two men, one of them holding a knife, demanded Smith's money but he replied that he had none. The unarmed man took some bills from Smiths' pants pockets and the pair fled from the intersection.

Dirk Gleysteen, of Washington, was held up as he was walking in an alley near his home in the 1500 block of 30th Street NW. "Give me the money and watch," demanded one of five men who surrounded Gleysteen. When he told them he had no money, one man drew a knife and forced him to hand over his watch.

James Morris, of Washington, was held up shortly before midnight Saturday by a man driving a taxicab. The driver, Wielding a gun, approached Morris at 4th street and Maryland Avenue NE and forced him to turn over his money and watch and drove west on Maryland Avenue.

Mattie Stevens, of Oxon Hill, was robbed of a large amount of money by a young man who removed her wallet from her purse while she was riding a D.C. transit bus at 7th and F streets NW about 12:50 p.m. Monday. Miss Stevens said the bearded pickpocket got off of the bus and ran north on 7th Street.

James Otis Reaves, of Washington, was robbed of $89 about 6:50 p.m. Monday by four men who approached him on the roof of the Safeway food store at 8th and C Streets NE and demanded money. Reaves handed one of them $163 from his pocket but the man returned $74 and fled with his companions.

Alfred Lons, of Suitland, was robbed of a large amount of money about 7:15 p.m. Monday by two youths in the 400 block of 19th Street NE. One of the youth pulled out a pistol and asked, "Where's the money?" His companion frisked Long and removed a large amount of bills and change from his pockets. The pair ran south on 19th Street.

Wesley E. Hamilton, of Washington, was treated at Rogers Memorial Hospital for injuries he sustained during a robbery about 5:55 p.m. Saturday. Several men jumped Hamilton in the 400 block of 15th Street NE, knocked him to the ground and escaped with his wallet.

Alfreida White, of Washington, was robbed by a young man who approached her about 10:45 a.m. Wednesday at 6th and H Streets NE, grabbed her purse containing money, food stamps, and identification papers and fled on 6th Street.

James Octaniver, of Chicago, was admitted to Rogers Memorial Hospital for hand wounds

he suffered about 10:30 p.m. Sunday during a robbery at 19th and East Capitol Streets. Three men, one wielding a knife, surrounded him, searched his pockets and removed his wallet containing bills and papers. When Octaniver tried to escape, the armed man slashed him.

Aristo Cleaners, 1226 South Capitol Street SE, was held up about 2:55 p.m. Monday by a man displaying a gun who forced the clerk to hand over the bills and quarters and ran out of the store.

Lois Craig, of Washington, was beaten and robbed shortly after midnight by three young men who attacked her at 39th and N Streets NW and knocked her to the ground. The trio escaped with her pocketbook containing cash, a large sum in travelers' checks and personal papers.

Mill End Shops Fabrics, 931 F St. NW, was robbed by three teenagers who entered the store about 5:30 p.m. Monday. One of them grabbed the clerk, Audrey J. Wilson, of Cabin John, while the others went behind the counter and took her wallet and the money.

Ronald Tolson, of 857 19th St. NE, was held up about 10:10 p.m. Sunday by three men, one armed with a sawed-off shotgun and another with an automatic pistol, who approached him in front of his apartment house. "Don't move. This is a holdup," one of the gunmen told him and searched his pockets. Removing his wallet, ring and watch, the trio fled east on I Street.

Eliza Tremble, of 3820 Hayes St. NE, was robbed of a large sum of money about 1:30 p.m. Friday by two youths who approached her in the hallway of her apartment building. "Okay, give me your pocketbook or I will beat you," demanded one of the youths, took the purse full of bills and fled with his companions into the 3800 block of Jay Street NE.

Lowell Harris Brockman, of Silver Spring, a United Insurance Company employee, was held up about 6:45 p.m. Monday by two young men who approached him in the 200 block of Division Avenue NE. One of them drew a revolver and said, "This is a stickup." The pair took the wallet containing a large amount of bills and checks and ran off.

Lonnie W. Pace, of Washington, was treated at Freedmen's Hospital for injuries he suffered during a robbery near his home at the corner of 9th and F Streets NW. Pace told police an unseen assailant struck him over the head, took $1.75 from his pocket and escaped.

Dickey's Cleaners, 1105 11th St. NW, was robbed Monday by two young men, one of whom remained at the front door with his gun. The other man approached the clerk and said, "I don't want to hurt you, so give me the money." The employee handed them the cash and the pair ran out of the shop.

David Hall, of Washington, was held up at midnight Monday by two young men in the 2000 block of Kalorama Rd NW and demanded his money. Pointing a gun at Hall, one of them searched his pockets and took a can of Mace and a watch.

Hartford Gunn, of Washington, President of the Public Broadcasting System, was pistolwhipped and robbed about 12:15 a.m. by two youths, one with a long-barreled revolver, who approached him in the 2600 block of Adams Mill Road NW and demanded money. After Gunn handed them his wallet, the gunman struck him over the head with his weapon. Gunn was treated at Friedman's Hospital and released.

James C. Brewing, of 1373 F St. NE, was beaten and robbed shortly after midnight by a man who attacked him in front of his home. Brewing lost consciousness briefly after the man hit him in the mouth and, when he revived, he discovered his wallet was missing.

Bruce Oliver Bently, of Takoma Park, was held up in the 900 block of Butternut Street NW by two men, one armed with a revolver, who said, "Give me your money." The pair took Bently's watch and cash and fled on foot.

Peter A. Ward, of Washington, was held up by two men who approached him as he was entering an apartment building in the 3400 block of Rock Creek Ford Road NW and asked him to hold the door. Ward complied and one of the men pulled a revolver and told him. "Turn around and face the wall." The pair then took a large amount of cash and a watch from Ward and ran out of the rear door.

ASSAULTED

Edward Bussey, of 3200 Park Rd. NW, was treated at Washington Hospital Center for injuries he suffered when a woman threw a pot of boiling water on him about 11:30 p.m. Monday inside his home.

Charles Armstrong, of Washington, was treated at Rogers Memorial Hospital for neck wounds he suffered during an attempted holdup about 9:30 p.m. Sunday. Three young men approached him in the 1000 block of D Street NE and said, "Give it to me." When Armstrong refused, one of them hit him in the neck and then fled with his companions.

STOLEN

Approximately $500 was stolen between 4 p.m. Thursday and 11:10 a.m. Monday from the George Washington University office at 139 H St. NW.

An undetermined amount of money was stolen from a vending machine during a burglary at Mackin High School, 1421 V St. NW, between 3 and 8 a.m. Monday.

UNIT PRICING

Mr. MOSS. Mr. President, since the first regulations issued under the Fair Packaging and Labeling Act went into effect a year ago, the Consumer Subcommittee has held three separate oversight hearings into the operation of this act.

The preface to the Fair Packaging and Labeling Act makes the following commitment on behalf of the Federal Government:

> Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

I am pleased to report that progress has been made in supplying the consumer with more information on which to base his purchases. A product cannot be marketed anonymously—somebody has to put his name and address on it. Unmodifiable units of measures cannot be modified, that is; representations such as "giant" pints or "jumbo" quarts are prohibited. The statement of net quantity must be on the front of the package and easy to find. Fractional ounces have disappeared in some cases. There has been a reduction in the number of different package sizes.

The hearings which we have held clearly demonstrate, however, that consumers still have insufficient information to make informed purchases. A number of things have occurred which place the consumer at a comparative disadvantage. The personal relationship that once existed between seller and buyer has been replaced by today's supermarket where numerous products, packaged in attractive shapes and colors, compete for the buyer's dollar. In this situation, the housewife finds herself armed with little information to help her make intelligent decisions. Although, one of the objectives of the bill is to facilitate value comparisons, American consumers have a very difficult time comparing prices. The myriad calculations necessary to figure out the best buy makes it impractical and often impossible for consumers to make value comparisons. Impulse buying is, therefore, a product of necessity and frustration rather than design and adds to the problem of inflation.

Numerous witnesses at our oversight hearings have urged that we amend the act to require merchants to post the unit price of the items which they sell. While I endorse the concept of making as much information as possible available to consumers, I feel the unit price legislation must be approached cautiously. We must be certain that any legislative action taken is not only in the best interests of consumers but also protects the legitimate interests of business.

I feel that the key issue in unit price legislation is cost versus benefits. While consumers will benefit from being able to compare unit prices, it must be expected that the merchant's cost of supplying this additional service will be passed on in the form of higher prices. The benefits received by consumers from having additional information to assist them in their shopping decisions must be carefully weighed against the costs associated with supplying the information.

The hearings which we have held suggest, however, that the benefits may well be much greater than costs involved. One experiment showed that women spent 11 percent more money than they would have needed to if they could have found the best unit price. Fortunately, the computer is making it possible for merchants to supply unit price information very cheaply. A supermarket chain of 22 stores in the Middle West has adopted unit pricing on all items and estimated the cost of instituting the system at only $200 a store. If these figures are anywhere near representative, it is obvious that the potential benefits accruing to consumers are much greater than the costs involved.

There is widespread interest in unit pricing at the present time and a number of experiments to determine the costs and benefits are currently being conducted. As the results of these experiments become available, I think it timely for the Consumer Subcommittee to consider this matter.

Mr. President, consumer legislation has generally enjoyed widespread bipartisan support. I am, therefore, pleased to indicate that I will join with the Senator from Kansas (Mr. PEARSON), who is the ranking minority member of the Consumer Subcommittee and who participated with me on the Fair Packaging and Labeling Act oversight hearings, in cosponsoring a unit pricing bill, S. 3752.

As soon as the results of the research currently being conducted on unit pricing become available, our subcommittee intends to hold hearings on this bill. The committee will study very carefully not only the costs and benefits accruing to consumers, but also the impact that such legislation would have upon businesses. The bill currently has two features designed to protect the interest of retailers while promoting the interest of con-

sumers. First, the bill would exempt small retail outlets where consumers shop largely for conveniences, rather than for savings and where unit pricing might be an administrative burden. Second, the bill allows retailers considerable flexibility in the way they post unit prices. This is done to allow full opportunity for the forces of competition and imagination so that retailers may develop their own way of handling unit pricing as long as it benefits the consumer. This is in keeping with the best traditions of the free enterprise system where rewards accrue to those who best serve the needs of their customers.

THE FUTURE OF AMERICA'S INDIAN CITIZENS

Mr. BELLMON. Mr. President, the commitment to the future of America's Indian citizens, as expressed in President Nixon's message to Congress today, is highly commendable. It is a further indication of this administration's concern for this noble minority and puts forth some proposals that are worthy of careful and serious consideration.

Over the past several months, the programs and policies of the Federal Government affecting Indians have undergone intensive study and many improvements have been made. One of the most important changes that has taken place is the increased involvement of Indians in the Federal decisionmaking process. As an Oklahoman, I am highly pleased that our State has been ably represented at high policy levels in the Bureau of Indian Affairs and elsewhere in the Department of Interior.

While all of the President's proposals reflect a genuine interest and determination to assure a better life for American Indians, some are of special importance to me.

The proposed establishment of a new position in the Department of the Interior, Assistant Secretary for Indian and Territorial Affairs, is in line with legislation I introduced last year to elevate the position of the Government's top official for Indian matters. This move will help strengthen the Bureau of Indian Affairs and give this agency its proper role.

Because Oklahoma has no Federal Indian reservations, the increased emphasis on efforts to help off-reservation Indians will be welcomed in my State, as will the allocation of additional funds for Indian health.

The President's recommendation for greater Indian control over the education of their children is a step in the direction of providing better educational opportunities. The need to give Indians a voice in this important aspect of their lives became apparent during hearings conducted by the Indian Education Subcommittee, on which I served last year.

Finally, the administration has taken a most progressive approach in rejecting the policy of constant paternalism. This attitude on the part of the Federal Government probably has done more to retard the progress of American Indians over the years than anything that has happened during their troubled history.

Mr. President, I commend the President for his positive and forthright approach to one of our Nation's most shameful and demanding problems and for his common sense recommendations to bring about the restoration of dignity for the first citizens of this country.

SPEECH BY J. HARVIE WILLIAMS, EXECUTIVE SECRETARY OF THE AMERICAN GOOD GOVERNMENT SOCIETY, BEFORE THE DESCENDANTS OF THE SIGNERS OF THE DECLARATION OF INDEPENDENCE

Mr. ERVIN. Mr. President, during the Independence Day recess I reread a speech which I feel merits the attention of the Senate. The speech was written and delivered by Mr. J. Harvie Williams before a meeting of the Descendants of the Signers of the Declaration of Independence in 1967.

In his speech, Mr. Williams presents his views of the Declaration of Independence and the misconceptions which he feels have grown up around this document in recent years. I believe that Mr. Williams' speech fills a void in the literature on the Declaration, and I wholeheartedly recommend it.

Mr. President, I ask unanimous consent that the speech by Mr. Williams, entitled "The Declaration of Independence: Then and Now," be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE DECLARATION OF INDEPENDENCE THEN AND NOW

I know not whether I am a descendant of a signer of the Declaration of Independence. I do know that I am believer in that Declaration, a supporter of its principles, and a supporter of the limited Constitution of Government erected on the same political principles eleven years later.

So, firmly committed, I am delighted to be with you this evening.

The Declaration of Independence and the Constitution of the United States constitute the charter of Liberty in this country.

The Supreme Court of the United States long ago told us twice that while the Declaration is no part of the organic law of the land, it is the spirit and thought of which the Constitution is the body and letter; and that it is always safe to read the Constitution in the light of the Declaration.

This perfectly matched body-and-soul view of the Constitution and the Declaration brings to mind the legend of a mis-match, about a fervent message George Bernard Shaw received from Isadora Duncan expressing the opinion that by every eugenical principle they should have a child.

"Think what a child it would be," she said, "with my body and your brain."

Shaw sent this response discouraging the proposition, "Think how unfortunate it would be if the child had my body and your brain."

Such a mis-match is the now widely popular notion that the French Revolution is at one with the American Revolution.

Yet, from this gross misreading of the Declaration have come many gross misreadings of the Constitution.

It is as though these documents were translated into another language, a commentary written in that language, and then translated into English. Necessarily, something is lost in each translation.

It is hardly safe to read commentaries on American institutions and their upholding traditions without some knowledge of the writer's mother tongue and of his own deep-rooted ancestral traditions.

A minor example of this problem of clear communication across languages was a Russian prince we had in B Company of New York's Seventh Regiment in the thirties. Russian was his mother tongue, he had learned French in Russian schools and improved it in French schools. But he learned English from French rather than from Russian; and his military experience was all in Russia.

I got the assignment of teaching him the school of the soldier. Before he could execute a command given in English he had to translate it into French and then into Russian. Although an intelligent man, it took him a good while to learn commands in English.

This difficulty of communication brings up James Madison's observation in The Federalist No. 37:

"The use of words is to express ideas. Perspicuity therefore requires not only that the ideas should be distinctly formed, but that they should be expressed by words distinctly and exclusively appropriated to them. But no language is so copious as to supply words and phrases for every complex idea, or so correct as not to include many equivocally denoting different ideas. . . .

"When the Almighty Himself condescends to address mankind in their own language, his meaning, luminous as it must be, is rendered dim and doubtful by the cloudy medium through which it is communicated."

A more recent admonition on this score is from the late Owen D. Young. Mr. Young delivered the commencement address at St. Lawrence University in 1931. I happened to hear it on the radio. Many years later I wrote him asking for the text and permission to use it in a piece I was writing. He replied saying, "Surely if anyone pays me the compliment of recalling what I said seventeen years ago, he should have the right to use it."

Mr. Young asked the class, "Have you acquired adequate skill in communication with others?"

He went on, "At best, one can communicate to others only a very small percentage of what he thinks or sees or feels."

"Language is inadequate. All languages are inadequate no matter how many of them you know or how skillful you may be in using them. Perhaps only one per cent or two per-cent, certainly I should think not more than five per cent of what one thinks or sees or feels can be translated by language to another."

In the four great documents connected with the establishment of the United States, written over a twenty year span, the terminology is remarkably uniform. One is struck by this in the Declaration of Independence, in the Constitution of the United States, in *The Federalist*, and in Washington's Farewell Address.

The word "Liberty" is used exclusively in the Declaration and in the Constitution as ratified.

The best indexed edition of *The Federalist* has 68 page references under "Liberty" and only one under "freedom", and that one "freedom of the press." In the Farewell Address Washington used "Liberty" fourteen times, and "Freedom" once. These sentiments "will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel."

To me, the phrase "Liberty and the Republic" always signified the essence of our political system.

The current slogan "freedom and democracy" has altogether different meanings and connotations, none compatible with our political philosophy and political institutions.

II

Everyone of you once, no doubt, could recite the Declaration of Independence from memory.

Nevertheless, I shall repeat from the first two sentences and the last paragraph, so that I may comment on them.

In the first place the Declaration of Independence was certainly a declaration of war against Great Britain, a declaration of the War for American Independence.

There is nothing revolutionary about it in the sense of the French Revolution which undertook to destroy all existing political institutions—at home and abroad, as did international communism fifty years ago.

In the second place it is "the Laws of Nature and of Natures God" that entitle the Colonies to a separate and equal Station among the Powers of the Earth.

Next, "We hold these truths to be self-evident to us said the "Representatives of the United States of American, in General Congress Assembled."

We were telling the rest of the world what we believed.

We were not telling them what they believe, ought to believe, or must believe.

Then we say that "all Men are created equal, that they are endowed by their Creator with certain unalienable Rights. . . ."

Here let me agree with the late Thomas F. Woodlock of The Wall Street Journal when he wrote:

"No doctrine of personal rights, such as that contained in the Declaration of Independence can be logically sustained on any basis other than the basis proclaimed in that doctrine, that is a definitely religious basis. . . .

"It is only because man is created by God . . . that he possesses inalienable personal rights. Upon no other theory or doctrine or even hypothesis can he logically claim them."

To try to discover another logical basis for equal rights, is somewhat like trying to teach hogs to sing Christmas carols.

You just can't do it!

If we can bring ourselves to regard the creation of mankind as yet incomplete, as a never-ending phenomenon, it will be easier to see that "created equal" means that all men are equal only in the sight of God; and because of that are equal before the law, and thus are entitled to justice.

Here I should point out that there is no such thing as "equal justice."

On Judgment Day, according to the Scripture, each man will be judged on his own merits and demerits.

Another self-evident truth is that men vary almost infinitely in their qualities and in their capacities.

These inequalities among men cannot be made equal this side of heaven . . . even when governments play God.

On earth, as in heaven, "justice is in the giving to every person exactly what he deserves, not necessarily involving what any other may deserve."

When justice is tempered with mercy harsh deserts are softened by kindness.

That each man ought to get as much out of life as he puts into it is a fair and just proposition.

Conversely, that some men should take out more than they put in, is indefensible on any ground.

These "gettings", as different and varied as may be, are the results of our own different and varied personal efforts.

One must think of the prudence, the energy, the idleness and the folly that afflict all of us in varying measure.

The enjoyment of the fruits of our own efforts are our earned privileges, and as Blessings of Liberty they are as sacred as Liberty itself.

The varied popular notions of equality rampant today, derive neither from Christianity nor from the Declaration of Independence.

These notions of equality are fostered by pseudo-intellectuals educated beyond their comprehension, who seem to know so much more than they understand.

As Josh Billings said a hundred years ago, "It is better to know nothing at all than to know a lot of things that aren't so."

And the Declaration continues, that among these Rights "are Life, Liberty and the pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just powers from the Consent of the Governed."

Thus, as I see it, the protection of Liberty is the first duty, the primary purpose, of government; for, when Liberty is secure Life is secure.

The "pursuit of Happiness" is, of course, only one element of Liberty.

"Liberty, as seen here," wrote Frederic R. Coudert, Jr., "is endowed by God in His creation of man and thus is within the realm of the moral law. The field of license is outside the moral realm."

I would go further than Congressman Coudert and add that "freedom", having no moral connotation, comprehends both Liberty and license.

For as Bishop Sheen has said, "There is no right to do wrong."

The phrase "just Powers" of government is one of tremendous importance.

Most certainly it signifies that unjust powers, an immoral idea, cannot be derived from the consent of the governed if it is a moral society.

The "Consent of the Governed" as the source of every just power of government is the way the Declaration describes what we more generally call "the sovereignty of the people."

Put either way, one should note that it deals with grants of power to government, and has no relation at all to the selection of men to exercise that power.

What is sovereignty?

If I may recur to Congressman Coudert: "*Sovereignty* is the power to declare, and enforce the law."

The Congressman also says, "The political structure or form of government in the United States can be described as a limited dual-sovereignty in a federal union of States, with a separation therein of the delegated powers of sovereignty, Executive, Legislative and Judicial."

"Here it should be noted", he adds, "that while the powers delegated to governments by the people are sovereign powers, the whole sovereign power of the people is not delegated.

"They have kept for themselves full sovereignty in the moral realm of personal Liberty."

Next, the Declaration says, "that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its Foundation on such Principles and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness."

All of this, as I see it, can be done by amending the Constitution as provided in its Article V.

The concluding paragraph is a magnificent peroration; and includes the resolution of Richard Henry Lee adopted two days earlier.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly Publish and Declare, that these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by Order and in Behalf of the Congress.

JOHN HANCOCK,
President.

The Declaration of Independence was our first step toward nationhood.

It speaks of "Nature's God, of the Creator of Men and endower of unalienable Liberty, of the Supreme Judge of the World, and of divine Providence."

To say or suggest that the United States does not rest on religious foundations is to confess ignorance of the formal act of nationhood and of the men who brought it into being.

Worthy descendants of the signers of the Declaration of Independence: I salute you and your noble ancestors.

And I challenge you!

I challenge you to do something about defending your American Heritage!

The supreme issue in this country today is whether American institutions and their upholding traditions shall be maintained, or be made over in the image of European social democracy.

The fundamental conflict in American politics is a conflict between two great traditions of law and society, the English and the Roman.

Out of these altogether different concepts of law have come equally contrary political ideas, institutions, and traditions—equally tough and unyielding.

In this country today the absolutist doctrines and totalitarian institutions of Roman Law are being urged as superior to Anglo Saxon Law and its institutions of Liberty—the sum-total of human rights.

More than forty years ago William McDougall, Professor of Psychology in Harvard College, took note of the oncoming conflict between political traditions that Lord Bryce had forseen long before. McDougall wrote in 1924:

"It has been said, perhaps with some degree of exaggeration, that the outstanding fact of American life at the present time is the waging of a disguised and, in large degree silent struggle between, on the one hand, Americanism, as understood and prized by Americans of the old stock, and, on the other hand, the many groups and individuals who are united only, or chiefly, by their resentment against the dominance of such Americanism, and by the determination to subvert or reform it into something radically different."

In this conflict of political traditions, Congress is dominated by "Americanism, as understood by Americans of the old stock," while the White House is dominated by those who resent "the dominance of such Americanism," people who are *in* but not *of* the United States.

How is it possible, you may ask, for the same people on the same day to elect a Congress and a President poles apart?

The answer is that the fifty States, as such, are equally represented in the Senate, and the People are equally represented in the House; but only the States, unequal as they are, are represented in the Electoral College, although the Electoral College is the exact counterpart of a joint session of Congress.

The difference is this: you vote in a single-member Congressional District for only one member of the House of Representatives, but you also vote for as many representative members of the Electoral College as your State has members of the House.

You have more votes in the Presidential election unless you live in one of the five least populous States.

The result is that Presidential U.S.A. and Congressional U.S.A. are, electorally speaking, two different countries within one national boundary.

Presidential U.S.A. is dominated by the big-city States, which, themselves, are dominated by the big-city voters.

If the representative Electors, eighty per cent of the Electoral College, were chosen in single member districts, the character of the Federal Government would be vastly changed—for the better.

This change could be brought about by successful litigation in the United States Courts, before next year's election.

But in the end, a Constitutional Amendment will be necessary.

It is that simple!

Both of these efforts deserve your support.

RETIREMENT OF ARTHUR B. RIVERS

Mr. THURMOND. Mr. President, I wish to inform the Senate of the retirement from public service of a capable man who has dedicated his life to the betterment of the lives of others.

This gentleman, Arthur B. Rivers, was born at Mt. Croghan, S.C., on March 21, 1898, the son of William A. and Roxanna Rivers. He received his A.B. degree from Wofford College in Spartanburg, S.C., in 1919 and received an honorary L.H.D. degree from that same institution in 1961. His wife is Ida Maie Stafford, whom he married in October 1920. They have one son Robert Stafford, who is now a full colonel in the U.S. Air Force and has been until recently stationed in Germany.

Arthur B. Rivers has had a full and rich life. From 1919–23 he was a merchant and planter. From 1923–35 he served as administrator of the Chesterfield County Emergency Relief Administration in Chesterfield County, S.C. From 1935–42 he was the Assistant Procurement Officer of the U.S. Treasury, and from 1942 to the present he has served as State Director of the Department of Public Welfare of South Carolina.

Mr. Rivers has also served as a member of the South Carolina House of Representatives, as mayor of the town in which he was born, as member of the board of trustees of the high school district there, as member of the county board of education, and as member of numerous health and professional organizations.

In 1940 he was a recipient of the Certificate of Merit and the Selective Service Medal from President Harry Truman and Gen. Lewis B. Hershey, then the Director of Selective Service.

On June 27, 1968, he received from the South Carolina Rehabilitation Association its award for "outstanding promotional achievement on behalf of the handicapped." He has for many years been devoted to the service of others as director of the State department of welfare. This fact was noted by a concurrent resolution of the General Assembly of South Carolina dated March 28, 1962.

I have known Mr. Rivers for a long time. In fact, he was commissioned as a colonel on my staff when I was Governor of the State of South Carolina.

On June 30, 1970, Mr. Rivers retired from the position that he has held for so long and from the work that he has done so well.

I commend him for his fine work on behalf of the people of South Carolina, and I wish him good luck in all his endeavors.

CAPITALISM, VIETNAM, AND STUDENT DISSENT

Mr. BAYH. Mr. President, two noteworthy articles, both published in the Miami Herald, have come to my attention recently.

In the first, publisher John S. Knight indicated that, while capitalism as practiced in the United States may give rise to certain abuses, such as irresponsible advertising or blatant air and water pollution, these defects can be remedied without destroying the basic economic system. He also pointed out that much of the dissatisfaction with "capitalism" expressed by the younger generation resulted from misinformation and ignorance of the manner in which the system operates.

The second, which was written by the publisher's grandson, John S. Knight III, is in the form of a letter framed in response to a column by his grandfather in which the latter had expressed concern about the apparent loss of reason on the Nation's campuses.

In this letter the younger Mr. Knight expressed his conviction that much of the younger generation's current dissatisfaction with the system stems not from ignorance or misinformation but from frustration over the apparent inability of peaceful student efforts to end the war in Indochina. After eloquently explaining the nature of this frustration, he emphasized that, in his opinion, acts of violence by a comparatively few students would have little effect on terminating the war. Thus, Mr. Knight concluded that violence on our campuses may be understandable but is not justified.

Mr. President, these two articles, taken together, appear to me to be the work of thoughtful men who, although aware of the certain defects in American society, believe that they can be remedied without the violent destruction of that society. Perhaps of greater importance is the fact that the authors, separated by one whole generation, can still communicate calmly and meaningfully with each other. As the younger Mr. Knight notes:

> There has never been any generation gap between . . . (them), precisely because substantial amounts of honesty, reason, and affection have prevailed.

Mr. President, there can be no doubt that the Vietnam conflict has done great damage to our Nation, our economy, and our society. One notable effect has been the disclosure of a wide gap between some members of the older and younger generations. There is need for all people of all generations to understand and appreciate the differing viewpoints and convictions which are the inevitable concomitants of a free, independent and democratic nation in this complex age.

Mr. President, because the ideas and beliefs set forth in these two articles are both thought provoking and worthy of further attention, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Herald, June 14, 1970]

CAPITALISM STILL BEST, BUT IT'S IN TROUBLE

(By John S. Knight)

We all talk about Vietnam, our polluted environment, racial unrest, campus rioting and, of course, sports and the unseasonably hot weather.

Let me submit, therefore, another subject which is sadly neglected in the raging dialog of discontent. It is called capitalism—a dirty word to some—but without which this nation could not sustain its 200 million inhabitants in the style to which they have become accustomed.

In brief, capitalism is the economic system in which the means of production and distribution are privately owned and operated for profit.

The alternative system is called socialism, the theory of the ownership and operation of the means of production by society, with all members sharing in the work and the products.

WHY NOT SOCIALISM?

At first blush, some may say: "Socialism sounds good. Why not?"

Well, the simple answer is that pure socialism doesn't work at all, and moderate socialism only in a few restricted areas such as public transportation and utilities.

Russian socialism—more aptly described as authoritarian rule—severely limits the freedom of the individual, his right to work on a job of his choice and the compensation he receives.

British socialism, the process of gradual transition from private enterprise to the extension of governmental action, has a spotty record of progress and setbacks. The loss of empire has been devastating to Britain's once-proud position as one of the great powers.

The British pound sterling, while temporarily stabilized, ranks far below the U.S. dollar in the international monetary field.

In contradistinction to the Socialist nations, the United States has—through loans, grants and gifts—sustained the leaky economies of half a hundred nations.

CANNOT AFFORD IT ALL

Politicians, from Lyndon Johnson to the most obtuse Congressman, have been prone to boast that since the United States is the richest country in the world, we can afford anything.

Untenable as this euphoric conclusion may be, it was the strength of our capitalistic system which sustained the wartorn nations of this earth.

The tools for rehabilitation and development are still largely supplied by the United States. Our two leading enemies of World War II—West Germany and Japan—are flourishing today because of our compassion and in Japan's case, the genius of Gen. Douglas MacArthur in promulgating a new constitution.

So U.S. capitalism, or if you choose, the private enterprise or profit and loss system, has indeed been the bulwark of the weak and made possible America's role in world leadership.

FUZZY ON FUNCTION

Notwithstanding the capitalistic system's ability to finance Social Security, President Johnson's Great Society, countless colleges and universities, public schools, hospitals, the fine arts and the highest living standards in the world, it has become fashionable to decry capitalism as an institution.

We can understand the university student

who thinks capitalism is outmoded or that a better system is needed. Many of them do not comprehend how the profit and loss system works because they have never been exposed to it in their classrooms or lecture instruction.

Professors in economics dwell upon the mistakes of capitalism—and many can be recited—but without offering accurate comparisons with the systems which have failed elsewhere.

I was amazed at one college commencement to hear a professor say that the Federal Reserve Board should dish out doles to the poor and needy. He obviously knew nothing about either the Fed or its functions.

CONSUMERISM BAD?

Then comes one Ellen Willis, an activist in Women's Lib, to assert that "consumerism is part of the ideology created by and for educated white middle-class males in their oppression of the opposite sex."

Willis then goes on to say that "consumers are manipulated by the mass media to crave more and more consumer goods." A lot of Russian women might like to be so stimulated—if they only had the money.

One can agree that much advertising is ridiculous in what has been termed by Harvard's Robert E. Jenkins as "subliminal appeals to instinctive competitive, sexual or acquisitive urges."

And the women think so, too, as anyone knows who has heard them ridicule the TV commercials on instant beauty, gleaming white teeth and the relative claims of the detergent manufacturers.

Advertising messages need improvement and a better balance of responsibility. This can be done without repealing consumerism.

INDUSTRY'S DUTY

The critics of capitalism are on good ground when they point to industry's disregard for the environment in which we live.

The entrepreneurs of "progress" who pollute our air and water, put our parks to the bulldozer, build on our beaches and poison the lakes and streams must be brought to book.

We need stronger laws and prompt enforcement on the federal, state and local levels. This is essential to the public health and human survival.

But let the job be done without tearing away the fabric of free competition which has given our nation its vitality in this century.

The current onslaught against "the system" comes mostly from theoreticians who have never known competition, from the young whose idealism rebels against its abuses and from a motley assortment of reformers with time on their hands and not the slightest notion of how to distinguish between a Nader and a knothead.

Deplore capitalism if you like. But it has been your friend and it is now in deep trouble.

COMPETITION ABROAD

The automotive industry is faced with increasing competition from abroad. Car imports have increased more than 15 per cent over last year. Foreign-made cars simply cost less to build. This trend, if continued, spells the loss of jobs in this country.

The late Walter Reuther decried the inflationary aspects of wage settlements in excess of productivity. He made specific reference to the construction industry.

Japan is flooding America with cheaply made textiles, radios, television sets, cars and cameras. She has firmly refused to negotiate a quota system on textiles, while imposing her own restrictions on imports from the U.S.

In the Carolinas alone and without restrictions of some kind, this will mean the end of expansion in the textile industry, and the laying off of many newly employed blacks, who now comprise more than 20 per cent of the textile work force. Textile manufacturers maintain that the industry has lost more than 65,000 jobs in the last six months because of foreign competition and general economic conditions.

SOME PROGRESS

Government regulation of manufacturing standards for tires, automobiles and other products, as recommended by Ralph Nader, can be beneficial to the general public if the zeal for reform does not destroy competition.

Chairman James M. Roche of General Motors contends that in today's cars 80 per cent of the unburned carbons have been eliminated and approximately 65 per cent of the carbon monoxide.

Surely this is progress—not total achievement, perhaps, but purposeful progress. The steel mills and paper products manufacturers have been lagging but they will make progress, too, under the goading of public opinion and the determination of governmental authorities to apply the prod and the punishment when required.

Joseph S. Wright, president and chairman of the Zenith Radio Corp., explains that his firm is establishing a new plant in the Orient since Japan imposes duties three times as high as our U.S. duties on electronics.

Mr. Wright, who is not optimistic that our government will take realistic action, regrets the necessity of developing productive facilities in the low-labor-cost countries of the world but says it is the only way his company can compete with the Japanese.

He thinks our government should adopt a realistic and hard-nosed attitude about insisting upon reciprocity as a basis for free trade, but predicts we shall hear a lot of fuzzy oratory with nothing being done.

[From the Miami (Fla.) Herald, May 31, 1970]

JOHN S. KNIGHT III ANSWERS HIS GRANDDAD: NO JUSTIFICATION FOR HOSTILE REACTION TO STUDENT DISSENT

(NOTE.—Two weeks ago, John S. Knight's Notebook was addressed to his grandson, John III. In it, he expressed concern about reason being lost on the nation's campuses. "We elders are prone to preach at young people and not listen to what they have to say," he wrote. Today the editorial page bridges three generations of the Knight family. John III answers, and the Notebook discusses the death of his father, John Jr., during World War II.)

DEAR GRANDDAD: I join you in deploring the violent tactics being used by an increasing number of students in America. The Indochina war won't be stopped by burning down college buildings. The cause of peace will not be furthered by hurling rocks at the police or by calling them pigs.

That such acts enrage average Americans is understandable. Today's students strike at the dark heart of Middle America's most irrational emotions and beliefs. Students burn and trample the flag knowing that many Americans have a fetish about its sanctity. They flaunt their sexuality (itself a sign of sexual immaturity) before an older generation that is severely repressed.

Most important, students are attacking the wisdom of America's institutions, goals and leadership. This poses an intolerable threat to those many Americans whose major sense of security and belonging consists in an intense chauvinism bordering on xenophobia. These are the frightened people who dare not question the morality of the war.

For them to admit that America has been defeated (which it has), and that it has been, is, and will continue to be wrong fighting in Indochina is tantamount to abandoning a deeply held religious belief. Their intransigence and hostile reactions to student dissent are understandable in these circumstances. Understandable, but far from justified.

But what about the students you mentioned? Why is violence replacing the more peaceful tactics of yesterday? Quite simply, because after more than six years of peaceful protests, kids are still being sent to their deaths in this senseless, unnecessary war. More than 40,000 young men have been slaughtered while students marched peacefully in protest. Hundreds of thousands of innocent men, women and children have been killed or maimed while anti-war sentiment remained calm and reasonable.

Can you expect this "reasonable opposition" to continue in the face of interminable carnage?

Can you reasonably expect students to have faith in a political system which consistently regurgitates such mediocrity at the highest levels of government?

Student violence exists, and I condemn it. But what about the violence of Chicago, of Kent State, of Jackson? What about the almost inconceivable violence in Vietnam, Laos and Cambodia? Do you really expect the students to sit in their classrooms like good Germans while this legalized murder goes on unabated?

But the existence of unjustifiable violence in no respect makes more useless violence morally defensible. The highly understandable frustration and outrage of the students has taken the form of a few senseless acts of destruction, but our chances for peace have certainly not been improved as a result. As you know, if I believed that breaking windows and burning buildings would stop the war, I would have cast the first stone.

For it is the existence of this malignant conflict in distant southeast Asia that is the cause of America's present agony. The war has ruined our economy and set back urgently needed social reforms for years.

It has taken a terrible quota of lives from the most promising generation in America's histroy. It has mutilated the limbs and warped the minds of thousands of American boys whose only crime was allegiance to their nation. It has turned father against son and generation against generation.

Only when it ends will the extremists of both sides find no followers. Only when it is over will sanity return to our country.

Watching America tearing itself to bits from this distance is no picnic. The actuality of helplessness mingles with the delusion that it's not as bad as what one reads. But one advantage to having lived in this very civilized country for the past two years is the realization that the present madness raging in America is not necessarily endemic to humanity. This gives one hope that something constructive can be done.

There has never been any generation gap between us, Granddad, precisely because substantial amounts of honesty, reason, and affection have prevailed. These qualities know no chronological age. The war, incompetent leaders, extremism and the selfish materialism of our society have made them rare commodities in both our generations.

You and those others of our elders who have actively fought these evils have more of my generation's respect and admiration than you know.

Together, we may yet see reason return to her throne.

Love,

JOHNNY.

WADHAM COLLEGE, OXFORD UNIVERSITY, OXFORD, ENGLAND.

FREEDOM OF CHOICE

Mr. THURMOND. Mr. President, a short time ago I received a letter from a high school student who lives in Columbia, S.C. This student wanted to discuss with me the Columbia school plan for desegregation of that city's schools. She says that she and her family are upset

by the plan as "it really affects our family. As it works now we will be going to four different schools next year."

Mr. President, she says that her little brother and sister are going to one school, her brother, Billy, to another, two sisters to one other school, and she will be going to Flora High School.

She concludes her letter by saying that she agrees with me that freedom of choice is the only really fair and democratic way to go about solving the school situation.

Mr. President, when HEW and others manipulate student population figures in order to achieve some kind of theoretical balance, they apparently forget they are dealing with human beings. Here is a family whose children are scattered to the winds by some arbitrary decision made by Washington bureaucrats. If the Supreme Court had allowed freedom of choice to operate, the ridiculous situation this young lady writes about would never have occurred and these children would not have to suffer this great and unjustified inconvenience.

KIDNEY DISEASE—THE LIVES THAT COULD BE SAVED

Mr. HATFIELD. Mr. President, S. 3355, Heart Disease, Cancer, Stroke, and Kidney Disease Amendments of 1970, of which I am a cosponsor, has been reported to the Senate floor. The bill will act as a general vehicle to extend and improve our existing health programs. One important addition has been made: the great need for funding of kidney disease treatment is recognized.

Many times, the Senate has expressed its awareness of the need of additional medical treatment for the American people. As we all know, technology and medical research have now alleviated many of our past generation's most feared diseases. Yet when the discoveries are made, when theoretical remedies and treatments are actualized, we are often denied the benefits because the treatment programs are scarce and inadequately funded.

Kidney disease is a killer, yet it can be prevented and its effects deterred. On a national basis, it is estimated that close to 8,000 salvable lives are lost annually because of prohibitive costs and the inaccessibility of treatment of kidney disease.

The situation in Oregon is a microcosm of our United States. The Good Samaritan Hospital, which has the only Oregon facilities for home dialysis training, is able to treat annually only 12 of the 58 to 78 Oregon citizens who will reach end stage renal failure each year. Mr. Don Fry, the director of development at Good Samaritan, has pointed out that there are, in addition, two young vascular surgeons who are anxious to be trained for kidney transplants, were the funds available.

The costs for home dialysis is high: $13,000 to $15,000 for the first year and an average of $4,000 each successive year. State organizations including the Oregon Medical Association and the Kidney Association of Oregon have diligently cooperated with local, county, and State boards, but funds remain inadequate.

The passage of this bill would save the lives of many now suffering from kidney diseases. The amount allotted is minimal, yet, this is action in the right direction. Remedies for kidney disease and many other major diseases are possible, research often on the brink of cure, the problem is basically one of financial support. I urge my colleagues to pass favorably on S. 3355.

Mr. President, I ask unanimous consent that the letter sent me by Mr. Chuck Foster, executive director of the Kidney Association of Oregon, Inc., describing case histories of Oregon patients, be printed in the RECORD. I call particular attention to the remarkable success of the program and the number of very young lives that were saved. Also, I ask unanimous consent that a letter I received from Mr. Don Fry, along with the supportive letters and a description of Good Samaritan's Home Hemodialysis Training for Oregon Renal Patients and application for a U.S. Public Health grant to assist the Oregon programs, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

KIDNEY ASSOCIATION OF OREGON, INC.,
June 26, 1970.

Hon. MARK HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: Mr. Don Fry, Director of Development, Good Samaritan Hospital & Medical Center in Portland, outlined to you in his letter of June 10 the cooperative program of the hospital and the Kidney Association of Oregon to provide training and treatment for end-stage kidney failure patients through hemodialysis.

In order to make this information complete, Mr. Fry has asked me to provide you with material on an extremely important phase of our program, the rehabilitation of our patients.

We have been highly successful, not only in saving the lives of kidney failure patients, but we have also been successful in returning patients to their homes, their families and their jobs. Therefore, they are rehabilitated to lead relatively normal, productive lives.

Here are just a few examples, showing how people who were faced with death have become almost normal persons:

Kathleen Adams, 27, of Canby holds down a full-time job as a tab operator for Peerless Trailer and Truck Service in Tualatin.

Harold Belknap, 42, is a full-time custodial supervisor for the schools in Burns.

Frank Clancy, 23 was re-trained by the Oregon Department of Vocational Rehabilitation as a welder. He has been working as a full-time welder during the past year.

Vincent Dulcich, 44, is Athletic Director at the Astoria High School. Because of his illness, he signed a half-time contract with the school system in 1969. He is looking forward to working full time next year. He is married and the father of four children.

Don Gee, 35, formerly a teacher in the Gresham school system, was retrained as a computer operator for the Multnomah County I.E.D. and works full-time. He is the father of three children.

Mrs. Kathryn McDonald, 46, of Portland is the mother of four sons. She performs all of her own housework, except for heavy chores like floor scrubbing. She cooks meals for her family of five.

Susan Morrow, 44, works full-time in the records department at the University of Oregon Medical School. Single, her brother helps her perform her dialysis "runs".

Ted M. Peterson, 53, has just returned to his home in Eugene following his 10 week training period at Good Samaritan Hospital. He is now working full-time as Manager of Sales and Service at Ultra-Tone Drapery Cleaners of Eugene.

Mrs. Barbara J. Pinkerton, 56, is a full-time social worker for the State of Oregon Public Welfare Division.

Frank Tamney, 51, is the owner and operator of a 40 acre orchard in Ashland.

Betty Jo Brown, 21, of Portland has, until recently, been working full-time at Tektronix. She has applied for a kidney transplant and on the advice of her physician has stopped work temporarily.

Nine women Kidney Association patients have been rehabilitated to take care of their homes and their families. They are: Mrs. Twila Bradshaw, Medford; Mrs. Marie Day, Klamath Falls; Mrs. Eleanor Gipe, Canby; Mrs. Delina Schonneker, Milwaukie; Mrs. R. C. Shoemaker, Albany; Mrs. Helen Strouse, Troutdale; Mrs. Ruth Waggoner, Lake Oswego; Mrs. Ann Van Winkle, West Linn and Mrs. Clara Stratton, The Dalles.

Mrs. Gladys J. Fisher, 58, has just completed her training period at Good Samaritan Hospital, and will be discharged today to return to her home in Lake Oswego with her artificial kidney machine. She is already searching for employment.

Only one of our 22 kidney failure patients, James Joy of Reedsport, is unable to be employed. He has had a series of medical problems, some of them unrelated to kidney failure.

The above case histories of patients of the Kidney Association of Oregon illustrate dramatically not only the success of the training center and emergency facilities of Good Samaritan Hospital, but of our ability to rehabilitate our patients in their home environment.

We will appreciate your assistance in securing funds for Good Samaritan Hospital so that they may continue and expand their extremely worthwhile work.

Sincerely yours,

CHUCK FOSTER,
Executive Director.

GOOD SAMARITAN HOSPITAL &
MEDICAL CENTER,
June 10, 1970.

Hon. MARK HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: Hemodialysis for end failure renal patients was first performed in Oregon at Good Samaritan Hospital and Medical Center in 1962, in a program supported entirely by this hospital.

Aside from the program at the U.S. Veterans Hospital, we are still the only dialysis training center in the State. The University of Oregon Medical School does have a limited dialysis program as back up for kidney transplant work done there on a rather limited scale.

The program is very expensive—so expensive that no hospital can carry the cost without some outside assistance.

We have attempted to operate as a training center only—a center where a patient could be trained and then returned to the care of his own physician and hospital for further care. However, when a patient's life is dependent on dialysis and he knows the training center has the facilities and the knowledge to care for his affliction, that patient is going to return to that center in desperation whenever he is in trouble. Hence, it seemingly is impossible for a center to ever be released from the care of a patient it has trained—and the cost continues.

About three years ago we assisted in the organization of the Kidney Association of Oregon, a non profit organization, which has been very successful in securing private gifts and state funds to assist in carrying on the program. Presently, all of our hemodialysis patients enter training through the KAO program.

The 1967 Legislature appropriated $200,000 on an emergency basis for the care of Oregon kidney patients and KOA directed the expenditure of this fund, using a portion for the cost of the training. Last year The Oregon Department of Rehabilitation appropriated $218,000 for kidney patients.

We have attempted on numerous occasions to secure support for the program through HEW of the U.S. Public Health Service. Our latest effort toward this end was an application filed in April of 1968 which was approved and lay dormant until June of 1969 when it was rejected for want of available funds. This application was filed under the provisions of Section 314(e)(1) of P.L. 89–749.

The Oregon Rehabilitation funds come indirectly from federal sources, but aside from that not one penny of federal money has ever been spent in the care of Oregon kidney patients, other than those eligible for benefits of the Veterans Administration Hospital.

Applying the statistics of the Burton and Gottschalk reports (made two years ago to the Secretary of HEW) to Oregon's population, we find that between 58 and 78 Oregon people will reach end stage renal failure a year.

The Medical Screening Committee of KAO, which passes on all patients accepted for home dialysis training, handles an average of three applications per month. Some are eliminated for medical reasons, but available funds will allow the acceptance of but *one new patient a month.*

Statistics of all the patients trained for home dialysis at Good Samaritan are not readily available, but KAO has accurate records of the patients trained since the inception of their organization. Their records show: 23 patients on home dialysis, 2 now in dialysis training, 2 deceased, 3 have had kidney transplants (two of these surviving).

When a patient is accepted for the program, he enters the hospital for cannula surgery and then goes to the Kidney Laboratory on an outpatient basis for training for a period of from six to eight weeks.

The costs during the first year range from $13,000 to $15,000. This includes the cost of hospitalization, surgery, training, a home model artificial kidney machine, drugs, supplies and medical and surgical services.

During the second and all successive years the cost averages $4000 a year. This would cover additional cannula surgery as required, drugs, supplies and physician services.

Unless the patient can undergo a kidney transplant, this cost will continue as long as he lives.

Our Kidney Laboratory now has two nurses (subject to call 24 hours a day), an artificial kidney technician, a medical director, an associate medical director and a secretary.

The Kidney Association of Oregon reimburses us for the payroll costs and we absorb some $20,000 a year plus for rent, utilities, housekeeping, accounting, administration, etc.

Nearly all of the patients have come from Multnomah and contiguous counties.

Statistics would cause us to believe there are people from other parts of the State who suffer end renal failure. Probably if a kidney program were added to the Regional Medical Program as S. 3355 would provide, many of these people might be given the benefit of a hemodialysis program.

KAO during the last six months has been actively projecting a fund raising program, which has produced some $80,000 for use in the care of these unfortunate people.

Some of the patients have insurance and some have resources of their own, but it is seldom a patient has resources sufficient to sustain them on the program without assistance.

I trust this information will emphasize the need for some federal assistance for a hemodialysis program.

So you will have at hand more detailed information on the training and treatment program, I am enclosing the narrative portion of our last application for assistance from HEW. I am also sending along copies of supporting letters from the medical associations and the State Health Officer.

I am asking Mr. Charles N. Foster, director of KAO to give you information on the rehabilitation of these patients, who faced certain death before they entered the hemodialysis program.

If I can be of further assistance, please let me know.

Cordially,

DON FRY,
Director of Development.

P.S.—We have two young vascular surgeons who are eager to train themselves for kidney transplant work, but we have not been able to find funding for such animal laboratory studies and training.

OREGON MEDICAL ASSOCIATION,
Portland, Oreg., March 28, 1968.

DAVID BRAND, M.D.,
Chronic Disease Consultant, U.S. Public Health Service, DHEW, San Francisco, Calif.

DEAR DR. BRAND: We are advised Good Samaritan Hospital and Medical Center of Portland is submitting an application, through your office, for federal support of their renal-disease dialysis program.

This Association has followed with considerable pride the work at Good Samaritan Hospital in pioneering the development of a renal dialysis program, the building of a home dialysis unit and generally assuming the obligations, including financial, during the early months and years of this project. Dr. Otto C. Page of its Medical Staff originally stimulated the interest and carried the responsibility.

Later this activity was carried on by Dr. Richard F. Drake and now since Dr. Drake has been called into military service, Dr. Charles Martinson is the physician in charge. The program at Good Samaritan continues to be under the direction of highly motivated and competent physicians.

It is strongly recommended that the application of Good Samaritan Hospital for federal support of this dialysis program be approved.

Very truly,

GLENN M. GORDON, M.D.,
President.

GOOD SAMARITAN HOSPITAL &
MEDICAL CENTER,
Portland, Oreg., February 23, 1968.

DAVID BRAND, M.D.,
Consultant, Chronic Disease, U.S. Public Health, DHEW, San Francisco, Calif.

DEAR DOCTOR BRAND: The medical staff of Good Samaritan Hospital & Medical Center is fully cognizant of the work in hemodialysis being carried on in the dialysis training center at this hospital.

This program has the support and endorsement of the medical staff. We would further recommend this program for support of the federal government in accord with the application being filed by the hospital with Charles Martinson, M.D., as the project director.

Cordially,

JOHN O. BRANDFORD, M.D.,
Chief of the Medical Staff.

OREGON STATE BOARD OF HEALTH,
Portland, Oreg., November 10, 1967.

DAVID BRAND, M.D.,
Medical Consultant, National Center for Chronic Disease Control, U.S. Public Health Service, Department of Health, Education, and Welfare, Federal Office Building, San Francisco, Calif.

DEAR DR. BRAND: Mr. Fry has recently made available to me a copy of their application for a project grant for home hemodialysis training for Oregon renal patients requesting a letter of endorsement to you.

Their hospital has, I believe, pioneered in the area of home renal dialysis and in the revision, modification and simplification of the equipment involved. The project, as described, appears to have an excellent potential for some valuable training for both practicing physicians and the house staff at Good Samaritan Hospital. It should also significantly increase the number of patients for whom this life-prolonging procedure would be made available and, at the same time, reduce the cost and allow it to be performed in their own homes. I would hope that, in the future, training in this activity would also be made available to students and faculty at the Medical School in Portland, and I feel confident that the officials at Good Samaritan Hospital would be sympathetic toward this.

I see this proposed project as an excellent expansion of activities that they have promoted assiduously and would not hesitate to strongly endorse their application.

Sincerely,

EDWARD PRESS, M.D.,
State Health Officer.

P.S.—I thought you might be interested in the attached copy of a newspaper clipping on "Kidney Rent Inaugurated" (in Washington, D.C.).

OFFICE OF THE GOVERNOR,
SALEM, OREG.,
October 25, 1967.

Dr. DAVID BRAND,
Chief, Chronic Disease Section, U.S. Public Health Service, San Francisco, Calif.

DEAR DR. BRAND: The care of Oregon people suffering from chronic renal disease, requiring dialysis, is a matter of grave concern to me.

The recent session of our Legislature made an emergency appropriation to aid in the care of these people. We are well aware, however, that this fund is not sufficient.

The State money for treatment of chronic kidney disease is being administered by the Kidney Association of Oregon, which is cooperating in the training and treatment program being carried on at Good Samaritan Hospital & Medical Center in Portland.

The Good Samaritan Hospital program is the only training and treatment program in Oregon. The physicians and nurses at Good Samaritan have sustained the life of a number of our Oregon people confronted with end-renal failure.

We have confidence in this program; and I would commend it to you as you review the application, which I understand is being made, for U.S. Public Health funds for support of the renal dialysis work at Good Samaritan Hospital & Medical Center.

Sincerely,

JOHN MCCALL,
Governor.

KIDNEY ASSOCIATION OF OREGON, INC.,
Portland, Oreg., October 23, 1967.

U.S. PUBLIC HEALTH SERVICE, DHEW,
Region IX,
San Francisco, Calif.

GENTLEMEN: The Kidney Association of Oregon, the only civic group in this state organized to give financial assistance to people with end-failure kidney disease, is cooperating in the hemodialysis training program at Good Samaritan Hospital & Medical Center in Portland.

Our organization was selected by the recent session of the Oregon Legislature to administer state funds appropriated to assist the kidney dialysis program in Oregon. These funds and money supplied from volunteer community efforts are available for support of renal patients and are being used to assist patients in the Good Samaritan Hospital program.

Our organization is to sponsor public appeals for funds in various parts of the state for support of the dialysis program.

We are familiar with the application be-

ing made by Good Samaritan Hospital & Medical Center for funds under the provisions of P.L. 89–749 and are committed to provide the major portion of the "applicant's share" of the costs of this program.

We believe this dialysis training and treatment program is essential and it has our full endorsement. However, without federal support as requested by this grant, we can see no way at the present time of carrying out this program, so urgently needed in Oregon.

Sincerely,

CHARLES N. FOSTER,
Executive Director.

HOME HEMODIALYSIS TRAINING FOR OREGON RENAL PATIENTS

INTRODUCTION

This project, submitted under the provisions of Section 314(e)(1) of the Public Health Service Act, as amended by Public Law 89–749, requests a U.S. Public Health grant to assist Good Samaritan Hospital & Medical Center in Portland, Oregon and the Oregon Kidney Association to provide hemodialysis treatment and training for residents of this area with chronic renal disease.

Over a period of five years Good Samaritan Hospital & Medical Center has, without government funds, developed a well recognized hemodialysis program. A substantial portion of the cost has been carried by the Hospital, some community funds, a limited amount of State funds and the resources of patients have contributed.

Recently the Oregon Kidney Association was formed to secure financial assistance for persons suffering chronic kidney affliction.

Patients determined to be physically and psychologically suitable for hemodialysis would be trained at the Good Samaritan Center and then released for home dialysis and returned to the care of their own physician.

This proposal asks U.S. Public Health Service to share the cost of training and supplies for endstage renal patients, accepted in the program, during the first year of dialysis. The Kidney Association of Oregon will assume the responsibility for the patients after the first year, although every effort will be made to utilize the resources the patients and their families may be able to provide.

The Oregon Kidney Association is now administering $150,000 of State funds appropriated for patient care during the biennium. Community funds have been raised and the Association contemplates additional fund raising appeals.

The project anticipates the admission of one new patient a month, with a total of 12 to be trained each year.

Attached is a copy of Good Samaritan Hospital's indirect cost agreement with the U.S. Public Health Service. The agreement approves an indirect cost rate of 23.58%. This rate does include fringe benefits, which amount to 13 percent of the payroll and which are included in the budget for this project.

1. PROJECT OBJECTIVES

This project proposes to continue and perfect an existing home hemodialysis training program. Medically suitable patients selected by a medical screening committee will be admitted to the program at the rate of one per month. Each patient will be supplied with hemodialysis equipment and accessory supplies sufficient for 12 months of home treatment. The patient will be trained for an eight-week period and then returned to his home.

The project further proposes to facilitate the integration of the techniques of chronic hemodialysis and management of chronic uremia into the various health services within the state of Oregon. Each patient will be returned to his home town to be managed medically by his local physician; when hospitalization is necessary every effort will be made to have the patient admitted to the local hospital used by the local physician.

2. PROJECT EVALUATION

The results of this project will be easily evaluated by reviewing several routine records of patient progress. Composite records with a narrative summary will be submitted semi-annually to interested agencies.

Patients will maintain daily log books which will note general condition and equipment problems or failures. Medical data such as weight, diet, blood pressures, need for blood transfusions, and blood chemistries will be recorded. These records will be kept in duplicate and one copy will be sent to the training center at monthly intervals.

Patients will be required to visit their local physician once monthly, and take with them their copy of the daily log book. The medical director will communicate once monthly with the local physician regarding patient progress, data in the log book, and recent knowledge which may apply to the patient. Records of these communications will become part of the training center's records.

The patient will be required to revisit the training center once every three months. At this time a review of medical and equipment problems will be possible. Any necessary revision of techniques can be accomplished during this one-day period.

The project has a built-in continuation evaluation process, resulting from the use of consultants from leading kidney centers on the West Coast. One of these consultants comes from the University of Washington Kidney Center in Seattle, and the other from the San Francisco center, and each will make bi-monthly visits to the Good Samaritan Center to appraise the work being done. In their capacity as consultants, they will be in a position to not only evaluate the program, but to make suggestions for improvements for better patient care and to recommend the use of new drugs, chemicals and equipment, which may be developed.

These same factors will be observed by the project director in travel to other nearby centers and to the annual meeting of the American Society of Artificial Internal Organs.

Further evaluation of the program will come from its acceptance by physicians of the state and by participation of other hospitals in the care of renal patients trained in the program.

3. PROJECT NEED AND BACKGROUND

Statistics from the Burton and Gottschalk reports indicate that Oregon's population will produce fifty-eight to seventy-eight patients yearly coming to end-stage renal function. Recent experience of the Medical Screening Committee reveals that there are monthly two or three patients considered for home hemodialysis.

The state of Oregon has only three hospitals currently able to offer long-term treatment of the patient with terminal irreversible uremia. In the Veterans Administration Hospital in Portland there is a center dialysis unit and a recently initiated transplant program. The University of Oregon Medical School has completed ten kidney transplants as of March 1, 1968; this unit has its own dialysis backup program.

The dialysis training center at Good Samaritan Hospital & Medical Center is the only other hospital offering chronic dialysis, and is the only hospital offering training in home hemodialysis.

Hemodialysis in Portland, Oregon was first performed at Good Samaritan Hospital & Medical Center in 1962. This initial program was supported in total by the hospital. The formation of the Columbia Regional Artificial Kidney Center offered hope that funds from public donation could augment this initial program which was center-oriented.

The former medical director of the training center, Dr. Richard Drake, collaborated with Mr. Charles Willock to develop a proportioning dialysate delivery system which made possible in 1965 the first home hemodialysis in Oregon. The Drake-Willock system is currently used around the world for center and home hemodialysis.

In 1967 the Oregon State Legislature appropriated $150,000 to be used "exclusively for the benefit of Oregon residents requiring dialysis treatment." This money was allocated to the Kidney Association of Oregon, Inc., a newly formed organization which replaced the less effective Columbia Regional Artificial Kidney Center.

Since July, 1967 the Kidney Association has solicited public funds to augment the funds apportioned by the State Legislature, and has been successful in doing so. The goal of this organization has been to accept one patient monthly for home hemodialysis training and on-going treatment.

The goal of the Kidney Association is to provide training and treatment for all Oregon patients accepted for dialysis. Although the community has responded generously, this program is not possible without substantial government assistance.

Selection of patients for this program is the purpose of a medical screening committee sponsored by the Multnomah County Medical Society and the Oregon Medical Association. Accepted patients are referred to the Good Samaritan Hospital & Medical Center for initial treatment and subsequent training.

As of March 1, 1968 nine patients trained at Good Samaritan Hospital are in their homes utilizing home hemodialysis. Two other patients are in training now. The Kidney Association of Oregon has sponsored eight of these patients, and the Seattle Artificial Kidney Center supports another. The remaining two patients are privately supported. All patients were approved by the medical screening committee. All patients are managed by their private physicians, with consultations available from training center personnel. The resident staff at the University of Oregon Medical School is functioning as the "local physician" for one patient.

Local hospitals have cooperated in the continuing care of these patients. The Good Samaritan Hospital training center has sent its personnel to several hospitals in this city and elsewhere to train local nurses, technicians, and physicians in the use of hemodialysis equipment used by the patients.

Training of local physicians in home hemodialysis and in the management of the patient with chronic uremia has been the function of the medical director. This has been effected by the aid of the training center for on-site familiarization with equipment, scheduled lectures, and by the distribution of the Physicians' Manual for Treatment of Chronic Uremia (University of Washington). Funds to purchase the latter have come from a small grant by the Collins Foundation of Portland, Oregon.

This existing program was initiated by Dr. Richard Drake while he was chief medical resident at Good Samaritan in 1962. Dr. Drake continued to improve the program after he entered private practice. He is the individual primarily responsible for the present training center. Dr. Drake was inducted into military service in January, 1968.

Dr. Otto Page, as Chief of Medicine, Good Samaritan Hospital, was instrumental in directing Dr. Drake to this project, and Dr. Page has acted as senior advisor to the program since its beginning.

4. METHOD OF PROCEDURE

All patients admitted to this program must have approval by the medical screening committee. Patient acceptance is determined by medical and psychological factors only.

Most patients are presented to the committee before the need for dialysis exists. Dialysis is initiated when the creatinine-clearance falls below 5 ml per minute, or when the patient develops complications such as uremic pericarditis, peripheral neuropathy, or metabolic bone disease.

When dialysis becomes necessary, the patient is admitted to Good Samaritan Hospital. An external arterio-venous shunt of polyvinyl and teflon tubing is inserted by a surgeon skilled in the use of this material. We prefer the lower arm site for the cannula because of the fewer days of hospitalization required during cannula healing.

Approximately one week is spent in the hospital by the patient. When his uremic state is stabilized after three dialyses over a seven-day period he is discharged to the training unit as an out-patient.

Out-patient training requires from six to eight weeks. The patient is dialyzed Monday, Wednesday, and Friday; he spends Tuesday and Thursday in the unit's kidney laboratory receiving practical and theoretical instruction regarding dialysis and the uremic state.

Family members are admitted to the unit for short visits only during the first four weeks of training. These individuals are required to be present during the last two to four weeks of training; the patient will by this time be able to instruct his relatives in proper dialysis techniques. Staff members will supervise the entire procedure but will gradually withdraw from active participation as the patient and his assistant become proficient in self-care.

By the time the patient is ready to return to his home for hemodialysis his equipment will be installed by the technician. Prior analysis of water pressure and water calcium content will have been accomplished, and appropriate measures taken if indicated.

A nurse will be available in the home for the first dialysis only. The family physician is encouraged to visit the home sometime during the first dialysis.

A. Patient selection

Patient selection is performed by the medical screening committee which meets monthly in the offices of the Multnomah County Medical Society. Details on committee members are included as an addendum. Efforts are being made to include members from more distant cities in Oregon.

Patient presentation to the committee is required to be made by letter or in person by the patient's private physician; this physician must agree to assume the management of medical problems after patient training has been completed. Satisfactory evidence of current medical status must be accompanied by sufficient historical and laboratory data necessary to determine the patient's need for dialysis. Renal biopsy information is requested but not mandatory. Coexistent disease is carefully searched out and appropriate consultations requested if indicated.

A social and psychiatric evaluation of the patient and his family is performed if there appears to be no medical contraindication to dialysis. Social screening is performed at present by a professional social worker in private practice in Portland. Psychiatric evaluation is performed by or under the supervision of the Department of Psychiatry at the University of Oregon Medical School.

No patient is selected until his condition indicates an immediate need for dialysis. The screening committee has several cases tabled for monthly reviews. (Many patients screened have benefited from helpful suggestions to family physicians regarding current concepts of conservative medical management of chronic uremia.)

An acceptable patient must be one who is a stable, emotionally mature citizen of Oregon residing in the state for at least six months. The candidate's age must be 15 to 50 physiologically. He must not be afflicted by other chronic disease unrelated to renal disease. Specifically, the candidate must not suffer from diabetes mellitus, cerebral aneurysm, or permanent neurologic deficit which would preclude rehabilitation as a useful family member. He cannot live alone.

B. Patient training

While hospitalized for cannula insertion and initial dialysis the patient will be introduced to general principles of dialysis; particular attention will be given to cannula care and diet. After discharge the patient will enter six to eight weeks of training. The training manual is added as an addendum.

Training Curriculum

Week 1: Correct hand washing and its importance; basic principles of aseptic technique; the cannulas—their structure, function, care, problems; measurement of the blood pressure; the artificial kidney—structure and function; collection of blood samples from the cannulas; weights and measures used in dialysis; syringes and needles—sizes, how to use; basic information about the dialysate delivery system; diet instruction.

Week 2: The dialyzer—cleaning, building, sterilizing and rinsing it for a run; initiating and discontinuing dialysis; administration of blood, normal saline, and medications during dialysis; problems which may occur during dialysis—hypotension, chills and fever, ruptured membranes, clotting; measurement of heparinization—Lee & White clotting times; dialysate delivery system—safety devices, alarm and warning lights—what to look for and what to do when they indicate trouble; diet instruction.

Week 3: Preparation of the dialyzer and dialysate delivery system for dialysis: initiating and discontinuing dialysis; testing the chloride content of the dialysate; dialysate delivery system—mechanical problems; drawing blood cultures; declotting the cannulas; diet instruction.

Week 4: Preparation of the dialyzer and dialysate delivery system for dialysis; initiating and discontinuing dialysis; monitoring the run—clotting times, administering blood, saline, etc., chloride tests; sterilization of supplies at home; record keeping—important items to note—accuracy.

After the first four weeks of intensive training, the patient and his family member will be prepared to begin taking more responsibility for the runs, cleaning up the equipment, keeping their records, etc. The staff of the unit will permit them to be as much on their own as possoible, so that they will become accustomed to performing all tasks required before discharge from training.

C. Laboratory use during dialysis

The addendum contains a schedule of laboratory tests desirable during training and after. During the training period all laboratory tests will be done in the central laboratory of Good Samaritan Hospital & Medical Center.

Frequent notation of blood chemistries is necessary during early dialysis; less frequent determinations suffice after the individual patient's pattern is established.

The Multichemistry is a 12-channel autoanalyzer technique used for monthly surveys of slowly-changing chemical values. This battery of determinations includes: Blood Urea Nitrogen, Calcium, Inorganic Phosphorus, Alkaline phosphatase, total protein, albumin, uric acid, cholesterol, bilirubin, SGOT, SLDH, and Glucose. This monthly analysis will aid in the diagnosis of anicteric hepatitis and metabolic bone disease.

Transfusions of packed red cells will be given only when the hematocrit is below 18 to 20%. Post-dialysis BUN values of 40 or less are desirable. Pre-dialysis potassium levels should be 6 meq per liter or less. Predialysis creatinine levels should be less than 12 to 14 milligrams per 100 cc blood.

Serum iron determinations will discover those individuals having excessive blood requirements secondary to iron deficiency.

Electrocardiograms and chest X-rays are done routinely. Hand X-rays are done to aid in the detection of bone disease. Urine culture and colony counts are performed routinely every two months because of the susceptibility these patients have to urinary tract infections.

D. Training of the patient's family physician

Each physician is given a copy of the Physicians Manual for Treatment of Chronic Uremia (University of Washington School of Medicine). Experience has shown that any physician who has a background of general medicine (internal medicine) and who is capable of caring for the patient with a chronic illness can successfully manage the patient on chronic hemodialysis.

The physician is not expected to have a thorough understanding of the dialysate delivery system. He must have an understanding of various physiologic changes which occur during dialysis. He will be required to make decisions regarding cannula function, blood requirements, fluid and salt restrictions, hypertension and hypotension, and febrile reactions. An awareness of signs and symptoms of defects in iron and calcium metabolism, peripheral neuropathy, and pericarditis is required.

Physicians of patients living more than 50 miles from the unit can obtain sufficient training in one or two visits to the training unit. Continued consultations with the medical director will reinforce information contained in the training manuals.

Because patients living in the greater Portland area have shown a tendency to consult the training unit rather than their family doctor a different approach is to be used. These physicians will make daily rounds on their patients during the last two to four weeks of training. The physician will thus make decisions regarding dialysis while the patient is still under the care of the medical director. It is hoped that this will give the patient more confidence in his family physician and will eliminate direct consultation between patient and training unit except for quarterly reviews.

E. Home preparation of dialysis

Prior to completion of patient training the technician visits the patients' home for supervision of plumbing facilities in the "dialyzer room." The equipment is installed by the technician and is retested prior to use. If local water pressure is less than 40 pounds per square inch, a supplemental pump is installed. If the home water supply contains more than 0.6 milliequivalents per liter of calcium a sodium-exchange water softener must be installed.

F. Dialysis equipment used

Basic equipment used includes the Drake-Willock proportioning dialysate delivery system and the Kill flat-board dialyzer. A copy of the Drake-Willock owner's manual is enclosed in the addendum.

G. Patient followup

The patient will keep a daily log of certain observations; a copy of the daily log sheet is contained in the addendum. These sheets will be kept in a hard-bound book which the patient will take to the doctor's office each visit. In addition, once monthly a copy will be sent to the training center.

The patient will make routine monthly visits to his physician. Once every three months he will visit the training center for review of medical status and dialysis techniques.

The technician will make home inspections at least once every three months, and monthly when possible or when necessary. In addition to inspection of dialysis equipment he will review with the patient any problems in procuring dialysis supplies and will make suggestions accordingly.

H. Hospital admissions following the training period

Cannula care and recannulation should be performed by a surgeon who has experience with problems peculiar to external shunts.

Thus, until experience is obtained elsewhere in Oregon, it is anticipated that patients will return to Good Samaritan Hospital for cannula surgery. The Hemodialysis personnel will be able to offer dialysis during this period.

When interested surgeons so indicate, every effort will be made to encourage their participation in recannulation or in primary cannula insertion.

Hospitalization for other problems should be in the patient's home town, under the care of the family physician. Personnel from the training center will assume initial dialysis responsibility and will train people in local hospitals to supervise dialysis. Each patient will have at least one expert who should be utilized whenever possible; this is a relative, usually spouse, who assists in dialysis in the home.

5. PARTICIPATION OF OTHER AGENCIES

Support for this program has come from many sources within the state; both lay and professional groups have cooperated thus far and have indicated future continued efforts to improve treatment of persons with chronic irreversible renal failure.

The Multnomah County Medical Society and the Oregon Medical Association have both officially endorsed the project. (See letters attached.) These professional groups have made possible the medical screening committee for the selection of patients for hemodialysis treatment, as described elsewhere in this narrative.

The Oregon State Board of Health has endorsed the program, as indicated by the attached letter from Dr. Edward Press, state health officer. Dr. William Wright, director of the chronic disease section of the State Board of Health, has actively worked in support of both the project and the preparation of this application.

The approval of the official Oregon state government is indicated by the attached letter of endorsement from the Honorable Tom McCall, governor of the State of Oregon.

The Oregon State Legislature recognized an immediate need for dialysis treatment for Oregon residents with end-stage renal disease by appropriating $150,000 for this work during the biennium, July 1967–July 1969. This fund is being administered by the Kidney Association of Oregon through the Good Samaritan training program. The continuing interest of the State of Oregon in providing dialysis for Oregon kidney patients is indicated by the attached letter from State Senator Ted Hallock.

The University of Oregon Medical School has officially, by letter of endorsement, and unofficially, by cooperative patient care, been involved with this training program. Two members of the screening committee are on the full-time faculty of the Medical School.

The Kidney Association of Oregon, an organization of civic minded business and professional men, has as its purpose the raising of funds to provide dialysis equipment and hemodialysis treatment for suitable Oregon residents suffering from terminal renal disease. This organization is committed to the support of the Good Samaritan Hospital & Medical Center home hemodialysis training center as indicated in their letter attached as Addendum No. 13.

During April the Kidney Association of Oregon organized a subchapter in Eugene, for fund raising purposes; it is anticipated other chapters will be organized throughout the state.

All but one of the major Portland hospitals have cooperated in the continuing care of renal patients trained in this program. Several hospitals in other parts of the state have also accepted patients trained at the Center. There is no contractual arrangement with these hospitals; they have accepted patients in response to the patient's own physicians after the conclusion of the training period. However, personnel from the Good Samaritan Center have gone to some of these hospitals to teach the paramedical staff the techniques of dialysis.

Evidence of progress in technique and general acceptance of the dialysis patient on the wards of the hospitals is encouraging. There is no reason to believe the other hospitals in Portland and in other cities of the state will not become involved in the treatment of dialysis patients when the opportunity presents itself.

Private physicians from varied specialties and general practice have individually endorsed this program by offering continuing care for their patients after training.

6. PROJECT CONTINUATION

It is anticipated there will be a continuing need for a hemodialysis program. Progress in renal transplantation is encouraging, but does not offer the ideal treatment for all patients. Dialysis techniques and skills acquired in local hospitals during the duration of this project will, no doubt, be important to future transplant programs and to maintenance of patients prior to transplant or not suitable for transplant.

The Kidney Association of Oregon is organized on a permanent basis to supply funds to assist patients in hemodialysis training and on-going care. The board of trustees of the Kidney Association of Oregon has voiced recognition of future transplant activities as a natural evolution of the present singular function performed at this time.

An organ transplant program, to be conducted at Good Samaritan Hospital & Medical Center, has been authorized by the Board of Trustees of the Hospital. When the surgeons involved enter this phase of the program, the dialysis work of the Center will offer support.

The Kidney Association of Oregon is presently organizing chapters in various cities of the state for the purpose of enlarging its scope of financial support.

Several of the renal patients, accepted in the present program, have come from cities in other parts of the State. On each of these occasions, a local chapter has been organized in the community for the purpose of providing funds to be administered by the Kidney Association of Oregon.

The organizational program includes alerting newspapers, radio and television stations, and directing a full scale publicity program in a fund raising effort.

This type of program is to be continued in addition to the organization of local chapters in other communities.

The interest of the official State government in the welfare of end failure renal patients is continuing, as evidenced by the attached letter from State Senator Ted Hallock. Senator Hallock was a co-sponsor of the bill which appropriated state funds for renal patients during the last legislative session.

During the period of the grant, both the Oregon Kidney Association and Good Samaritan Hospital & Medical Center will continue to explore all possible sources of new revenue to support a continuation of this program.

Potential sources of support include: the Comprehensive Health Program, the Regional Medical Program, additional funds from the State of Oregon, funds from both state and federal rehabilitation programs, Title 19 of the Medicare program, insurance programs, support from the United Good Neighbors, grants from private foundations, local philanthropy and further development of the fund raising efforts now being conducted throughout the state by the Oregon Kidney Association.

7. PROJECT STAFFING

The Good Samaritan Dialysis training center is an operating function with adequate staff available to immediately carry out the program as outlined in this application.

Dr. Charles L. Martinson, the project director, is an internist, who has taken special post graduate training in hemodialysis for end-stage renal patients, under Dr. Belding Scribner at the University of Washington. Since January 1, 1968, he has been the medical director of the Good Samaritan Center. Prior to that time, he worked closely with Dr. Richard F. Drake, who previously directed the Center.

Dr. John F. Hayes, who would provide the cannula surgery, has been serving in this capacity since the inauguration of dialysis training at Good Samaritan in 1962. Under this program he would devote 10% of his time to staff service, and would bill for each cannula surgery at a nominal fee.

Dr. Otto Page, an internist who has been identified with the Good Samaritan dialysis program since its inception, would continue to serve as a medical consultant.

Dr. Christopher Blagg of the University of Washington home hemodialysis program, and Dr. Bernice Barnett, who is now working in a kidney program in San Francisco, are also to serve as consultants to the Good Samaritan Center. Either one or the other will visit the Portland Center, at sixty day intervals.

Miss Jeannie Lawrence, R. N., the chief kidney nurse in the project, has occupied this position in the Good Samaritan program for four years. Her experience includes the care of both chronic and acute renal problems requiring hemodialysis. During this period she has continually been engaged in the training of patients for home dialysis and has assisted other hospitals and centers in the establishment of dialysis programs, and has demonstrated the use of artificial kidney equipment.

The other two registered nurses, affiliated with the project, have had special training in hemodialysis under Miss Lawrence, Dr. Drake and Dr. Martinson.

Robert L. Eash, the chief kidney technician, has served three and a half years in this capacity at Good Samaritan's center. His work in the training of patients in "building the artificial kidney", care and maintenance of the equipment and in applying the solution concentrates, has been very effective.

An assistant kidney technician is used and is needed particularly when the Center has several patients, for relief, and when the Center personnel is away on training missions.

8. FACILITIES AVAILABLE

The training center is located on the second floor of a building originally constructed as a dormitory for the Hospital's school of nursing. This building is directly across the street from the main hospital. The entire East wing of the second floor of this building is used exclusively as a hemodialysis training facility for patients with end-stage renal disease. There are eight rooms in the suite, as well as dressing, shower, and lavatory facilities for patients and family members. The unit occupies a total of 2200 square feet of floor space. (Floor plan attached.)

Three of the rooms in the suite are specifically designated as patient rooms, used for the training of an individual patient and his relative. A fourth room, presently used as an examination room, could be easily converted into a patient treatment room. Individual dialysate supply systems are used for the patients, each patient receiving his training on the equipment which he subsequently takes home with him. Each patient room is equipped with a water supply and a drain to accommodate the single-pass dialysate delivery unit. The electrical power supply for each dialysate delivery system is separate from the main power supply for the rest of the building. The chemical content of Portland's water makes it adequate for use in dialysis without special treatment.

One room in the suite is used as a "kidney laboratory" for the building, maintenance, and storage of the Kill dialyzers. There are two sinks with attached drainboards to permit the "building" of two dialyzers at the same time. The facilities closely resemble those found in the home.

Another room of the unit is used for storage of consumable supplies, storage of extra equipment, and for the general use of the technician who is in charge of storage and inventory maintenance.

Inasmuch as the analytical determinations required by the project are made in the Hospital's central laboratory, no separate laboratory facilities are required.

The last two rooms of the suite are designated as offices. One of these accommodates the medical director, the other is utilized by the nursing and technician staff.

9. PROJECT BUDGET

This is primarily a home hemodialysis training program and the financial obligation of the project to a patient is confined to the periods of hospitalization for cannulation, eight weeks of training and ten months of dialysis in the patient's own home. Consequently the budget does not reflect a pyramiding cost of the type to be anticipated if the perpetual care of the patients is charged to the project.

Following the period specified in this application, the patients will be dependent upon their own resources, insurance and support supplied by the Kidney Association of Oregon. The Kidney Association of Oregon will have increasing costs each year in maintaining patients, but these costs are not applicable to this budget, and except as indicated, these costs will occur after the end of the project's responsibility to the patients.

Because the project does not involve continual on-going care for the patients the cost of training and maintaining the patients on home dialysis reaches its peak in the second year. Consequently the budgets for the second through fifth year of the project are much the same. Provision is made for salary increases during these years.

A degree of mortality among end-stage renal patients is recognized in the equipment demands of the budget for the third through fifth years. During the third and succeeding years it is anticipated that a portion of the artificial kidney units, dialysers and pumps can be recovered for reassignment to new patients. Probably much of this equipment will require factory reconstruction; however, a savings of 10 percent in the cost of equipment purchase is projected.

The budget makes provision for three consultants. Dr. Page practices in Good Samaritan Hospital and is available for consultation at all times. Dr. Blagg is affiliated with the University of Washington Kidney program and the budget provides an annual stipend of $1,500 for his service, plus travel costs from Seattle for bi-monthly visits to the Portland Center. Dr. Barnett is associated with a kidney center in San Francisco. The budget also provides an annual fee of $1,500 for her with additional provision for her travel to Portland six times yearly.

A list of the equipment included in the kits to be supplied each patient is detailed in Addendum No. 2.

The laboratory procedures required during the training period are listed in Addendum No. 3.

The laboratory procedures or tests to be made during the ten month period of home dialysis are detailed in Addendum No. 4. It is anticipated these tests will be made in the patient's home town under the direction of the patient's attending physician, whenever possible.

Details of the costs of both original and recannulation procedures are listed in Addendum No. 5.

The costs of supplies, chemicals, laboratory determinations, drugs, etc., for the first year are based on 23 patient months of training and 55 patient months on home dialysis. During the second and succeeding years the budget provides for 24 patient months of training and 120 patient months of home dialysis. Supplies used during training are listed in Addendum No. 7. The monthly supply needs during home dialysis are listed in Addendum No. 6.

Each patient and his physician will be supplied a copy of the Center's "Patient Manual" on dialysis procedure, at a cost of $5.00 per copy. The physician attending each patient will be supplied a copy of the University of Washington's "Physicians' Manual" at a cost of $2.50 a copy.

The budget provides $500 a year each for the project director and the chief kidney nurse to attend the annual meeting of the American Society of Artificial Internal Organs and an additional $500 for use of the project director to visit other kidney centers to observe any new treatment techniques or newly devised equipment being used.

APPOINTMENT OF JOSEPH RHODES, JR.

Mr. THURMOND. Mr. President, on June 13, 1970, President Nixon appointed Joseph Rhodes, Jr., a 22-year-old Harvard student, to the President's Commission on Campus Unrest.

The purpose of this Commission, as I understand it, is to explore the causes and consequences of campus unrest and recommend ways of assuring peaceful dissent.

Mr. President, on June 15 an article concerning Mr. Rhodes appeared on the front page of the New York Times. No one who reads this article can escape the conclusion that Mr. Rhodes is not qualified to serve on such a commission as he is apparently incapable of objective observation or analysis.

After reading this article it is obvious that Mr. Rhodes should resign from the Commission.

Mr. President, I am not the only person who feels this way about Mr. Rhodes' appointment. On June 16 the Vice President issued a statement concerning Mr. Rhodes' selection, and so did Gov. Ronald Reagan of California.

Mr. President, this man has made remarks which are cause for alarm. He has stated that Governor Reagan was "bent on killing people for his own political gain," and he intimates that statements of the President and Vice President have caused student rioters to be killed. Mr. President, can there be any question but that this individual is so immature and biased that his service on the Commission can serve no useful purpose? For the good of the country he should resign immediately.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD:

First. The statement of Gov. Ronald Reagan issued at Sacramento, Calif., dated June 16, 1970;

Second. The statement by the Vice President dated June 16, 1970;

Third. A news item in the New York Times of Monday, June 15, 1970, entitled "Negro on Campus Panel Seeks To Prevent Killings."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NEWS RELEASE FROM THE OFFICE OF GOVERNOR REAGAN

Governor Ronald Reagan today joined Vice President Agnew in saying that if remarks attributed to a Harvard University student just appointed to the President's Commission on Campus Unrest are correct, the youth should resign.

Governor Reagan was referring to Joseph Rhodes Jr., 22, a junior fellow at Harvard who was named to the Commission last Saturday.

At the same time, the governor said it was regrettable that at least some of the press failed to report one of the reasons the Vice President gave in suggesting the resignation.

In the third paragraph of his statement, the vice president said Rhodes has been quoted as saying, "Governor Ronald Reagan was bent on killing people for his own political gain." The quote appeared in the June 15 edition of the New York Times.

"If that quote is correct," Governor Reagan said, "then there should be no question that Rhodes should resign. Such distorted and completely absurd statements clearly show that he lacks both the judgment and the objectivity to sit on a presidential commission.

"However, I am also distressed that at least some of the press failed to report that quotation as repeated by the Vice President because it is imperative that the American people know the facts and the caliber of the people who are to study one of the most serious issues facing our country."

STATEMENT BY THE VICE PRESIDENT

The following statement should in no way be interpreted as an implied criticism of a Presidential appointment. My criticisms are directed entirely at the actions of the appointee subsequent to his appointment—actions which the appointing authority could in no way have known of prior to the appointment.

Mr. Joseph Rhodes, Jr., recently appointed by the President to a new Commission to Investigate the Causes of Campus Unrest, lost no time in letting the public know how he intended to utilize his new post to lift him from the obscurity of an unpublicized academic position to a national notoriety. In an interview published by the New York *Times* yesterday, Rhodes was quoted as saying: "I am really worried about our Administration's attitude," and added that he was, "so unimpressed with both Parties that he had not become involved politically."

Rhodes is also quoted as saying: "Governor Ronald Reagan was bent on killing people for his own political gain."

The article indicated he also said: "The kids have got to feel someone has the power to really investigate the grave charges being brought against the government."

In a direct reference to the President's remark about some campus dissidents, Rhodes allegedly made the following observation: "One of the things I want to try to figure out is who gave what orders to send police on campus and were they thinking about 'campus bums' when they pulled the trigger . . . If the President's and Vice President's statements are killing people, I want to know that."

The purposes of the Commission are obviously broader than seeking indictment of the government.

If the remarks attributed to Rhodes are substantially accurate, he clearly does not possess the maturity, the objectivity and the judgment to serve on a fact-finding body of national importance. Having used a relationship of mutual trust with Presidential Advisor John Ehrlichman for his own political gain, he is no longer entitled to the cloak of dignity that a Presidential appointment would throw around him.

If he possesses half an ounce of the compassion, concern and sensitivity with which he invests himself, he should resign immediately.

Quasi-judicial panels can bear no fruit where the investigators, acting with a limited Presidential mandate, enter the field

of their inquiry with preconceptions and the kind of verbal posturing that Mr. Rhodes reveals so clearly in his statements. Mr. Rhodes shows a transparent bias that will make him counter-productive to the work of the Commission.

He sees his role as that of an advocate, a role incompatible with his appointment.

Unless the *Times* reporter is in error, Mr. Rhodes should resign immediately.

[From the New York Times, June 15, 1970]

NEGRO ON CAMPUS PANEL SEEKS TO PREVENT KILLINGS

(By Robert Reinhold)

CAMBRIDGE, MASS., June 14.—The youngest member of President Nixon's new commission on campus unrest is half black, one-quarter Filipino and one-quarter Chinese, has sharp words about the Nixon Administration and feels he has a "solemn responsibility" to prevent further deaths on college campuses.

Joseph Rhodes Jr., 22 years old, was one of nine persons named to the commission by the President yesterday. Creation of the commission, which is to explore the causes and consequences of campus unrest and recommend ways of assuring peaceful dissent, is viewed as one indication of Admintration concern over potential conflict on campuses next fall.

"I'll do anything—even talk to the devil—if I can stop people from being killed," Mr. Rhodes, a confident, soft-spoken man who holds a coveted place as a junior fellow at Harvard, said in an interview today. "If somebody gets killed next year I'll feel responsible."

According to some of his contemporaries, the devil is precisely whom Mr. Rhodes has been talking to over the last two years during which he has maintained a liaison with the White House. But he feels it is this contact that places a special responsibility on him.

"As long as these guys [White House officials] keep talking to me, I ought to be shot if I don't use the opportunity," he said in his cluttered room at Adams House at Harvard. "I've got an avenue to vent my protest. But I feel these kids are right and we ought to do everything needed to protect them and the people who have to protect them."

Mr. Rhodes, who wears a small, neat mustache that curves over the sides of his mouth and who has relatively short hair, is the product of Pittsburgh's black slum. He calls himself "sociologically black" despite the fact that his father, a black steel worker, married a woman he met in the Philippines during the war.

He lives amid Coke bottles, orange juice containers, dirty laundry and hundreds of books in a small dormitory suite at Harvard, where he puffed on his pipe and discussed his plans for the new commission.

He was picked for the job by John D. Ehrlichman, the President's special assistant for domestic programs, with whom Mr. Rhodes has been in touch since the early days of the Nixon Administration when he was student president at the California Institute of Technology.

This relationship, he acknowledges, has caused his friends to accuse him of being a "running dog lackey of the Administration," but he believes he nevertheless had the opportunity to "do something very important" by bringing the student view before the Administration.

"The kids have got to feel someone has the power to really investigate the grave charges being brought against the Government," he said, referring to suggestions that the Nixon Administration has provoked campus violence. "We have a crucial responsibility."

"I'm really worried about our Administration's attiude," he said, adding that he was "so unimpressed with both parties" that he had not become involved politically. He hopes the commission will have achieved three main things by September:

An accurate, clear picture of what happened at Kent State University, where four students died, and at Jackson State College, where two died, and to what extent national policy contributed to the deaths.

A feeling that the commission listened to young people.

Clear rules as to the use of deadly force in campus disorders "so that a kid does not feel he is going to get shot if he goes out and waves a flag."

"My responsibility is not to the President, but to the people," he said, slumping into a heavy brown leather chair and dangling one leg over the arm.

"I have a solemn responsibility to find out what is going on," he continued. "That's what people want to know. When parents send their kids on campus they wonder whether they will get killed. What do you do so those parents can sleep at night?"

"I'm scared out of my mind—this country is getting to be a terrifying place to live in," he said.

"I'd like to see us stop killing each other," Mr. Rhodes said, gazing through black-rimmed glasses around his poster-covered walls. "There is no question that what we are seeing is a social revolution, if it costs status, power and position, that's O.K. But if it costs lives, I don't like that."

WHO GAVE WHAT ORDERS

"One of the things I want to try to figure out is who gave what orders to send police on campus and were they thinking about 'campus bums' when they pulled the trigger," Mr. Rhodes said in a reference to Mr. Nixon's remark about some campus dissenters. "If the President's and Vice President's statements are killing people, I want to know that."

Mr. Rhodes has never himself taken part in a student demonstration, but he has witnessed many. During the "people's park" demonstrations at Berkeley last year, he kept the White House posted on developments and ran around trying to prevent violence.

He said he had long tried to get the Government to act on the student situation in California, where, he said, Gov. Ronald Reagan was "bent on killing people for his own political gain."

Mr. Rhodes is a versatile young man. He was a linebacker on the Caltech football team and plays the violin.

He has served as consultant to the Secretary of Health, Education and Welfare and the Commissioner of Education over the last two years and runs a special educational project for the Ford Foundation at the Universities of Massachusetts and South Carolina.

While at Caltech, he was credited with spearheading campus reform as the student president. He was named "Citizen of the Month" by the City of Pasadena, where he was frequently stopped by local policemen wanting to know what he was doing near the university.

He spent three years majoring in physics, but switched to history. "There is a very small pool of black talent," he says, "and anyone who has it must put it where it is most useful."

HIGH SPEED RAIL SERVICE BETWEEN BOSTON AND NEW YORK

Mr. KENNEDY. Mr. President, I submit for the consideration of the Senate resolutions passed by the House of Representatives of the Commonwealth of Massachusetts memorializing the Congress of the United States to enact legislation providing for the establishment of high speed rail service between the cities of Boston and New York.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS

Whereas, A report, based on a tax supported research as to the feasibility of high speed rail service between the cities of Boston and New York, prepared for the New England Regional Commission in July, nineteen hundred and sixty-eight, recommends the immediate construction of a high speed rail line between Boston and New York; therefore be it

Resolved, That the general court of Massachusetts respectfully urges the Congress of the United States to enact legislation providing for the immediate construction of said high speed rail service between the cities of Boston and New York; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the Secretary of Transportation, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

Senate, adopted, May 4, 1970.

House of Representatives, adopted in concurrence, May 7, 1970.

PRESIDENT NIXON URGED BY SENATOR RANDOLPH NOT TO REDUCE HIGHWAY SPENDING

Mr. RANDOLPH. Mr. President, the following is a copy of a telegram I sent today to President Nixon:

JULY 8, 1970.

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

DEAR MR. PRESIDENT: We continue to hear rumors of an impending cut-back in the obligation of funds from the Highway Trust Fund, in the magnitude of 20 to 25%. This is personally and officially alarming to me for three reasons beyond those that have been advanced in former instances of executive impoundment of highway funds.

1. It is a breach of faith with the American tax-paying public.

2. With the present sag in the economy and increasing unemployment, this is a most imprudent time to aggravate the problem by cutting back on highway construction, and

3. It is a clear violation of the intent of Section 15 of Public Law 90-495, Federal Aid Highway Act of 1968, in which the Congress declared that—

"It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this title shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

With personal esteem to you and a recognition of your responsibilities, I am

JENNINGS RANDOLPH,
U.S. Senator, Chairman, Committee on Public Works, U.S. Senate.

THE SENATE ACCENTS THE POSITIVE

Mr. MANSFIELD. Mr. President, in the second session of the 91st Congress, the Members of the Senate have devoted 5½ months to difficult legislative tasks. The Senate has, up to July 7, met 109 days, and in recent weeks the sessions have begun early in the morning and lasted until late at night. As a note of some relevance, I might add that yesterday the Senate registered its 206th record call vote of the year. By contrast, last year our 206th vote did not occur until December 12. Not since 1964 has the Senate approached this voting pace.

In addition to the long hours Members of the Senate have spent in this body deliberating and debating issues of legislative import, Senate committees have continued to process legislation and to send it to the floor in a steady flow. Despite our lengthy June sessions, therefore, the Senate calendar has ample business awaiting action. Frankly, therefore, the leadership sees no respite for the Senate in the coming months. It sees only a heavy legislative schedule ahead.

At that midpoint of 1970, it is fitting to note briefly some of the Senate's major accomplishments during the second session to date and to indicate, as well, some of the major legislative matters we still have to consider before the 91st Congress closes.

Bearing in mind the Nation's needs for a more secure society, early in the session the Senate passed a bill for the control of dangerous substances and an organized crime control bill. I believe it can be anticipated that in both of these areas, the Congress will take definitive action this year. May I say, too, that last session the Senate passed all of the President's District of Columbia crime control measures. Subsequent to the approval this year by the House of Representatives of an omnibus District of Columbia crime bill, Senate and House conferees have spent many hours in meetings in an attempt to iron out varying points of view and to achieve a sound and comprehensive legislative package directed toward curbing crime in the Nation's Capital.

Bearing in mind the Nation's need for improved relationships with other countries, and the responsibilities of the Congress as well as the Executive in foreign policy, the Senate has given its advice and consent to the ratification of six treaties, authorized funds for the Arms Control and Disarmament Agency and the Peace Corps, and agreed to a resolution calling for the suspension of further deployment of offensive and defensive nuclear strategic weapons systems by the United States and the Soviet Union. Furthermore, the Senate debated from May 13 until June 30 the military sales bill in an intensive examination of the question of limiting U.S. assistance to Cambodia within the overall context of the involvement in Vietnam and congressional powers in matters of war and peace.

Bearing in mind the Nation's economic needs, the Senate initiated and passed an emergency home financing bill which is now in conference. After the passage of the Senate bill, the President endorsed this bill and action in this area. The Senate has also approved an enlarged and improved unemployment compensation program, which legislation is now in the form of a conference report. The Senate has acted, too, to extend the Public Works and Economic Development Act. And, with the consumer's interests in mind, it endorsed a Consumer Products Warranty and Guaranty Act and a measure dealing with unsolicited credit cards.

Bearing in mind the Nation's environmental needs, the Senate adopted the conference report on a measure strengthening water pollution control and establishing an Office of Environmental Quality, and also passed legislation to continue the national historic preservation program.

Bearing in mind the Nation's health needs, the Senate passed a bill to assist the mentally retarded and completed action on a number of other health bills. Members of both parties in the Senate joined the House in overriding a veto of the Hill-Burton hospital and medical facilities and modernization measure which the Senate had passed earlier by a unanimous vote.

Bearing in mind the Nation's educational needs, the Senate passed legislation to enable various elementary and secondary education programs to go forward, to be improved, and to be broadened, where necessary.

Bearing in mind the Nation's need to insure equal opportunity for its citizens, both the Senate and House approved a bill extending the Voting Rights Act for an additional 5 years and providing for lowering the voting age to 18.

Bearing in mind the Nation's need for a Federal judiciary of excellence, this session the Senate continued the careful scrutinization it began last year of a succession of three nominees in order to decide on a candidate of the highest caliber to fill the vacancy on the Supreme Court. At the conclusion of many days of debate on the qualifications of nominees, on May 12 the Senate approved, by a vote of 94 to 0, the nomination of Harry A. Blackmun to be an Associate Justice of the Supreme Court.

Bearing in mind the Nation's need for an efficient Federal Government, on June 30, the Senate approved a comprehensive postal reorganization bill. It also passed a Federal pay comparability bill and a measure to protect the privacy of Federal employees. Furthermore, the Senate acquiesced in two reorganization plans proposed by the President—one establishing an Office of Telecommunication policy in the Office of the President and the other establishing a Domestic Council and an Office of Management and Budget. Whatever reorganization plans the President may wish to propose to better the executive branch I feel sure he can count on obtaining Congress utmost cooperation to that end.

Bearing in mind the Nation's transportation needs, the Senate voted for, and there has now been enacted into law, legislation to enable an expansion of the Nation's airport and airway systems. Also, the Senate took the lead in sponsoring legislation to provide emergency assistance to the Nation's railroads, and passed the Rail Passenger Service Act. Presently, both Senate and House committees are considering legislation in this field subsequently submitted to Congress by the President. The Senate additionally has approved an urban mass transportation bill.

Bearing in mind the Nation's veterans, the Senate also agreed this year to an improved veterans education and training program.

And, bearing in mind the Nation's needs for technological advance, the Senate approved authorizations for the Atomic Energy Commission and the Space Agency.

While it has not been possible for the Senate to act on appropriations bills as promptly as we would have liked to do, we have passed four regular appropriations bills, along with the 1970 second supplemental, and we are currently considering the agriculture appropriation bill.

Much has been accomplished. Much still remains to be done prior to the adjournment sine die of the 91st Congress. Still awaiting consideration are such matters as the military procurement and military construction bills, draft reform, antipollution legislation, additional health measures, manpower training, a farm bill, bank holding company legislation, merchant marine reform, more consumer legislation, an Alaskan natives claims settlement, transportation bills, certain crime measures, electoral reform, welfare and social security legislation, and the rest of the appropriations bills.

Mr. President, in my opinion, throughout this session, the Senate in its approach to its legislative responsibilities has placed the accent on the positive. Both parties in the Senate have cooperated effectively in trying to bring about the enactment of legislation to strengthen the prospects for peace, to deal with the inner needs of the Nation and to support the well-being of the American people. Indeed, I want to take this occasion to thank the distinguished Republican Leader (Mr. SCOTT) for his consistent cooperation and comity in the operation of the Senate. He has invariably placed the interests of the Nation and the demeanor of the Senate above party considerations.

May I say, finally, that regardless of the coming election, the American people may be assured that it is the intention of the Senate to stay in session as long as it takes to meet, in a constructive manner, our responsibilities to the people of the United States. To tend to the needs of this Nation is why we were sent to Washington. We shall remain in session here until our responsibilities are discharged in a creditable way.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a brief summary of Senate legislative activity during the second session of the 91st Congress.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SENATE LEGISLATIVE ACTIVITY, 91ST CONGRESS, SECOND SESSION, AS OF JULY 7, 1970

(By Senate Democratic Policy Committee)

Days in session, 109.
Hours in session, 693:15.
Total measures passed, 391.
Public Laws, 103.
Treaties, 5.
Confirmations, 20,455.
Symbols: P/H—Passed House; P/S—Passed Senate.

Following is a brief summary of major Senate activity:

AGRICULTURE

Conservation and development projects: Authorizes the Secretary of Agriculture to bear part of the costs of installing public fish and wildlife or recreational developments in so-called resource conservation and development projects but not to exceed one-half the cost of the land and minimum basic public facilities needed in connection with such development. S. 3598. Public Law 91– .

Custom slaughtering: Amends the Federal Meat Inspection Act to permit custom slaughterers to engage in buying and selling meat and meat food products without losing their exemption as custom slaughterers; exempts from inspection requirements the custom preparation for the use of the owners and their households of carcasses and parts of carcasses of (i) cattle, sheep, swine and goats slaughtered by their producers, and (ii) game animals; and permits the Secretary of Agriculture to exempt custom slaughtering and processing performed by an inspected establishment. S. 3592. Public Law 91– .

Dairy products donation: Amended the Agriculture Act of 1949 to provide that dairy products acquired by the Commodity Credit Corporation through price support operations may be donated, prior to any other disposition, for use in the United States in nonprofit school lunch and other non-profit child feeding programs, in the assistance of needy persons, and in charitable institutions, including hospitals. Public Law 91–233.

Egg products inspection act: Prohibits the distribution of unwholesome shell eggs or their use in food products and makes mandatory continuous inspection of egg product processing plants; applies regulatory provisions to intrastate as well as interstate and foreign commerce; provides for specific exemptions, identification of egg products not intended for human food, recordkeeping, and Federal-State cooperation; prohibits States from imposing requirements conflicting with the act or certain other Federal laws; requires imports to meet the same requirements as domestic products; makes the cost of inspection, with certain exceptions, a Federal Government expense, at an estimated cost of about $5 million annually; and prescribes penalties for violations under the act. S. 2116. P/S 2/2/70.

Emergency assistance to provide nutritious meals to needy children: Amended the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose or providing free or reduced-price meals to needy children not now being reached; authorized the Secretary of Agriculture to use $30 million of funds from Section 32 of the Act of August 24, 1935, to supplement funds heretofore made available to carry out programs during the fiscal year 1970 to improve the nutrition of needy children in public and nonprofit private schools participating in the National School Lunch Program under this Act or the school breakfast program under the Child Nutrition Act of 1966. Public Law 91–207.

Guam agricultural services: Continue through June 30, 1975, authority for the Secretary of Agriculture to maintain an agricultural program in Guam, which authority expired September 7, 1969. S. 2991. P/S 5/11/70.

Hawaiian papayas—advertising: Amends the Agricultural Marketing Agreement Act of 1937 to add Hawaiian papayas to the list of commodities for which paid advertising can be provided for in marketing orders. S. 2484. P/S 4/7/70.

International animal quarantine station: Authorized the Secretary of Agriculture to establish an international animal quarantine station within the territory of the United States, through which animals may be moved from any foreign country into this country to make it possible to improve livestock breeds; provided measures to prevent the introduction of and dissemination within this country of livestock or poultry disease or pests; and set penalties applicable to the bringing in of animals to the station or subsequent movement of animals therefrom to other parts of the United States contrary to regulations to be issued by the Secretary of Agriculture. Public Law 91–239.

Production research: Amended the Agricultural Marketing Agreement Act to authorize inclusion in marketing orders for commodities other than milk of provisions for production research supported by handler assessments and to make such research and development projects as now authorized by the Act, a purpose of the Act. Public Law 91–292.

Rural telephone bank: Creates a Rural Telephone Bank to provide supplemental financing for rural telephone systems and provides that the rural telephone account is to consist of such net collections from the 2-percent telephone loan program received after July 1, 1968, as may be necessary to provide for the Government's investment in the Bank. S. 3387. P/S 4/2/70. H.R. 7. H. Cal.

School lunch and child nutrition amendments: Improved and revised the child feeding programs conducted under the National School Lunch Act and the Child Nutrition Act of 1966 to provide better child feeding operations reaching all children, particularly the poor. The bill provided: authorization of appropriations 1 year in advance; school lunch apportionment based on lunches served 2 years prior; apportionment of nonfood assistance based on need; nutritional training and education and studies of food service requirements; direct distribution of foods to schools and service institutions; matching requirements (beginning at 4 percent and rising to 10 percent); free and reduced price (not more than 20 cents) lunch for any public school child in a household which has an income below the poverty level, determined by the Secretary of Agriculture; publicly announced policies regarding free or reduced price lunches; no overt identification of children receiving free or reduced cost meals; apportionment of funds to States based on the number of children aged 3 to 17 in households with incomes of less than $4,000 per year and to schools on the basis of need; Federal funding of 100 percent of the program costs; annual plans describing the proposed extended State lunch program; semi-annual estimates of eligible children; monthly reports of the numbers receiving free lunches and reduced price lunches; special developmental projects; a National Advisory Council on Child Nutrition; an increased appropriation authorization for fiscal 1971 for the breakfast program (from $12 million to $25 million); and other changes. Public Law 91–248.

Special milk program extension: Permanently extended the authority for the special milk program which would expire June 30, 1970, at the current authorization level of $120 million. Public Law 91–295.

Tobacco allotments: Made permanent the authority for leasing of tobacco acreage allotments as provided by section 316 of the Agricultural Adjustment Act of 1938; subjected such leasing to the discretion of the Secretary of Agriculture and to a determination by him that it will not impair the operation of the marketing quota or price support program; provided for extension of such leasing authority; excepted specified tobaccos from section 316; and extended the maximum duration of leases to 5 years. Public Law 91–284.

Tomato advertising: Amends the Agricultural Adjustment Act to add tomatoes to the list of commodities for which paid advertising can be provided in promotional programs under marketing orders. S. 1862. P/S 1/30/70.

Wheat referendum deferral: Permits the wheat marketing quota referendum for the 1971 crop to be deferred until the earlier of October 15, or 30 days after the adjournment of Congress. S. 3978. P/S 6/19/70.

APPROPRIATIONS, 1970

Continuing appropriations: Continued appropriations through February 28, 1970, Public Law 91–193.

Made further continuing appropriations for the fiscal year 1970 to provide for authorized salary and compensation payments provided for in the Second Supplemental Appropriations Act, 1970. Public Law 91–257.

Foreign aid: Appropriated a total of $2,502,413,000 for foreign assistance and related agencies. Public Law 91–194.

Labor-HEW: Appropriated a total of $19,747,153,200 for the Departments of Labor and Health, Education and Welfare, and related agencies. H.R. 13111. President vetoed 1/26/70.

Labor-HEW: Appropriated a total of $19,381,920,200 for the Departments of Labor and Health, Education and Welfare, and related agencies. Public Law 91–204.

Second supplemental: Appropriated $6,021,535,005 for the fiscal year ending June 30, 1970, for various program supplementals, pay increase costs due to comparability adjustments and resulting from the enactment of the Federal Employees Salary Act of 1970; and revises the ceiling on 1970 budget outlays. H.R. 17399. Public Law 91– .

APPROPRIATIONS, 1971

Continuing appropriations: Continued appropriations through July 31, 1970, or until enactment of the regular appropriations bills. H.J. Res. 1264. Public Law 91–294.

District of Columbia: Appropriated a total of $636,118,200 for the District of Columbia. The appropriated Federal payment is $108,938,000. H.R. 17868. Public Law 91– .

Education: Appropriates a total of $4,782,871,000 for the Office of Education. H.R. 16916. P/H 4/14/70. P/S amended 6/25/70. In conference.

Independent Offices—Housing and Urban Development: Appropriates a total of $18,655,019,500 for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development. H.R. 17548. P/H 5/12/70. P/S 7/7/70.

Interior: $2,028,397,500, grant total, new budget (obligational) authority and appropriation to liquidate contract authority. H.R. 17619. P/H 6/26/70. P/S amended 7/1/70.

ATOMIC ENERGY

Atomic Energy Commission authorization, 1971: Authorized appropriations of $2,290,907,000 for fiscal year 1971 ($2,013,307,000 for operating expenses and $277,600,000 for plant and capital equipment). Public Law 91–273.

Western Interstate Nuclear Compact: Gives congressional consent and approval to a compact between the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming to enter the western interstate nuclear compact. S. 1628. P/S 6/26/70.

CONGRESS

Library of Congress—James Madison Memorial Building: Increased from $75 million to $90 million the authorization contained in the Act of 1965 providing for the construction of the third Library of Congress

Building to be known as the James Madison Memorial Building and provided that nothing in the Act shall be construed to authorize the use of the building for general office building purposes. Public Law 91–214.

Library of Congress—office equipment and furniture: Transferred from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress. Public Law 91–280.

Library of Congress security: Extended the present authority of the Library of Congress for policing the Library of Congress buildings, to embrace the rental space it utilizes at certain other locations in Washington, D.C. Public Law 91–281.

Senate office space: Authorizes the Architect of the Capitol to acquire on behalf of the United States, the Plaza Hotel property in square 724 in the District of Columbia to be held to meet future office needs of the Senate. S. 3594. P/S 5/21/70.

CRIME

Controlled Dangerous Substances Act: Authorizes Federal regulation and control over defined "controlled dangerous substances" to help manage the drug abuse problem and criminal traffic in drugs on the international, national and State levels and repeals essentially all of the existing narcotic and dangerous drug laws. The bill vests authority for control of the enumerated substances with the Attorney General and requires that he seek advice from the Secretary of Health, Education, and Welfare and from the newly-established Scientific Advisory Committee concerning certain matters; establishes criteria for the control and classification of drugs into several schedules based largely on the degree of their abuse potential, known effect, harmfulness and level of accepted medical use; provides requirements for registration of persons involved in the manufacture, distribution, and dispensing of controlled drugs; controls and restricts importation and exportation of controlled dangerous substances; designates offenses and penalties for unlawful manufacture, distribution, dispensing, possession with intent to manufacture, distribute, or dispense, importation, exportation and simple possession of controlled dangerous substances, and eliminates mandatory minimum penalties for all violations except for a newly-created and defined class of professional criminals involved mainly in the distribution, sale and importation of controlled dangerous substances; vests enforcement personnel of the Bureau of Narcotics and Dangerous Drugs with broader enforcement powers; provides, under certain conditions, for "no knock" search warrants for felonious violations; authorizes the appointment of a Committee on Marihuana to conduct a study on all aspects of marihuana use and also establishes a Comittee on Nongovernmental Drug Abuse Prevention; authorizes the appropriation of sums necessary to carry out the Act; and specifies the date the act shall take effect. S. 3246. P/S 1/28/70.

Criminal Justice Act amendments: Amends the Criminal Justice Act of 1964 (relating to representation of defendants financially unable to obtain an adequate defense in criminal cases in United States courts), by expanding its coverage from the arrest stage to appeals, post-conviction proceedings, and ancillary proceedings related to the criminal trial; provides for the creation of Federal defender offices operating under the guidance of the district and appellate courts, but independent of both the Federal judicial and prosecution systems; increases the hourly rate to $30 an hour and the total compensation limits available to attorneys providing representation; and changes various other provisions to improve the operation of the Act. S. 1461. P/S 5/1/70.

Executive protective service: Changed the name of the White House police force to the Executive Protective Service; placed the force under the direction of the Director of the U.S. Secret Service; increased the scope of the Protective Service's duties to include protection of foreign diplomatic missions located in the metropolitan area of the District of Columbia and such other areas of the United States, its territories, and possessions, as the President, on a case-by-case basis, may direct; and provided that the size of the new Executive Protective Service may consist of up to 850 members. Public Law 91–217.

Organized Crime Control Act: Embodies a comprehensive, integrated program designed to deal with the menace of organized crime in the United States. Establishes, in addition to regular grand juries, special grand juries to sit in major population areas or elsewhere by designation of the Attorney General; unifies and expands existing Federal law dealing with the granting of immunity from self-incrimination in legislative, administrative, and court proceedings; deals with recalcitrant witnesses; creates a new false declaration provision applicable in grand jury and court proceedings; authorizes the Attorney General to protect and maintain Federal or State organized crime witnesses and their families; authorizes, subject to constitutional safeguards, the taking of depositions in criminal cases; provides a statute of limitations on determining the derivative evidentiary consequences of law enforcement conduct; respecting syndicated gambling—contains special findings dealing with the effect of such gambling on interstate commerce, makes it unlawful to engage in a scheme to obstruct the enforcement of State law to facilitate an "illegal gambling business," as defined, or to engage in the operation of such a business, and provides penalties for violations, as well as providing electronic surveillance in aid of enforcement of these prohibited "business" activities; establishes, effective in 2 years, a Presidential Commission to conduct a comprehensive review of present Federal and State gambling law enforcement policies and their alternatives; makes unlawful certain "racketeering activity" and provides penalties for violations; and provides for increased sentencing (up to 30 years) for defined dangerous adult special offenders. S. 30. P/S 1/23/70.

DEFENSE

Civil Defense Act: Amended the Federal Civil Defense Act of 1950 to extend from June 30, 1970, to June 30, 1974, the President's standby authority to deal with the effects of an enemy attack upon this Nation. Public Law 91–299.

Coast Guard authorization, 1971: Authorized appropriations of $100 million for the Coast Guard for fiscal year 1971 ($62,295,000 for vessels, $12,865,000 for aircraft, and $24,840,000 for shore facilities and aids to navigation and pollution control equipment). Public Law 91–261.

Coast Guard omnibus: Revised titles 14, 10 and 37 of the United States Code to make more uniform the laws relating to the Coast Guard and the other Armed Forces. Public Law 91–278.

Disposals from national and supplemental stockpiles: Authorized disposal from the national and supplemental stockpiles of various materials, as follows:

Asbestos: Chrysotile, 2,844 short tons. H.R. 16291. Public Law 91– .

Bauxite: Surinam-type metallurgical grade, 2,600,000 long dry tons. H.R. 15998. Public Law 91– .

Bismuth: 300,000 pounds. H.R. 15831. Public Law 91– .

Cadmium: 4,180,000 pounds. H.R. 12941. Public Law 91– .

Castor oil: 18,500,000 pounds. H.R. 15832. Public Law 91– .

Chromite: Refractory grade, 826,000 short dry tons. H.R. 16290. Public Law 91– .

Cobalt: 40,200,000 pounds. H.R. 15021. Public Law 91– .

Corundum: 1,952 short tons. H.R. 16292. Public Law 91– .

Fluorspar: Acid grade, 212,637 short dry tons. H.R. 15833. Public Law 91– .

Graphite: Natural Ceylon amorphous lump, 386 short tons. H.R. 16289. Public Law 91– .

Magnesium: 12,000 short tons. H.R. 15835. Public Law 91– .

Manganese, Type A: Chemical grade, 111,900 short dry tons. H.R. 15836. Public Law 91– .

Manganese, Type B: Chemical grade, 65,800 short dry tons. H.R. 15837. Public Law 91– .

Manganese ore: Natural battery grade, 173,800 short dry tons. H.R. 16295. Public Law 91– .

Molybdenum: 3,500,000 pounds. H.R. 16297. Public Law 91– .

Shellac: 4,300,000 pounds. H.R. 15838. Public Law 91– .

Tungsten: 100 million pounds. H.R. 15839. Public Law 91– .

Leave for uniformed services members in hostile fire areas: Extended until June 30, 1972, the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas. Public Law 91–302.

Marine Corps Band: Removed the restrictions on the grades of the director and assistant director of the Marine Corps band (now limited to lieutenant colonel and captain, respectively) to eliminate an inequity in their promotion opportunities. Public Law 91–197.

Military claims: Provided that the authority for payment of military claims under title 10 of the United States Code be increased to $15,000, the amount authorized for foreign claims, and that a similar provision for partial payment be provided for such claims. H.R. 4247, Public Law 91– .

Naval flight officers command: Amended title 10, United States Code, to permit naval flight officers, in addition to naval aviators, to be eligible for command of naval aviation schools, naval air stations, or naval aviation units organized for flight tactical purposes; provided eligibility for similar Marine Corps commands by naval flight officers of the Marine Corps. Public Law 91–198.

Savings deposit program for certain uniformed services members: Removed the $10,000 limit on deposits which may be made to the Uniformed Services Savings deposit program in the case of any member of the uniformed services who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict. Public Law 91–200.

Selection boards: Provided that the number of active duty officers who serve on selection boards for the grades of rear admiral to captain may be increased from the current number of nine, and removed the requirement that members of selection boards for nonactive duty promotions have a permanent grade higher than those being considered for promotion, in order to make a greater number of officers eligible to serve on such boards. Public Law 91–199.

Transportation to home ports: Entitled a member of the Navy, Coast Guard, or Environmental Science Services Administration, whose dependents are residing at his home port to round trip transportation to the home port where he is permanently attached to a ship overhauling away from the home port. Public Law 91–210.

War Claims Act amendments: Authorized payment under the War Claims Act of 1948 to members of the Armed Forces captured and held prisoner by the forces of North Vietnam, and to persons captured by North Korea while assigned to duty on board the U.S.S. *Pueblo,* for the period of their captivity at the rate of $5 per day of captivity, and provides for payment to civilian American citizens held by the forces of North

Vietnam at the rate of $60 per month. Public Law 91–289.

DISTRICT OF COLUMBIA

Anatomical Gift Act: Provided in the District of Columbia a comprehensive and uniform legal environment for organ donation and transplantation consistent with the recommendations of the National Conference of Commissioners on Uniform State Laws made in 1968. Public Law 91–268.

Bail Agency Act: Removed the ceiling of $130,000 on the annual authorization of appropriations for the District of Columbia Bail Agency. Public Law 91–232.

Blood components transfer: Authorized the Commissioner of the District of Columbia to determine that blood platelets and other blood components in general use in the States may be transferred from local licensed blood banks in which they are produced to licensed physicians, to District of Columbia hospitals, and to licensed private hospitals and other medical facilities within the District, thereby placing the District in the same position as the States, all of which permit the intrastate transfer of blood components within their borders. Public Law 91–256.

Cooperative Association Act amendments: Exempts from the District of Columbia laws regulating the loaning of money and interest rates cooperative associations formed under the District of Columbia Cooperative Association Act and their financing transactions with members. H.R. 17711 P/H 5/25/70. P/S amended 7/1/70.

Housing Revolving Fund and unclaimed Property Act: Establishes in the District of Columbia a revolving fund for the development of housing for low- and moderate-income persons and families in the District of Columbia and provides for the disposition of unclaimed property in the District of Columbia. S. 3011. P/S 5/13/70.

Industrial Safety Act Amendments: Provides for a more general application of the rules and regulations of the safety code of the District of Columbia to protect employees and restores the jurisdiction of the Industrial Safety Board to enforce the code. S. 2820. P/S 5/5/70.

Metropolitan Area Transit Act: Grants congressional consent to the public acquisition and operation of mass transit bus facilities in the Washington metropolitan area and authorizes payments by the District of Columbia government to assist in maintaining reasonable fares for District residents. S. 1814. P/S 4/15/70.

Mortgages and loans: Temporarily permits, through March 31, 1971, mortgages insured by the Federal Housing Administration and the Veterans' Administration to be made in the District of Columbia even when the effective rate of interest therein exceeds the 8 percent ceiling provided in the District of Columbia interest and usury laws. S. 3313. P/S 4/1/70.

Pay increase for police, firemen and teachers: Increased by an average of 13 percent retroactive to July 1, 1969, the salaries of police and firemen and Executive Protective Service; increased by an average of 13 percent, retroactive to September 1, 1969, the salaries of teachers; revised the personal income tax of District of Columbia residents and authorized a special Federal payment of $8 million to the District of Columbia to help defray the costs of the pay increases; and made other changes in existing law. Public Law 91-297.

Protective eye devices: Requires students, teachers and observers in the District of Columbia to wear protective devices while participating in or observing certain courses of study or types of training in public or private facilities wherever there is a condition hazardous to the eyes in connection with educational or training programs. H.R. 9582. P/H 11/24/69. P/S amended 5/7/70.

Rental of space for District of Columbia agencies and activities: Enables the government of the District of Columbia to more efficiently lease privately owned space in buildings or in improved or unimproved property for the accommodation of District agencies and activities, thus allowing the District government to compete for space in the open market on the same terms as the Federal Government. S. 3649. P/S 7/1/70.

Teachers' Retirement Amendments of 1970: Amended the District of Columbia Teachers' Retirement Act so as to provide the same retirement benefits for the teachers and other professional employees of the District of Columbia Board of Education as are presently afforded the classified employees of the Federal and District of Columbia governments who retire under the Civil Service Retirement Act as amended by Public Law 91–93. Public Law 91–263.

ECONOMY AND FINANCE

Consumer Products Warranty and Guaranty Act: Requires a supplier of a consumer product or service actually costing more than $5 who decides to warranty or guaranty his product against defect or malfunction to follow certain guidelines; requires a clear and conspicuous disclosure of the contents of warranties and guaranties and requires that a written warranty or guaranty must be designated a "full" or "partial" warranty; and provides remedies for failure to comply with certain provisions of the legislation. S. 3074. P/S 7/1/70.

Credit unions—Independent agency status: Elevated the Bureau of Federal Credit Unions (currently in the Department of Health, Education and Welfare) to the status of an independent agency in the executive branch to be known as the "National Credit Union Administration," and provided for an Administrator to be the chief executive officer of the Administration and to function in close and constant cooperation with a newly created National Credit Union Board to consist of a chairman and one member from each of the Federal credit union regions, the Administrator and Board members to be appointed by the President by and with the advice and consent of the Senate. Public Law 91–206.

Defense Production Act extension: Extended the effectiveness of the Defense Production Act of 1950 to July 30, 1970. Public Law 91–300.

Eligibility of American Samoa Banks for Federal deposit insurance: Establishes the eligibility of the banks in American Samoa for Federal deposit insurance by amending sections 3 and 7 of the Federal Deposit Insurance Act in accordance with the provisions governing U.S. territories. S. 3366. P/S 7/1/70.

Eisenhower dollar: Authorizes the minting of not to exceed 150 million silver dollars, of 40% silver content, to be minted only as uncirculated coins and proof coins and sold at a premium price, and authorizes the simultaneous minting of cupro-nickel dollars, expected to circulate as a medium of exchange, all bearing the likeness of the late President of the United States, Dwight David Eisenhower. S.J. Res. 158. P/S 10/15/69. P/H amended 10/15/69. Senate concurred in House amendment with an amendment in the nature of a substitute 3/19/70.

Federal National Mortgage Association: Clarifies the payment of certain accounts owed by the Federal National Mortgage Association (FNMA) to the Secretary of the Treasury in connection with the reorganization of the FNMA. S. 3207. P/S 1/30/70.

Public debt limit increase: Provided an increase in the permanent debt limitation from $365 billion to $380 billion, and provided for a temporary additional increase of $12 billion, making an overall limitation of $395 billion for fiscal year 1971. Public Law 91–301.

Public Works and Economic Development Act extension: Amended the Public Works and Economic Development Act of 1965 to extend the authorization of funds for titles I through IV through fiscal year 1971, and authorized to be annually appropriated $770 million through June 30, 1971 ($500 million for grants for public works and development facilities and $170 million for other financial assistance; $50 million for technical assistance research and information; and $50 million for economic development districts). H.R. 15712. Public Law 91– .

Purchase of U.S. obligations by Federal Reserve banks: Extends for a 2-year period from June 30, 1970, to June 30, 1972, the authority of the Federal Reserve banks to purchase U.S. obligations directly from the Treasury. S. 3889. P/S 6/11/70.

Silver certificates: Authorizes further adjustments in currencies outstanding which were issued after June 30, 1929; permits the writeoff of Federal Reserve bank notes and national bank notes; and removes the limitation of $200 million on the aggregate face value of silver certificates outstanding that the Secretary of the Treasury is authorized by law to write off after he has determined that they have been lost or destroyed, or are held in collections, and will never be presented for redemption. S. 3825. P/S 6/17/70.

Unsolicited credit cards: Prohibits the issuance of unsolicited credit cards except in renewal of, or in substitution for, an accepted credit card; limits consumer liability for a lost or stolen card to not more than $50, unless there is a lesser liability under other applicable law or under an agreement with the card issuer; amends the definition of a card issuer to include not only the person who issues the card but also any agent of the issuer; sets penalties for unauthorized use of credit cards. S. 721. P/S 4/15/70. H.R. 16542. H. Cal.

EDUCATION

Elementary and secondary education amendments: Authorized approximately $24.5 billion for fiscal years 1971 through 1973 for carrying out various educational programs; amended the Elementary and Secondary Education Act of 1965 (special educational needs of educationally deprived children; school library resources, textbooks, and other printed and published materials; supplementary educational centers and services; strengthening State departments of education; bilingual education programs; school dropout prevention; school nutrition and health services for children from low-income families); extended and amended impacted areas programs legislation; amended the Adult Education Act; enacted a "General Education Provisions Act" relating to the administration of education programs and the operation of the Office of Education; extended and revised provisions of present law relating to cancellation and repayment of loans under Federal student loan programs; created, as an independent act, the "Education of the Handicapped Act"; amended and extended vocational education programs; and made miscellaneous amendments to various education laws. Public Law 91–230.

Impacted areas aid: Authorized the Secretary of Health, Education, and Welfare to make to local educational agencies emergency payments for the current school year to provide 100 percent funding for fiscal year 1970 for the education of 3–A children (children whose parents live or work on Federal property) under Public Law 874, the aid to impacted areas program; and authorized for this purpose the expenditure of $2.5 million out of existing appropriations. Public Law 91–237.

Land-grant status for College of the Virgin Islands and the University of Guam: Gives land-grant status to the College of the Virgin Islands and the University of Guam; authorizes endowment grants of $1,019,000 to the University of Guam and $714,000 to the College of the Virgin Islands; provides eligibility for annual grants to each college. S. 1148. P/S 4/15/70.

National Commission on Libraries and Information Science: Establishes a 15-member National Commission on Libraries and Information Science as an independent agency in the executive branch to develop and recommend overall plans for carrying out the national policy with respect to libraries and information science, and authorizes $500,000 for fiscal year 1970, and $750,000 for fiscal year 1971 and each succeeding year to carry out the provisions of the Act. S. 1519. Public Law 91– .

FEDERAL EMPLOYEES

Federal pay legislation: Provided 6-percent across-the-board increases for the salaries of Federal employees who are paid under statutory salary systems (the postal field service, the general schedule of the classified civil service, the Department of Medicine and Surgery in the Veterans' Administration and the Foreign Service) and employees paid under other salary systems (legislative employees; judges of the District of Columbia, Court of General Sessions, Court of Appeals, and Tax Court; and staffs of former Presidents), except wage board employees in the legislative, executive and judicial branches of the Government; and provided a 6-percent increase to military personnel under the provisions of Public Law 90–207; made pay retroactive to the first day of the first pay period which began December 27, 1969. Public Law 91–231.

Foreign Service retirement adjustments: Brought the retirement benefits and financing of the Foreign Service Retirement and Disability System into line with those contained in legislation relating to the Civil Service Retirement System which became effective on October 20, 1969 (Public Law 91–93). Public Law 91–201.

Job Evaluation Policy Act: Improved position classification systems within the executive branch by establishing an orderly procedure for the study of ways to improve current classification with a view to the establishment of a comprehensive plan for the establishment of a coordinated system of job evaluation and ranking and by providing for the appointment by the Civil Service Commission of a special organizational unit within the Commission to prepare the plan and requiring the Commission to submit to the President and Congress within one year an interim report and to complete its activities within two years at which time it shall submit its recommendations to the President who shall submit recommendations to Congress. Public Law 91–216.

Protecting privacy and the rights of Federal employees: Prohibits indiscriminate executive branch requirements that employees and applicants for Government employment disclose their race, religion or national origin; attend Government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests, or polygraphs; support political candidates or attend political meetings; makes it illegal to coerce an employee to buy bonds or make charitable contributions; prohibits officials from requiring an employee to disclose his own personal assets, liabilities, or expenditures, or those of any member of his family unless, in the case of certain specified employees, such items would tend to show a conflict of interest; provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings; accords the right to a civil action in a Federal court for violation or threatened violation of the act; and establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act and to determine and administer remedies and penalties. S. 782. P/S 5/19/70.

GENERAL GOVERNMENT

American Revolution Bicentennial Commission: Authorizes appropriations of $373,000 for fiscal year 1971, for the Commission's activities. S. 3630. P/S 6/26/70. H.R. 16408. H. Cal.

Coalinga Canal, California: Changed the name of the Pleasant Valley Canal, a feature of the San Luis unit of the Central Valley project in California, to the Coalinga Canal. H. J. Res. 224. Public Law 91– .

Commission on Population Growth and the American Future: Established a commission to be called the Commission on Population Growth and the American Future to conduct and sponsor studies and research and to make such recommendations as may be necessary to provide information and education to all levels of government in the United States, and to the public, regarding a broad range of problems associated with population growth and their implication for America's future. Public Law 91–213.

Disposition of Executive records: Abolished the Joint Committee on the Disposition of Executive Papers and transferred its functions to the General Services Administration, operating in collaboration with the National Archives, and provided for the disposal of Government records insufficiently valuable to merit retention. Public Law 91–287.

Fire protection contracts on public lands: Confers on the Secretary of Interior authority parallel to that of the Secretary of Agriculture with respect to the suppression of fires on large areas of the public lands and allows him to enter into contracts for tanker aircraft, and for other kinds of aircraft, supplies, and services, for an entire fire season, and to renew such contracts not more than twice. S. 3777. P/S 7/1/70.

Government systems and equipment purchasing: Authorizes the Administrator of General Services to determine the systems and equipment required for standard passenger motor vehicles (sedans and station wagons) to be completely equipped for operation, and to purchase such additional systems and equipment as he finds to be other than customary for standard passenger motor vehicles, without regard to the maximum price limitations established by law. S. 2763. P/S 5/28/70.

"Johnny Horizon" symbol: Protects the symbol of Johnny Horizon (created by the Bureau of Land Management as part of an intensive public service antilitter program, with the theme: "This Land is Your Land—Keep it Clean") from unauthorized use and permits the Department of the Interior to license its use for commercial purposes with the provision to collect royalties. S. 3838. P/S 7/7/70.

Mountain standard time zone: Authorized the Secretary of Transportation to place El Paso and Hudspeth Counties, Texas, in the mountain standard time zone. Public Law 91–228.

National Foundation on the Arts and the Humanities Act amendments: Authorizes appropriations of $40 million, $60 million, and $80 million for fiscal years 1971, 1972, and 1973, respectively, for the National Foundation on the Arts and the Humanities, with the endowment for the arts and the endowment for the humanities each to receive one-half of such sums; authorizes appropriations for matching purposes for State arts councils of approximately $75,000, $100,000 and $125,000 for fiscal years 1971, 1972, and 1973, respectively, per State; and makes other amendments to the Act. H.R. 3215. P/S 5/21/70. P/H amended 6/30/70.

National Science Foundation authorization: Authorizes appropriations to the National Science Foundation for the fiscal year 1970 in the amount of $548 million out of money in the Treasury not otherwise appropriated and $2 million in foreign currencies which the Treasury Department determines to be in excess to the normal requirements of the United States. H.R. 16595. P/H 5/11/70. P/S amended 7/1/70. In conference.

Oil and gas leases: Conferred discretionary authority on the Secretary of Interior to prevent, administratively, termination of certain oil and gas leases on Federal lands and to reinstate terminated leases under certain limitations and conditions. Public Law 91–245.

Plymouth-Provincetown Celebration Commission: Creates a commission to develop suitable plans for and conduct the celebration in 1970 of the 350th anniversary of the landing of the Pilgrims at Provincetown and Plymouth, and authorizes $100,000 for the Commission's work. S. 2916. P/S 6/26/70.

Postal reorganization: Establishes the U.S. Postal Service as an independent establishment of the executive branch with authority vested in a nine-man Board of Governors nominated by the President and confirmed by the Senate to serve a term of 9 years each, with a new member being appointed every year, the Governors, in turn, to appoint a Postmaster and a Deputy Postmaster to serve as the chief executive officers of the Postal Service; vests in the new Postal Service the complete authority to control costs and revenues; authorized the new Postal Service to issue bonds for postal modernization; establishes in the Postal Service, as an independent entity, a Postal Rate Commission to recommend all rates and classifications for mail; authorizes a Federal appropriation of 10 percent of annual operating costs and 10 percent of modernization costs financed through bonds; gives the Postal Service broad authority to transport mail by surface and air; authorizes the Postal Service to negotiate with postal unions on all issues; and provides an eight percent pay raise retroactive to April 16, 1970 for employees in the postal field service. H.R. 17070. P/H 6/18/70. P/S amended 6/30/70.

Postal Service: Makes technical changes in the references to certain provisions of law relating to the postal service which are codified in the United States Code; made no substantive changes in law. S. 3396. P/S 3/4/70.

Trust Territory of the Pacific Islands: Increases the authorization from $50 million to $60 million for the fiscal year 1971 and authorizes $60 million for fiscal year 1972 for the Trust Territory of the Pacific Islands for civil works and administrative programs. S. 3479. P/S 5/18/70.

Use of personal checks to pay postal services: Permits the acceptance of checks and nonpostal money orders in payment for postal charges and services; relieves postal employees of personal financial liability for accepting personal checks from postal patrons in the course of business; provides penalties for presenting bad checks and bad postal money orders in payment for postal charges and services. S. 3397. P/S 3/4/70.

HEALTH

Air pollution compacts

Ohio-West Virginia: Gives Congressional consent to the interstate compact on air pollution between the States of Ohio and West Virginia and grants consent to the Commonwealth of Pennsylvania and the State of Kentucky to join in the compact. S. 2707. P/S 2/2/70.

Mid-Atlantic States: Gives Congressional consent and approval to a compact between the States of Connecticut, New Jersey, and New York to enter into an interstate compact on air pollution and grants consent to the Commonwealth of Pennsylvania and the State of Delaware to join in such compact. S.J. Res. 53. P/S 6/26/70.

Clean Air Act and Solid Waste Disposal Act extensions: Extended the authorization for the Clean Air Act and Solid Waste Disposal Act programs for 60 days through August 31,

1970, at their present level. S. 4012. Public Law 91– .

Community mental health centers amendments: Improved and extended for 3 years the Community Mental Health Centers Act; authorized for construction grants $80 million, $90 million, and $100 million for fiscal years 1971, 1972, and 1973, respectively; authorized for grants for initial operation of community mental health centers $45 million, $50 million, and $60 million for fiscal years 1971, 1972, and 1973, respectively; extended the program for facilities and services for alcoholics and narcotic addicts for 3 years and authorized therefor $30 million, $35 million, and $40 million for fiscal year 1971, 1972, and 1973, respectively, and reduced the authorization for fiscal 1970 from $25 million to $15 million; added a program of special facilities, personnel and services for children and authorized therefor $12 million, $20 million and $30 million, for fiscal years 1971, 1972, and 1973, respectively. Public Law 91–211.

Developmental Disabilities Services and Facilities Construction Act: Extends and amends the Mental Retardation Facilities Construction Act of 1963; authorizes $100 million, $125 million, and $150 million for fiscal years 1971, 1972, and 1973, respectively, for grants to assist States in developing and implementing a comprehensive and continuing plan for providing services to persons affected by mental retardation and other developmental disabilities; expands the program for the construction and development of university-affiliated facilities and authorizes therefor $7 million, $11 million and $15 million for fiscal years 1971, 1972, and 1973, respectively, for demonstration and training grants, and $20 million for each of fiscal years 1971 through 1975 for construction grants; and places special emphasis on the need for facilities and services for the retarded in areas of urban and rural poverty. S. 2846. P/S 4/13/70. H.R. 14237. H. Cal.

Hospital and medical facilities construction and modernization amendments: Authorized $1.29 billion in grants to the States for construction or modernization of hospitals and other health facilities for fiscal years 1971, 1972, and 1973; established a new 3-year program of guaranteed loans to cover up to 90% of the cost to private nonprofit agencies for medical facility construction or modernization and a program of direct loans for construction or modernization of public facilities and for such loans authorized $1.5 billion for fiscal years 1971, 1972, and 1973, but not more than $500 million per year; provided a new 3-year $20 million per year program of project grants to assist in the modernization or construction of emergency rooms in general hospitals and transportation systems; provides for reports on the health consequences of the use of marihuana; and made other legislative changes. Public Law 91–296.

Medical Library Assistance Extension Act: Extended for 3 years the current program to provide financial assistance for the construction of health library facilities; to support training of health librarians and other information specialists; to expand and improve health library services through the provision of grants for library resources; to support projects of research and development in the field of health communications, and related special scientific projects; to support the development of a national system of regional medical libraries; and to support selected biomedical scientific publications projects; and authorized for funding these programs $63 million for fiscal years 1971 through 1973. Public Law 91–212.

Migrant health services: Extended until June 30, 1973, the authority of the Public Health Service Act to improve health services and the health conditions of domestic agricultural migratory workers and their families, and provided for this purpose increased funding authorizations of $20 million for fiscal year 1971, $25 million for fiscal year 1972, and $30 million for fiscal year 1973. Public Law 91–209.

Poison Prevention Packaging Act: Amends the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous household substance; authorizes the Secretary of Health, Education and Welfare to determine those substances to be specially packaged and to establish packaging performance standards; sets penalties for failure to conform to those standards; and creates a technical advisory committee to advise the Secretary. S. 2162. P/S 5/11/70.

Public Health Cigarette Smoking Act: Prohibited all broadcast advertising of cigarettes after January 1, 1971; strengthened the warning on cigarette packages by changing it from "Caution: Cigarette Smoking May Be Hazardous to Your Health" to "Warning: The Surgeon General Has Determined That Cigarette Smoking is Dangerous to Your Health"; prohibited States from regulating cigarette advertising; and suspended until July 1971 a Federal Trade Commission rule which would require warnings in print cigarette advertising. Public Law 91–222.

Public health training: Amended the Public Health Services Act to extend for three additional fiscal years the authority to make formula grants to schools of public health and authorized therefor $9 million, $12 million and $15 million for fiscal years 1971, 1972 and 1973, respectively; to extend through fiscal year 1973 project grants for graduate or specialized training in public health and authorized therefor $14 million, $15 million and $16 million for fiscal years 1971, 1972, and 1973, respectively; to extend for two fiscal years project grants for traineeships for professional health personnel and authorized therefor $16 million and $18 million for fiscal years 1972 and 1973, respectively. Public Law 91–208.

HOUSING

College housing debt service grants: Provides an additional $2.6 million authorization for college housing interest subsidy grants, thereby making the total available for fiscal year 1971 $6.8 million. S.J. Res. 196. P/S 5/15/70.

Emergency Home Financing Act: Encourages and expedites the construction and financing of a substantial number of new and existing homes, placing primary emphasis on the expansion of existing mortgage credit facilities and the creation of new secondary market facilities to broaden the availability of mortgage credit. To attain these ends, $250 million is authorized to be appropriated to the home loan bank system to reduce interest charges on advances by Federal home loan banks to savings and loan associations and other members; new secondary mortgage facilities are established within the Federal National Mortgage Association and within the Federal home loan bank system, funds previously authorized for the Government National Mortgage Association are made available for purchase of special assistance mortgages, home ownership for middle income families is enabled through subsidy payments to be made by the Department of Housing and Urban Development, and a new dual FHA–VA interest rate ceiling and other related mortgage credit provisions are established. S. 3685. P/S 4/16/70. P/H amended 6/25/70. In conference.

INDIANS

Cherokee, Chickasaw, Choctaw and Seminole Nations of Oklahoma: Provided that when a member, or the descendant of a member, of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dies without a will and has no heirs, his interest in any trust or restricted land, or in the rents therefrom, will escheat to the tribe. Public Law 91–240.

Confederated Tribes of the Umatilla Indian Reservation: Authorized the Confederated Tribes of the Umatilla Indian Reservation to use a $2,450,000 judgment recovered against the United States in the Indian Claims Commission, and accumulated interest. Public Law 91–259.

Confederated Tribes of Weas, Piankashaws, Peorias and Kaskaskias: Provides for a per capita distribtuion of 3 judgments by the Indian Claims Commission totaling $2,049,273 that have been recovered on behalf of the Confederated Tribes of Weas, Piankashaws, Peorias and Kaskaskias. S. 885. P/S 5/18/70. P/H amended 6/15/70.

Educational facilities for Indian children: Authorizes the appropriation of $27,400,000 annually for each of fiscal years 1971, 1972 and 1973 to aid public school districts near Indian reservations in the construction of classrooms, housing and other necessary educational facilities for Indian children attending these schools. S.J. Res. 144. P/S 5/19/70.

Five Civilized Tribes and Osage Tribe of Oklahoma: Amends certain Federal laws relating to the administration of the affairs of members of the Five Civilized Tribes and of the Osage Tribe in Oklahoma to remove a hiatus brought about by the adoption in Oklahoma of a constitutional amendment establishing a new judicial department for that State. S. 2362. P/S 4/30/70.

Five Civilized Tribes of Oklahoma: Authorizes the Secretary of the Interior to convey to certain individual members of the Five Civilized Tribes interests in former restricted lands that were acquired by the United States pursuant to the Oklahoma Indian Welfare Act of 1936. S. 1498. P/S 4/27/70.

Five Civilized Tribes of Oklahoma: Authorizes each of the Five Civilized Tribes of Oklahoma (Cherokee, Choctaw, Creek, Seminole and Chickasaw) to popularly elect their principal officers and makes clear that for purposes of developing election procedures the current leadership shall bear responsibility. S. 3116. P/S 4/27/70.

Fort Belknap Indian Irrigation Project, Montana: Authorized the Secretary of the Interior to transfer title for the facilities of the Brown unit of the Fort Belknap Indian irrigation project to the owners of the lands served by the unit; provided that the landowners assume responsibility for operation and maintenance; cancelled all outstanding operation and maintenance charges and deferred construction charges on the project. Public Law 91–251.

Fort Belknap Indian Reservation, Montana: Amends the Act of March 3, 1921, which provided for allotment of lands on the Fort Belknap Reservation, to provide for the reservation of all minerals for the benefit of tribal members in common. S. 786. P/S 5/15/70.

Fort Berthold Reservation, North Dakota: Authorizes the mortgaging of tribal land on the Fort Berthold Reservation acquired after the date of enactment of this legislation and provides that resulting funds are to be used to buy lands within the reservation to improve the tribal land base. S. 774. P/S 5/11/70.

Hopi Indian Tribe, Arizona: Gave the governing body of the Hopi Tribe the authorities it needs to develop the Hopi Industrial Park. Public Law 91–264.

Inter-tribal Council, Inc., Miami, Oklahoma: Authorizes and directs the Secretary of the Interior to convey without consideration 114 acres of surplus Federal land in Oklahoma to an organization known as the Inter-Tribal Council Incorporated, Miami, Oklahoma, which will encourage labor-oriented industries to locate on this acreage, thus raising the socioeconomic level of the tribal members residing in the area through the creation of jobs and better housing. S. 886. P/S 5/15/70.

Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin: Conveys the

beneficial interest in 40 acres of federally owned land to the Lac du Flambeau Tribe of Wisconsin, subject to valid existing rights-of-way and the right of the State of Wisconsin to use the fire observation tower located on the land for so long as needed and provides that the Indian Claims Commission will determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claims against the United States Government determined by the Commission. S. 1751. P/S 4/30/70.

Loans to Indian Tribes: Provided authority for the Farmers Home Administration (FHA) to make loans to Indian tribes for the purchase of land within their reservations; permitted any tribe to mortgage its land as security for such a FHA loan; permitted the tribe to waive immunity from suit without its consent as a part of its loan agreement; excepted trust lands from the FHA Act provision that land mortgaged to secure a loan shall be subject to local taxation; permitted the title to land acquired with loan funds to be taken in trust; provided that in addition to making direct loans from its direct loan account the FHA may insure loans to tribes made by commercial lending institutions; specified that the eight Indian Reorganization Act corporations in Alaska are eligible for loans to buy land although they do not have reservations. Public Law 91–229.

Quapaw Indians, Oklahoma: Extends for an additional period of 25 years from March 3, 1971, the restrictions, tax exemptions, and limitations affecting lands of the Quapaw Indians in Oklahoma that were extended to that date by the act of July 27, 1939. Public Law 91–290.

Sioux Tribe of the Fort Peck Indian Reservation, Montana: Provided for a per capital distribution among the members of the tribe of a judgment of $1,161,354.41 against the United States recovered by the tribe. Public Law 91–283.

Tlingit and Haida Indians of Alaska: Authorizes the disposition of funds (previously appropriated, invested and amounting to $7 million) awarded to the Tlingit and Haida Indians of Alaska by a judgment against the United States for land taken, principally the Tongass National Forest. H.R. 12858. Public Law 91– .

Tulalip Reservation, Washington: Gave the Tulalip Tribes of the Tulalip Reservation in Washington additional authority to acquire, manage, and dispose of tribal property. Public Law 91–274.

Washoe Tribe of Nevada and California: Sets aside 80 acres of public domain in Alpine County, California to carry out a program to assist certain Washoe Indians. S. 759. P/S 5/15/70. P/H amended 6/15/70.

Yakima Tribes: Provides for the disposition of three awards totaling $2,210,991.40 awarded to the Yakimas by the Indian Claims Commission as compensation for the value of reservation lands omitted through erroneous surveys of the boundaries of the Yakima Indian Reservation established by the treaty of June 9, 1855. S. 3337. P/S 5/15/70.

Yavapai-Prescott Community Reservation, Arizona: Authorized lands on the Yavapai-Prescott Community Reservation to be leased for periods up to 99 years if a long-term lease will be in the best interest of the Indian owner. Public Law 91–275.

INTERNATIONAL

American prisoners of war in Southeast Asia: Placed the Congress on record in support of humane treatment for the United States prisoners of war and focused world attention on the failure of North Vietnam and the National Liberation Front to comply with the provisions of the Geneva convention on the treatment of prisoners of war. H. Con. Res. 454. P/H 12/15/69. P/S 2/18/70.

Arbitral awards: Implements the Convention on the Recognition and Enforcement of Foreign Arbitral Awards which was approved by the Senate on October 4, 1968, creating a new chapter under title 9 of the United States Code (the Federal Arbitration Act) dealing exclusively with the recognition and enforcement of awards pursuant to the provisions of the convention. S. 3274. P/S 2/17/70. P/H amended 7/6/70.

Arms Control and Disarmament Act amendments: Authorized the appropriation of $17.5 million for fiscal years 1971 and 1972 for operations of the Arms Control and Disarmament Agency. Public Law 91–246.

International expositions: Established a Federal procedure for determination of endorsement of and participation in international expositions held in the United States; called on the President to make findings as to official recognition of a domestically proposed international exposition and to submit to Congress such proposals considered appropriate for Federal participation; and authorized appropriations not to exceed $200,000 in any fiscal year. Public Law 91–269.

Military sales—Limitations on United States involvement in Cambodia: Authorizes $250 million for foreign military sales for each of the fiscal years 1970 and 1971 and sets a credit ceiling of $300 million in each of those fiscal years; places limitations on United States involvement in Cambodia; repeals the Gulf of Tonkin resolution effective at the end of the second session of the 91st Congress; requires that any sale or grant of the "International Fighter" aircraft, other than to Vietnam or sales through commercial channels, be made under the regular military grant aid and sales programs; places a $35 million ceiling on the amount of excess defense articles that may be given to foreign countries in any fiscal year; and makes other changes in, or additions to, existing law. H.R. 15628. P/H 3/24/70. P/S amended 6/30/70.

Pan American Institute of Geography and History: Authorized an increase in the United States annual contributions to the Pan American Institute of Geography and History from $90,300 to $200,000 and authorized the appropriations of $386,050 for the payment of arrearages incurred during fiscal years 1965–1969. H.J. Res. 746. Public Law 91– .

Peace Corps Act amendments: Authorizes $90 million for activities of the Peace Corps in fiscal year 1971; proposes new authorities to attract more highly skilled married volunteers with children; broadens the language of the Peace Corps Act to encourage the development of, and participation in, international voluntary service programs and activities and authorizes up to $200,000 therefor in fiscal year 1971. E. 3430. P/S 4/10/70. P/H amended 7/7/70.

Retirement age for Foreign Service career ministers: Amends the Foreign Service Act of 1946 to lower the mandatory retirement age of career Ministers from age 65 to 60 except while serving in positions to which they have been appointed by the President, by and with the advice and consent of the Senate; and to provide for a retirement schedule for those career Ministers who are now past the mandatory retirement age. S. 3691. P/S 6/19/70.

Suspension of further deployment of offensive and defensive nuclear strategic weapons systems: Expressed the sense of the Senate that prompt negotiations between the Governments of the United States and the Soviet Union to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued, and that the President of the United States should propose to the Government of the Soviet Union an immediate suspension by the United States and the Soviet Union of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate. S. Res. 211. Senate adopted 4/9/70.

TREATIES

Convention on the Privileges and Immunities of the United Nations: Accords certain privileges and immunities to the United Nations, as an organization, and to the representatives of its Members, officials of the United Nations, and experts on missions for the United Nations; for the most part, these privileges and immunities have already been conferred upon the United Nations through the International Organizations Immunities Act of 1945 and the Headquarters Agreement of 1947. Ex. J (91st, 1st). Resolution of ratification agreed to 3/19/70.

Extradition treaty with New Zealand: This treaty follows generally the form and content of extradition treaties recently concluded by the U.S. Government. Under its coverage are 32 extraditable offenses including, for the first time, aircraft hijacking and offenses relating to narcotics and other dangerous drugs. Ex. C (91st, 2d). Resolution of ratification agreed to 5/27/70.

Intellectual and Industrial Property Conventions: Both of the following refer to patents and copyrights: (1) The Convention Establishing the World Intellectual Property Organization is to be responsible for the overall administrative activities of related organizations and the promotion of the protection of intellectual property on a worldwide basis, and (2) the Paris Convention for the Protection of Industrial Property revised the Industrial Property Convention to bring its finances and structure and that of its Secretariat into line with the more modern principles of international organization. Ex. A (91st, 1st). Resolution of ratification agreed to 2/28/70.

Protocol to the Northwest Atlantic Fisheries Convention: Provides for the removal of the Convention's current restrictions relating to (1) the number of commissioners on each of the special panels established by the Convention; and (2) the kinds of measures which the International Commission for the Northwest Atlantic Fisheries may propose in order to achieve optimum utilizaton of fish stocks in the Convention area. Ex. I (91st, 1st). Resolution of ratification agreed to 3/19/70.

Radiotelephone Stations Agreement with Canada: Provides for the reciprocal issuance of permits by the United States and Canada to licensed private operators of radiotelephone stations of one country while temporarily in the jurisdiction of the other. Ex. A (91st, 2nd). Resolution of ratification agreed to 5/27/70.

U.S.-U.S.S.R. political exchange program: Assists governmental officials of the United States and the Soviet Union through means of exchange of visits in making better informed judgments about world affairs involving the two countries; authorizes travel to the U.S.S.R. for not more than 1,000 elected U.S. officials—including Members of Congress—and their spouses during a period of 5 years beginning February 1, 1971; provides for efforts to facilitate comparable trips to the United States by Soviet officials; authorizes up to $5 million for the program over the 5-year period. S. 3127. P/S 4/20/70.

Water pollution research—Fifth International Conference: Seeks the cooperation of the Federal and State Governments and all interested persons and organizations to assist in the Fifth International Conference on Water Pollution to be held in San Francisco, California, from July 26 through August 1, 1970, and which will be reconvened in Honolulu, Hawaii, from August 2 through August 5, 1970. S.J. Res. 162. P/S 3/19/70.

JUDICIAL

Additional district judges: Provides for the creation of 58 new permanent district judge-

ships throughout the United States and makes amendments to the Judicial Code to enable the Federal courts more efficiently and expeditiously to handle the business brought before them. Public Law 91–272.

Customs Courts Act: Modernized procedures in the Customs Court and related administrative processes in the Bureau of Customs so that the Court and the Bureau will be better able to cope effectively and expeditiously with their rapidly expanding workload. Public Law 91–271.

Federal Youth Corrections Act: Amends the Federal Youth Corrections Act to permit examiners to conduct interviews with youth offenders. S. 3564. Public Law 91– .

Immigration and Nationality Act amendments: Facilitated the entry into the United States of certain classes of non-immigrant aliens and altered the provisions of the Act regarding the applicability of the two-year foreign residence requirement for aliens in the United States as exchange visitors. Public Law 91–225.

Immigration and Nationality Act amendments: Struck from section 213 of the Immigration and Nationality Act the requirement that cash accepted by the Attorney General, under his discretionary authority to admit certain excludable aliens upon the giving of a bond or posting of cash, be deposited in the postal savings system and provided instead that the cash received as security on bonds be deposited in the Treasury with interest thereon payable at a rate not to exceed 3 percent per annum. H.R. 14118. Public Law 91– .

Mississippi District Court: Provided for holding terms of the United States District Court for the Southern District of Mississippi at Gulfport, Mississippi. S. 3122. P/S 6/26/70.

Newspaper Preservation Act: Exempts from the antitrust laws price fixing, profit pooling, and market division by competing newspapers if one newspaper "is in probable danger of failure" or "appears unlikely to remain or become a financially sound publication." S. 1520. P/S 1/30/70. H.R. 279. H. Cal.

Voting Rights Act Extension: Extended the Voting Rights Act of 1965 for 5 years; extended the suspension of literacy tests and of other tests and devices to all states; limited residence requirements for voting in presidential elections by establishing nationwide, uniform standards for such elections; and lowered the voting age to 18 in Federal, State and local elections. Public Law 91–285.

LABOR

Railroad Adjustment Board: Amended the Railway Labor Act to revise the organizational structure of the first division of the National Railroad Adjustment Board made necessary by the merger of unions representing the trainmen, firemen, conductors, and switchmen into a new union, the United Transportation Union. Public Law 91–234.

Railroad retirement: Provided for a tax on railroad employers to cover the costs of the supplemental annuity program for employees; placed that program on a permanent basis; and provided that any individual who renders service as an employee for compensation after the "supplemental annuity closing date" applicable to him will not be entitled to a supplemental annuity. Public Law 91–215.

Railroad Retirement Act amendments: Amends the Railroad Retirement Act of 1937 to provide a 15 percent increase in annuities; provides that the increase be disregarded in determining the annual income of any person for the purpose of determining eligibility for a pension or for dependency or indemnity compensation under Federal laws providing these benefits for veterans and their families and makes other changes in the Act; also establishes a Commission on Railroad Retirement to study, and recommend to Congress by July 1, 1971, changes in the railroad retirement system and its financing. H.R. 15733. P/H 4/7/70. P/S amended 6/25/70. In conference.

Railway labor-management dispute: Prevented a nationwide strike on railroads throughout the United States scheduled to occur at midnight, March 3, 1970, and provided that for the 37-day period beginning with the enactment of this legislation (until April 11, 1970), strikes and lockouts occurring as a result of this dispute were prohibited. Public Law 91–203.

Railway labor-management dispute: Prevented a nationwide strike on railroads throughout the United States which was previously prohibited by Public Law 91–203 by putting into effect a "memorandum of understanding," dated December 4, 1969, which memorandum was agreed to by the railroads and negotiators for the four shopcraft unions involved in the dispute and which is subject to renegotiation commencing September 1, 1970, for changes effective on or after January 1, 1971. Public Law 91–226.

MEMORIALS AND TRIBUTES

Apollo 13 Astronauts: Expressed the Senate's commendation of the Apollo 13 astronauts—James Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr.—for their fortitude and courage; extended support to their families, friends and all involved in their mission; and urged all who wished to and could comply to pause at 9 p.m., April 14, 1970, to ask the help of God in assuring the safe return of the astronauts. S. Res. 388. Senate adopted 4/14/70.

Commendation of heroism of airline pilots: Expressed the sense of the Senate that Eastern Airlines Captain Robert M. Wilbur, Jr., and his co-pilot, the late James E. Hartley, be commended for their heroic action in averting a major air disaster on March 17, 1970. S. Res. 375. Senate adopted 3/24/70.

Everett McKinley Dirksen Building: Named the existing Federal Office Building and United States Courthouse in Chicago, Illinois, in memory of the late Everett McKinley Dirksen, who served as a Member of Congress from Illinois from 1933 to 1969. Public Law 91–237.

Goddard Rocket and Space Museum: Provides congressional recognition of the Goddard Rocket and Space Museum of the Roswell Museum and Art Center, Roswell, New Mexico, as a fitting memorial to Dr. Robert H. Goddard, an outstandig pioneer in American rocketry. S. Con. Res. 49. P/S 4/7/70.

Harry S. Truman Dam and Reservoir, Missouri: Renamed the Kaysinger Bluff Dam and Reservoir, Osage River Basin, Missouri, in honor of the 33rd President of the United States, the Honorable Harry S. Truman. Public Law 91–267.

Honor America Day: Granted Congressional recognition to the importance of the July 4, 1970, Honor America Day celebrations and called upon the people of the United States to observe such celebrations with appropriate ceremonies and activities. H. Con. Res. 669. House adopted 6/29/70. Senate adopted 7/1/70.

Jose Antonio Navarro Commemorative Medals: Authorized the Secretary of the Treasury to strike and furnish to the San Antonio Conservation Society, without cost to the Federal Government, not more than 100,000 medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro. Public Law 91–244.

Mary McLeod Bethune Memorial: Extended for 4 years the existing authority for the erection in the District of Columbia of a memorial in honor of Mary McLeod Bethune, a prominent Negro educator, and in commemoration of the 100th anniversary of the signing of the Emancipation Proclamation. Public Law 91–277.

Newt Graham Lock and Dam: Designates lock and dam No. 18 on the Verdigris River, Oklahoma, as the Newt Graham lock and dam, and the lake created thereby as the Newt Graham Lake, in honor of Newton R. Graham who contributed to the comprehensive development of the Arkansas River Basin. S. 1500. P/S 5/25/70.

Ohio Northern University's 100th Anniversary: Extended Congress' congratulations and greetings to Ohio Northern University on the occasion of the 100th anniversary of its founding. H. Con. Res. 575. House adopted 4/29/70. Senate adopted 6/26/70.

Ohio State University's 100th Anniversary: Extended Congress' congratulations and greetings to Ohio State University on the occasion of the 100th anniversary of its founding. H. Con. Res. 573. House adopted 4/29/70. Senate adopted 6/26/70.

Peruvian earthquake: Extended the sympathy of the Senate to the President and the people of Peru in the hour of their suffering and distress resulting from an earthquake on May 31, 1970, causing loss of thousands of lives and destruction or devastation of many towns and villages, rendering homeless and destitute many thousands of people. S. Res. 424. P/S 6/29/70.

Pick–Sloan Missouri River Basin Program: Designates the comprehensive Missouri River Basin Development program as the Pick–Sloan Missouri Basin program in honor of W. G. Sloan and General Lewis A. Pick who contributed to the development of the water resources of the Nation and the Missouri River Basin, S. 1100. P/S 5/25/70.

Senate Majority Leader Mike Mansfield: Extended to Mike Mansfield the gratitude and admiration of the Senate for his outstanding performance as a Senator and as a Majority Leader, whereas he completed, on June 19, 1970, 9 years and 167 days as Majority Leader of the United States Senate, a period of service exceeding that of any previous Majority Leader in the history of the United States Senate. S. Res. 423. P/S 6/25/70.

Stone Mountain Memorial Medals: Authorized the Secretary of the Treasury to strike and furnish to the Stone Mountain Memorial Foundation, without cost to the Federal Government, not more than 500,000 medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy. Public Law 91–254.

Tribute to General Omar N. Bradley and Allied World War II Victory in Europe: Expressed the sense of Congress that, on the occasion of the 25th anniversary of V–E Day, and the formal opening of the General Omar N. Bradley historical collection, appropriate ceremonies be conducted at Carlisle Barracks, Pennsylvania. H. Con. Res. 207. P/H 5/19/69. P/S 2/10/70.

William "Bill" Dannelly Reservoir: Changes the name of the Miller Ferry lock and dam, Alabama River, Alabama, as a tribute to Judge William "Bill" Dannelly, for his role in the development of the water resources of the Alabama-Coosa River Basin. S. 528. P/S 5/22/70.

NOMINATIONS—ACTION BY ROLLCALL VOTE

Harry A. Blackmun, of Minnesota, to be an Associate Justice of the Supreme Court of the United States: Nomination confirmed 5/12/70 (94–0).

George Harrold Carswell to be an Associate Justice of the Supreme Court of the United States: Nomination rejected 4/8/70 (45–51).

Admiral Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff for a term of two years: Nomination confirmed 6/17/70 (78–2).

PROCLAMATIONS

American prisoners of war and servicemen missing in action in Southeast Asia: Expressed the sense of Congress that May 1, 1970, be commemorated as a day for an appeal for international justice for all American prisoners of war and servicemen missing in action in Southeast Asia; that avenues be sought to insure treatment of these men

in accord with the Geneva Convention standards; that every possible effort be made to secure their early release from captivity; and that the President designate Sunday, May 3, 1970, as a National Day of Prayer for humane treatment and the safe return of these brave Americans. H. Con. Res. 582. House adopted 4/23/70. Senate adopted 4/27/70, amended. House agreed to Senate amendments 4/28/70.

Clean Waters for America Week: Authorizes the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week." S.J. Res. 172. P/S 2/17/70.

International Clergy Week: Authorized and directed the President to issue a proclamation designating the week commencing February 1, 1970, as "International Clergy Week in the United States." Public Law 91–192.

International Petroleum Exposition: Authorizes and requests the President to invite by proclamation or otherwise the States and foreign nations to participate in the International Petroleum Exposition to be held in Tulsa, Oklahoma, from May 15 through May 23, 1971, for the purposes of exhibiting machinery, equipment, supplies, and other products used in the production and marketing of oil and gas and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce for such products. S. J. Res. 127. P/S 2/17/70.

Mineral Industry Week: Authorized and requested the President to issue a proclamation designating the period of February 13–19, 1970, as "Mineral Industry Week." Public Law 91–195.

National Arbor Day: Authorized the President to proclaim the last Friday of April 1970 as "National Arbor Day" and called upon the people of the United States to observe such day with appropriate ceremonies and activities. Public Law 91–236.

National Park Centennial Year: Requested the President to issue a proclamation designating 1972 as "National Park Centennial Year" and created a special commission to prepare and execute the plans for the commemoration of the 100th anniversary of the establishment of the world's first national park, Yellowstone, on March 1, 1872. H.J. Res. 546. Public Law 91– .

RESOURCE BUILDUP

Anadromous Fish Conservation Act amendments: Extended and expanded the program for the conservation, development, and enhancement of the Nation's anadromous fish and the fish in the Great Lakes that ascend streams to spawn; and authorized for the program $6 million, $7.5 million, $8.5 million and $10 million for fiscal years 1971, 1972, 1973, and 1974, respectively. Public Law 91–249.

Arches National Park, Utah: Establishes the Arches National Park in the State of Utah, consisting of some 73,154 acres, the greater part of which are now in Federal ownership, and protects, for a limited period, existing uses respecting grazing and the trailing and watering of livestock. S. 532. P/S 7/1/70.

Cape Cod National Seashore, Massachusetts: Authorized the appropriation of an additional $17,401,000 to assure the acquisition of all remaining non-Federal lands needed to make the Cape Cod National Seashore a meaningful unit of the national park system. Public Law 91–252.

Capitol Reef National Park, Utah: Establishes the Capitol Reef National Park in the State of Utah and provides for a total park area of 230,837 acres. S. 531. P/S 7/1/70.

Central and Western Pacific Tuna Fishery Development Act: Authorizes the Secretary of the Interior to institute a 3-year program for the development of latent tuna resources of the central and western Pacific and authorizes to be appropriated for the period July 1, 1970, to June 30, 1973, the sum of $3 million to remain available until expended. S. 3176. P/S 5/22/70.

Coral Reefs Conservation: Authorizes the Secretaries of Interior and the Smithsonian Institution to expend $4.5 million until June 30, 1970 in cooperation with the territories of Guam, American Samoa, the Trust Territory of the Pacific Islands, other United States territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs. The bill is designed to control the devastating crown of thorns starfish which has been destroying coral reefs. S. 3153. P/S 4/27/70.

Craters of the Moon National Monument, Idaho: Designated 40,785 acres of the Craters of the Moon National Monument in Idaho as part of the national wilderness preservation system, pursuant to provisions of the Wilderness Act (Public Law 88–577). S. 1732. P/S 6/15/70.

East Greenacres Unit, Rathdrum Prairie Project, Idaho: Authorized construction, operation, and maintenance of the East Greenacres unit of the Rathdrum Prairie Reclamation Project in northwest Idaho, which unit would supply irrigation water to 5,230 acres and municipal and industrial water, and provide fish and wildlife conservation and public recreation benefits. Public Law 91–286.

Federal Water Pollution Control Act Amendments: Amended the Federal Water Pollution Control Act to declare a U.S. policy that there should be no oil discharges into navigable waters of the U.S., adjoining shorelines or waters of the contiguous zone; to authorize the President to determine by regulation what harmful quantities of oil cannot be discharged without violation of the Act, and to designate those discharges, other than oil, which constitute dangerous substances; to provide penalties for failure to give proper notification of a knowing discharge of oil and violation of restrictions; to authorize the President to act to remove oil unless properly done by the responsible owner or operator; to provide for a National Contingency Plan for removal of oil; to provide, in the event a marine disaster has created a substantial threat of a pollution hazard, for removal of the threat; and, unless an act of God, war, U.S. government negligence or an act or omission of a third party be shown, liability to the U.S. for a discharge shall be not to exceed $100 per gross ton or $14 million, whichever is lesser, for a vessel and $8 million for an onshore or offshore facility, unless the discharge resulted from willful negligence or misconduct, when there shall be full liability for the costs. The Act also includes provisions for control of sewage from vessels, area acid and other mine water pollution control demonstrations; pollution control in the Great Lakes; training grants and contracts with institutions for training in water quality control; Alaska village demonstration projects; cooperation by all federal agencies in the control of pollution; and establishment of an Office of Environmental Quality. Public Law 91–224.

Fisheries loan fund extension: Amends the Fish and Wildlife Act of 1956 to extend the life of the fisheries loan fund an additional 10 years, from June 30, 1970, until June 30, 1980. S. 3102. P/S 5 5/15/70. H.R. 14124. H Cal.

Ford's Theatre National Historical Site: Designated Ford's Theatre, the Lincoln Museum, and the House Where Lincoln Died, as the Ford's Theatre National Site, and added to that complex certain property in the District of Columbia adjacent to the Theatre. Public Law 91–288.

Golden Eagle program: Renewed until December 31, 1971, the Golden Eagle passport program but increased from $7 to $10 the annual cost of the permit allowing entry into Federally administered outdoor recreation areas and provided advance contract authority to enable Federal agencies to acquire land for outdoor recreation. S. 2315. Public Law 91– .

Historic properties: Extended the national historic preservation program established by Congress in 1966 (Public Law 89–665) and authorized appropriations of $7 million, $10 million and $15 million for fiscal years 1971, 1972 and 1973, respectively; provided for an increase in the size of the Advisory Council on Historic Preservation; authorized limited United States participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property, and in this connection, authorized a maximum appropriation of $100,000 in each of fiscal years 1971, 1972, and 1973. Public Law 91–243.

Homestead National Monument, Nebraska: Provides for the addition of the Freeman School and the 1.2 acres of land on which it is situated to the Homestead National Monument of America in Nebraska. S 58. P/S 4/27/70.

Hudson River Compact negotiations: Extended until 1973 provisions of the act of September 26, 1966, which expired on September 26, 1969, with respect to applications for a license for an activity which may affect the resources of the Hudson Riverway and required the Secretary of the Interior to report on the progress of the negotiations on the Hudson River Compact by July 1, 1970, and annually thereafter. Public Law 91–242.

Lake Tahoe, Nevada and California: Authorize the Secretary of the Interior to study the feasibility and desirability of establishing a national lakeshore on Lake Tahoe in the States of Nevada and California with the objective of providing legislation to preserve in perpetuity the superb scenic and recreational facilities available in the Lake Tahoe area. S. 2208. P/S 5/13/70.

Middle Snake River: Suspends for 8 years the authority of the Federal Power Commission to accept applications or grant licenses or permits under the Federal Power Act for the construction of hydroelectric power projects on the reach of the Middle Snake River extending along the Idaho-Oregon and Idaho-Washington borders for 100 miles between the existing Hells Canyon Dam and the authorized Asotin Dam. S. 940. P/S 5/15/70.

Missouri River Basin: Authorized appropriations of $32 million for fiscal years 1971 and 1972 (including $13,838,000 in the fiscal year 1971 budget) to continue the program of the Bureau of Reclamation for investigations and construction of the comprehensive plan for the Missouri River Basin project. Public Law 91–218.

Mount Baldy, Pine Mountain, and Sycamore Canyon Wilderness, Arizona: Designates areas in three national forest primitive areas in Arizona as the Mount Baldy Wilderness, the Pine Mountain Wilderness, and the Sycamore Canyon Wilderness, as part of the national wilderness preservation system, in accordance with the provisions of the Wilderness Act of September 3, 1964. S. 710. P/S 6/12/70.

Pacific Marine Fisheries Compact amendments: Granted the consent and approval of the Congress to amendments to the Pacific marine fisheries compact as follows: by recognizing the adherence of the States of Idaho and Alaska to the compact in addition to the three original member States (California, Oregon, and Washington); modifying the reference to the Pacific Ocean by the additional wording "and adjacent waters" in recognition of the State of Alaska's jurisdiction over the Bering Sea; and providing a more equitable way of apportioning costs of the activities of the Pacific Marine Fisheries Commission. H.R. 13407. Public Law 91– .

Point Reyes National Seashore, California: Authorized the appropriations of an additional $38,365,000 to assure the acquisition of all remaining non-Federal lands needed to

make the Point Reyes National Seashore a meaningful unit of the national park system. Public Law 91–223.

Public ownership of lands in Federal reclamation projects: Clarified the acreage limitation provisions of the Federal reclamation laws with respect to lands owned by a State or local government entity or subdivision. S. 2062. Public Law 91– .

River basin plans and civil works: Authorized additional appropriations of $810 million to cover a period of two years ending calendar year 1971 for certain comprehensive river basin plans previously approved by Congress for flood control, navigation, and other purposes. Public Law 91–282.

Riverton extension unit of the Missouri River Basin project, Wyoming: Consolidates the Riverton reclamation project, presently in operation, and the lands of the former Riverton extension unit of the Missouri River Basin Project now in Federal ownership within a single authorized unit of the Missouri River Basin Project to provide a new repayment plan for the entire unit including necessary rehabilitation and betterment of existing facilities, write-off of costs associated with the development of lands found to be nonproductive, and provision of repayment assistance from power revenues of the Missouri River Basin Project. S. 434. P/S 4/27/70.

Rogue River Basin project, Oregon: Authorized the construction, operation, and maintenance of the Merlin division, Rogue River Basin reclamation project in Josephine County, Oregon, which division is a multiple-purpose water resource development serving irrigation water to more than 9,000 acres, for public outdoor recreation, fish and wildlife conservation, area redevelopment, and flood control. Public Law 91–270.

Saline water conversion program: Authorized an appropriation of $28,873,000 for fiscal year 1971 to continue the desalting research program of the Office of Saline Water, Department of the Interior. Public Law 91–221.

Toiyabe National Forest, Nevada: Extends the boundaries of the Toiyabe national forest to include 12,920 acres along the Nevada side of Lake Tahoe to aid in the protection and management of the various resources of the area, including the protection, improvement, and maintenance of the watershed, wildlife, recreation, and natural environment values of the lands in the Lake Tahoe Basin, and to promote the management and protection of these lands under the principles of multiple use and sustained yield. S. 3279 P/S 4/27/70.

Touchet-Walla Walla project, Oregon-Washington: Authorized $22,774,000 for the construction and operation of the Touchet division of the Walla Walla reclamation project in southeastern Washington which will supply irrigation water to approximately 9,960 acres of land. S. 743. Public Law 91– .

Wichita Mountain Wilderness, Oklahoma: Places 8,900 acres of the 59,000 acres Wichita Mountains National Wildlife Refuge in Oklahoma within the National Wilderness Preservation System, including the 5,000 acre Charons Garden Unit and the 3,900 acre North Mountain Unit. S. 3222. P/S 4/27/70.

Yuma Mesa Irrigation District, Arizona: Amends Public Law 394, 84th Congress, to authorize for the Yuma Mesa Irrigation District, Gila Project, Arizona, "irrigation works and facilities" to be constructed in addition to drainage facilities and to authorize the existing repayment contract to be amended accordingly. S. 2882. P/S 3/18/70.

Youth Conservation Corps: Established a pilot Youth Conservation Corps program for young men and women, 14–18 years of age, who would participate in summer work and educational projects in our national parks, forests, recreation areas, wildlife refuges and other public lands administered by the Departments of Interior and Agriculture for periods up to 90 days. S. 1076. P/S 6/26/69. P/H amended 6/15/70.

SPACE

NASA authorization, 1971: Authorized the appropriation of $3,410,878,000 for fiscal year 1971 to the National Aeronautics and Space Administration ($2,693,100,000 for research and development, $34,478,000 for construction of facilities, and $683,300,000 for research and program management). Public Law 91–303.

TAXATION

Discriminatory State taxation of interstate carriers: Eliminates the long-standing burden on interstate commerce resulting from discriminatory State and local taxation of common and contract carrier transportation property by (a) amending the Interstate Commerce Act to declare unlawful, as an unreasonable and unjust discrimination against and an undue burden upon interstate commerce, a State or local tax rate, assessment, or collection upon the transportation property of a common or contract carrier at a higher level than upon property in the same taxing district, and (b) procedurally, by providing a remedy in the Federal courts for common and contract carriers against the collection of the excessive portion of any tax based upon such unlawful assessment or rate. S. 2289. P/S 1/30/70.

DUTY SUSPENSIONS

Copper: Continued from July 1, 1970 through June 30, 1972, the present suspension of duties applicable to unwrought copper (except nickel silver), copper waste and scrap, and copper articles imported to be used in remanufacture by melting; and continued the suspension of the additional duties applicable to the copper content of certain copper-bearing ores and materials for the same period. Public Law 91–298.

L–Dopa: Amended the Tariff Schedules of the United States by adding a new item to suspend for a period of 2 years the duty on L–Dopa, a new drug used in the treatment of Parkinsonism. H.R. 8512. Public Law 91– .

Manganese ore: Continued until June 30, 1973, the existing suspension of duties on manganese ore. H.R. 14720. Public Law 91– .

Employment security amendments: Extends coverage of the unemployment compensation program to an additional 4.4 million jobs, including workers affected by a modified definition of "employee," certain agricultural employees, certain employees of non-profit organizations and State or county hospitals and institutions of higher learning, and United States citizens employed outside the U.S. by an American employer; establishes a permanent program of extended benefits for people who exhaust their regular State benefits during periods of high unemployment; provides the States with a procedure for obtaining judicial review of certain adverse determinations by the Secretary of Labor; improves the financing of the program; provides certain limited requirements for State unemployment compensation programs which are designed to protect the integrity of the program; allows States until January 1, 1972, to meet the new requirements; and makes other changes to strengthen the Federal-State unemployment compensation system. H.R. 14705. P/H 11/13/69. P/S amended 4/7/70. Conference report filed 5/5/70.

U.S.S. "Pueblo" crew—taxes: Provided that, for purposes of the Internal Revenue Code of 1954, members of the crew of the U.S.S. *"Pueblo"* who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone and will receive an exclusion from income tax for their pay for service in the Armed Forces; waived unpaid income taxes and Federal death taxes for the member of the crew killed during this period; and extended the time for filing tax returns, paying taxes, etc. for all personnel on the ship. Public Law 91–235.

TRANSPORTATION AND COMMERCE

Accessibility of public facilities to physically handicapped: Provided that buildings and structures which must be used by the general public such as subway stations and surface stations constructed under the authority of the National Capital Transportation Acts of 1960 and 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact, be so designed and constructed as to be accessible to the physically handicapped. Public Law 91–205.

Airport and Airways Development Act: Provided for the expansion and improvement of the Nation's airport and airway systems; repealed the Federal Airport Act; required the Secretary of Transportation to formulate and recommend to Congress within one year a national transportation policy; established a Presidential Aviation Advisory Commission; authorized expenditures of $75 million for planning grants, at $15 million each year; $250 million for air carrier and reliever airport development for each of 5 fiscal years beginning in fiscal year 1971, and $30 million for non-air carrier airport development for each of such fiscal years, and beginning in fiscal year 1971, contract authority up to $840 million for 5 fiscal years, with each obligation of $280 million restricted to 3 years, and $250 million for air navigation facilities for each of 5 fiscal years; imposed new or increased user taxes as follows: 7 cents a gallon tax on gasoline and other fuels used in non-commercial aviation; 8 percent on gross amounts of domestic airline passenger fares; 5 percent tax on air freight waybills; $3 tax per person using international travel facilities; and annual civil aircraft user tax, plus an additional poundage tax in the case of certain aircraft. Revenues from the aviation user taxes are to be placed in a new Airport and Airway Trust Fund similar in nature to the existing Highway Trust Fund. Public Law 91–258.

Cruise ship regulations: Amended the Merchant Marine Act of 1936, as amended, to eliminate certain provisions of existing law which unnecessarily restrict cruise operations of subsidized American-flag passenger vessels, to enable these vessels to compete more effectively with foreign-flag passenger vessels, and to vest permissive authority in the Secretary of Commerce to make available regularly scheduled vessel passenger service to the public, including service in some areas which now have none. Public Law 91–250.

Federal Low-emission Vehicle Procurement Act: Channels and augments the motor vehicle procurement expenditures of the Federal Government in such a way as to stimulate the development, production and distribution of motor vehicle propulsion systems which emit few or no pollutants; seeks to achieve this stimulation by requiring the Federal Government to purchase available low-emission vehicles in lieu of other vehicles, thereby creating a guaranteed market which additionally provides controlled conditions for field testing of new concepts in automotive propulsion; authorizes annual appropriations of $50 million to carry out the provisions of this Act. S. 3072. P/S 3/26/70.

Fishing fleet improvement: Extended and broadened the construction assistance program under the United States Fishing Fleet Improvement Act to include reconditioning, conversion, and remodeling; increased the authorization for appropriations from $10 million annually to $20 million for fiscal years 1970, 1971, and 1972; provided for a class differential rather than the present individual determination, and eliminated several time-consuming provisions resulting in

savings of time and administrative costs. Public Law 91–279.

International Travel Act amendment: Amends the International Travel Act of 1961 in order to improve the balance of payments by further promoting travel to the United States; provides Federal grants to assist States, cities, and regional groupings of States in attracting foreign visitors, and sets the Federal share of cost of any relevant program at 75 percent of its cost; establishes in the Commerce Department a United States Travel Service to be headed by an Assistant Secretary of Commerce for Tourism (to replace the present Travel Service headed by a Director); creates a National Tourism Resources Review Commission to study and make recommendations to the President and Congress regarding travel needs and policies; and authorizes appropriations of $15 million for each of fiscal years 1971, 1972 and 1973. S. 1289. P/S 3/26/70. H.R. 14685. P/H 5/14/70; P/S amended 5/21/70. In conference.

Maritime authorization, 1971: Authorized the appropriation of $429,420,000 to the Maritime Administration for the fiscal year 1971 ($199,500,000 for acquisition, construction or reconstruction of vessels, and construction—differential subsidy and cost of national defense features incident to the construction, reconstruction or reconditioning of ships; $193 million for payment of obligations incurred for shipping operation subsidies; $19 million for research and development expenses; $4,675,000 for reserve fleet expenses; $6.8 million for operation of the Merchant Marine Academy at King's Point, New York; $2,445,000 for financial assistance to State marine schools; and $4 million for continued operation of the nuclear ship "Savannah"). Public Law 91–247.

National Traffic and Motor Vehicle Safety Act amendments: Authorized appropriations of $23 million for fiscal year 1970 and $40 million for each of fiscal years 1971 and 1972; broadened the definition of "motor vehicle equipment" to include related automotive safety devices used exclusively to safeguard motor vehicles and passengers, and other highway users from risk of accident, injury or death; provided that the Secretary of Transportation obtain information relating to agricultural tractor safety and report findings and recommendations thereon to Congress; and amended the act in several other respects. Public Law 91–265.

Political broadcasting: Amends section 315 of the Communications Act of 1934, as amended, to repeal the equal-time broadcasting requirement relative to presidential and vice-presidential candidates; limits the charges for use of broadcasting stations by candidates for public office to no more than the station's lowest unit charge for the same amount of time; and places a ceiling of $20,000 on the amount candidates for Federal elective office, or others on their behalf, may spend on electronic media in a general election. S. 3637. P/S 4/15/70.

Public Broadcasting Financing Act of 1970: Amends the Communications Act of 1934 to authorize annual appropriations of such sums as may be necessary for fiscal years 1971, 1972 and 1973 for the continued financing of the Corporation for Public Broadcasting, and to direct the Federal Communications Commission to prescribe regulations for broadcast stations receiving assistance under Title II of the Public Broadcasting Act. S. 3558. P/S 5/19/70. H.R. 17982. H. Cal.

Rail Passenger Service Act of 1970: Establishes a National Rail Passenger Corporation to provide for the operation of passenger trains, to commence service on March 1, 1971, and authorizes for fiscal year 1971 appropriations of $40 million to the corporation, as well as guarantee of $60 million in 20-year loans to the corporation to finance the upgrading of roadbeds and the purchase and rehabilitation of rolling stock and for other corporate purposes. The bill also authorizes the appropriation of $75 million for loans or loan guarantees to provide emergency financial assistance for railroads operating passenger service. S. 3706. P/S 5/6/70.

Railroad Safety Act and Hazardous Materials Transportation Control Act: Designed to promote safety in all areas of railroad operation, to reduce railroad related accidents, and to reduce death and injuries to persons and to reduce damage to property caused by accidents involving any carrier of hazardous materials. S. 1933. P/S 12/19/69. P/H amended 6/15/70.

Shipper's recovery of a reasonable attorney's fee: Puts the shipping public, especially small shippers, householders, and travelers in a more equal bargaining position with carriers in settlement negotiations for recovery of damages sustained in the transportation of property by permitting a successful plaintiff to recover his attorney's fees if he allowed the carrier a reasonable period of time to settle the claim. S. 1653. P/S 1/26/70.

Urban Mass Transportation Assistance Act: Provides a Federal commitment for $10 billion in funds over a period of 12 years for urban mass transportation programs; authorizes the Secretary of Transportation to incur contractual obligations up to $3.1 billion for all authorized programs under the amended 1964 act, restricting disbursement by limitations from a maximum of $80 million prior to July 1, 1971, which is increased by specified limitations for subsequent years reaching a maximum of $1.86 billion on July 1, 1975, and $3.1 billion thereafter, with further authorization requests, and recommendations for adjustment in the schedule of liquidating appropriations, to be submitted by the Secretary at 2-year intervals before July 1, 1972 through 1982. Changes use of the discretionary fund from $12.5 million to 1.5 percent of the aggregate amount of funds authorized to be obligated, except that an additional 6 percent may be used if it shall not prejudice or delay pending projects of other States, but in such case no State shall receive more than 25 percent of the grant funds made available by the exception, and authorizes a new program of 1-year loans to States and local public bodies, and agencies thereof, for the acquisition of real property reasonably expected to be needed and used for urban mass transportation purposes within a reasonable period. S. 3154. P/S 2/3/70. H.R. 18185. H. Cal.

VETERANS

Definition of "child" for veterans' benefit purposes: Revised the definition of "child" for veterans' benefit purposes to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree. Public Law 91–262.

Group life insurance: Increased from $10,000 to $15,000 the amount of servicemen's group life insurance for members of the uniformed services. Public Law 91–291.

Medical benefits for older veterans: Provides that a veteran who is in receipt of a Veterans' Administration pension would no longer be required to sign under oath a statement of inability to defray the necessary expenses of hospital or domiciliary care in order to gain admission to a VA hospital for a non-service-connected disability. H.R. 693. P/H 6/2/69. P/S amended 10/21/69. House agreed to Senate amendment with an amendment 5/4/70.

Recoupment of disability severance pay: Liberalized the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans. Public Law 91–241.

Specialized medical resources: Provides greater flexibility in the Veterans Administration hospital and medical care program by providing the Administrator with greater administrative discretion in the appointment of nurses, in the internship and residency program, and in the appointment of dentists of high academic and research standing on a temporary full-time or part-time basis. H.R. 9634. P/H 6/2/69. P/S amended 10/21/69. House agreed to Senate amendments with amendments 5/4/70.

Veterans' Administration Regional Office in the Philippines: Extends for 4 years, until July 3, 1974, the authority of the Veterans' Administration to operate and maintain a regional office in the Philippines. H.R. 16739. Public Law 91– .

Veterans' disability compensation increase: Increases the compensation payments to totally disabled veterans whose disability is service connected from $400 to $450 per month; increases by 11 percent the compensation payments to other veterans with service connected disabilities; increases by 11 percent the allowances to dependents of disabled veterans whose disability is rated at 50 percent or higher; establishes a presumption that a disability suffered by a former prisoner of war from dietary deficiencies, forced labor, or inhumane treatment is service connected if the disability is related to malnutrition, or if the veteran became psychotic within 2 years of separation from military service. S. 3348. P/S 4/27/70. P/H amended 6/15/70.

Veterans Education and Training Amendments Act: Increased by 34.6 percent the basic "GI bill" monthly educational assistance allowance rates for veterans, and the allowances for farm training and apprenticeship programs; increased by 22.7 percent the vocational rehabilitation training subsistence allowance for educationally disadvantaged veterans; established a predischarge educational program to assist servicemen in preparing for future education while still on active duty; and expanded the veterans' outreach service program covering the Veterans' Administration counseling services to advise veterans of their entitlements and assist them in gaining employment. Public Law 91–219.

WELFARE

Social security and railroad retirement benefits: Extends for 4 months the period for States to assure aged, blind, and disabled social security beneficiaries who also receive welfare and increase of at least $4 in their combined income from social security and welfare, and accords similar treatment to increases in railroad retirement benefits which may become law in 1971. H.R. 14720. P/H 5/19/70. P/S amended 6/19/70.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 991, H.R. 17923, the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to the consideration of the bill.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, before I begin my formal statement I call attention to one fact I want every Senator to know about. When the full Committee on Appropriations marked up this bill we had been informed that the supplemental budget request was in the course of preparation to enlarge the school lunch program to make it conform to the new bill, which Senators will remember was passed and signed by the President a brief time ago.

The full committee gave to the managers of the bill, the Senator from Nebraska (Mr. HRUSKA) and me, authority to submit the supplemental budget request as an amendment to the bill if it was received prior to Senate consideration of the bill. It was received on July 1, 1970.

Senators will find printed at page 23003 of yesterday's RECORD a full description of this item, including a copy of the supplemental budget request and a copy of the seven different amendments required to accomplish the request in full.

I wanted to explain this so that Senators who may be concerned about this request, which increases by $216 million-plus the new school lunch program, will have a chance to advise themselves fully before we bring up this matter. I would assume we would not bring it up until the close of consideration of the bill in general, if that is agreeable with the Senator from Nebraska.

Mr. President, I want to give notice to that effect. As I have already stated, these items are described in full in yesterday's RECORD beginning at page 23003.

Mr. President, we now have under consideration H.R. 17923, the annual appropriation bill for the Department of Agriculture and related agencies. Appropriations in the pending bill as recommended by the committee total $7,703,256,100, an increase of $253,067,950 over the House bill, an increase of $171,480,600 over the budget estimates, and $333,842,050 under the regular 1970 Appropriation Act.

Mr. President, the committee report, 91–987, provides a complete explanation by each appropriation item in the bill—including changes in projects and activities thereunder—with comparisons showing amounts recommended by the committee in relation to the budget estimates, the House bill, and the prior year's annual Appropriation Act. The report is quite detailed and, therefore, in my statement I shall deal only with some of the activities which I believe are of current substantial interest to Members of the Senate, after which I will, of course, be pleased to respond to any and all questions Senators may have on any items in the bill.

I should say at this time that my distinguished friend, the Senator from Nebraska (Mr. HRUSKA), the ranking minority Member, who is also in the Chamber, is available to respond to any questions which may be addressed to him. I am glad he is here. He has been of great help in the handling of the bill, and in the preparation of this entire rather large and complicated bill.

RESEARCH AND EXTENSION PROGRAMS

The bill as reported provides a total of $261,715,950 for research, plant and animal disease and pest control programs and the foreign currency research program carried out by the Agricultural Research Service. The total available for the subitem "research" is $172,346,200, a net increase of $25,544,000 over the annual Appropriation Act for 1970; $15,909,000 over the budget estimates for fiscal 1971; and $11,203,000 over the House bill.

Several increases are recommended by the committee for the staffing of new laboratories which have been completed or enlarged in recent years but the President's budget did not propose any additional staffing for fiscal 1971. The committee is cognizant of the expenditure limitations and the personnel ceilings under which the executive departments and agencies must operate, but believes that the staffing of important research laboratories dealing with the various important research missions must be promptly undertaken in spite of budgetary limitations. The House bill provides increases of $4,042,000 over the estimates for these several research facilities and the Senate has recommended increases over the House amount of $10,468,000. The amounts recommended provide for partial staffing and it is expected that future budgets will propose full funding for these facilities.

I cannot overstate the importance of this item. The committee was very distressed that a group of very fine laboratory facilities requested by the Department, and provided for as long as 5 years ago, some of which were completed 2 years ago, have not been staffed. We are particularly concerned that this is true with reference to six laboratories dealing with the pesticides research program. These laboratories are extremely important as we approach a solution to the pollution problem in which the whole Nation is vitally interested.

The committee recommendations to the Senate, in dealing with the staffing and operation of the pesticides laboratories which were authorized in the Appropriation Acts for fiscal years 1965 and 1966, as a part of the budget recommendations for those years, provide for full staffing. These facilities are more urgently needed today than at the time of their authorization—yet, the budget as submitted to the Congress contained no increase over the small amounts provided for fiscal 1970 for the six laboratories which have been completed pursuant to the budget amendment in fiscal 1965, for the "pesticides package," which was transmitted directly to the Senate in Senate Document No. 85.

In other words, the work toward this program began under the recommendation of the then-President and at the insistent urging of the Department of Agriculture at that time.

The program embodied in Senate Document 85 amended the budget by an increase of $29 million. All of the amounts for the agencies concerned were approved by the Congress except for a small amount for the Forest Service which is not under the jurisdiction of this committee, but for which appropriations were handled with that amendment to the budget.

Mr. President, the hearing record shows the urgent need for moving ahead very expeditiously in the staffing and operation of these new pesticides facilities. The hearing record also shows the several actions taken by the Secretary of Agriculture in the pesticides area to curtail or to eliminate the use of persistent and harmful chemicals. These new facilities will enable the Department to accelerate its research mission in the six new specialized laboratories which are concerned with pesticides.

The nature of the research program varies by laboratory from research on biological methods to control insects at the Gainesville, Fla., facility, to toxicological methods on livestock at College Station, Tex., to alternative and less persistent and harmful chemical methods at the facility at Stoneville, Miss., and in other laboratories there are also treated different aspects of this problem. The committee has, therefore, recommended an appropriations of $7,921,400 for these facilities and has made provision in the bill for them to achieve full staffing during fiscal 1972.

The committee felt it would be derelict in its obligation to the public and to the Government, which has proclaimed its great interest in dealing with the pollution problem and the insecticide problem, if it did not provide for full activity in these new and very expensive and very fine laboratories, which are prepared to proceed with their work if only they were staffed.

Mr. President, in view of the general interest in the pesticides field, and the staffing of other laboratories to which I have referred, I request that page 8 of the committee report, entitled "Staffing of New Research Laboratories," be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STAFFING OF NEW RESEARCH LABORATORIES

Items	1970 funds available (including increased pay costs) and 1971 estimate	Increases, 1971		Amendment requested	Senate committee recommendations	Senate committee (plus or minus)		
		House bill	Department proposal			Estimate, 1971	House bill, 1971	Appropriation, 1970
	(1)	(2)	(2a)	(3)	(4)			
(1) Cotton cost of production laboratories:								
Phoenix, Ariz.	$386,700	+$165,000		−$165,000	$786,700	+$400,000	+$235,000	+$400,000
Stoneville, Miss.	132,200	+110,000		−110,000	382,200	+250,000	+140,000	+250,000
College Station, Tex.	153,100	+110,000		−110,000	435,100	+300,000	+190,000	+300,000
Subtotal	672,000	+385,000		−385,000	1,622,000	+950,000	+565,000	+950,000
(2) Pesticides laboratories:								
Gainesville, Fla. (insect attractants)	365,000	+550,000	+550,000		1,836,000	+1,471,000	+921,000	+1,471,000
Savannah, Ga. (insect control)	504,300	+220,000	+200,000	−20,000	704,300	+200,000	−20,000	+200,000
Stoneville, Miss. (pesticides)	209,800	+330,000	+330,000		1,129,800	+920,000	+590,000	+920,000
Stoneville, Miss. (weed research)	141,900	+440,000	+440,000		1,256,900	+1,115,000	+675,000	+1,115,000
Durant, Okla. (water pollution)	150,800	+220,000	+220,000		590,800	+440,000	+220,000	+440,000
College Station, Tex. (livestock insects)	178,600	+550,000	+550,000		2,403,600	+2,225,000	+1,675,000	+2,225,000
Subtotal	1,550,400	+2,310,000	+2,290,000	−20,000	7,921,500	+6,371,000	+4,061,000	+6,371,000
(3) Other research laboratories:								
Georgetown, Del. (poultry)	53,800	+55,000		−55,000	253,800	+200,000	+145,000	+200,000
Byron, Ga. (fruit and nut crops)	617,200	+55,000		−55,000	672,000	+55,000		+55,000
Dawson, Ga. (peanut marketing)	361,800	+55,000		−55,000	416,800	+55,000		+55,000
Baton Rouge, La. (beefstock)		+100,000		−100,000	100,000	+100,000		+100,000
Oxford, Miss. (sedimentation)		+165,000		−165,000	165,000	+165,000		+165,000
Miles City, Mont. (range)	169,800	+55,000		−55,000	224,800	+55,000		+55,000
Grand Forks, N. Dak. (nutrition)	78,500	+275,000	+275,000		428,500	+350,000	+75,000	+350,000
Pendleton, Oreg. (soil and water)	96,100	+55,000		−55,000	151,100	+55,000		+55,000
University Park, Pa. (pasture)		+110,000		−110,000	110,000	+110,000		+110,000
Madison, Wis. (barley)	170,900	+55,000		−55,000	225,900	+55,000		+55,000
Madison, Wis.[2]	82,000	+42,000		−42,000	124,000	+42,000		+42,000
Subtotal	1,630,100	+1,022,000	+275,000	−747,000	2,872,100	+1,242,000	+220,000	+1,242,000
(4) Utilization research laboratories:								
Albany, Calif.	507,900	+165,000		−165,000	672,900	+165,000		+165,000
Athens, Ga.	1,407,400	+465,000		−465,000	2,452,400	+1,045,000	+580,000	+1,045,000
Peoria, Ill.	482,700	+365,000		−365,000	847,700	+365,000		+365,000
New Orelans, La.	485,400	+165,000		−165,000	650,400	+165,000		+165,000
Wyndmoor, Pa.	377,500	+165,000		−165,000	552,500	+165,000		+165,000
Subtotal	3,270,900	+1,325,000		−1,325,000	5,175,900	+1,905,000	+580,000	+1,905,000
Adjustment for delays in staffing		−1,000,000		+1,000,000			+1,000,000	
Total	7,123,400	+4,042,000	+2,565,000	−1,477,000	17,591,400	+10,468,000	+6,426,000	+10,468,000

[1] Includes additional funds for pay cost increases.

[2] This is not for staffing a recently completed USDA laboratory. It would be used for cooperative work on oat quality research at the University of Wisconsin. These funds would allow (1) equipping the oat quality laboratory, and (2) increasing cooperative research efforts to improve oat quality.

RESEARCH OBJECTIVES OF PESTICIDES LABORATORY FACILITIES

Mr. HOLLAND. Mr. President, I also offer for the record a brief description of the specific research programs that will be undertaken in the pesticides laboratories for which funds are provided in the pending bill. This statement of research objectives was supplied to the committee by the Agricultural Research Service and I think, in view of the fact that it has been a number of years since the hearings which authorized the construction of these facilities, that it is timely that a current description of the research programs to be undertaken at these facilities be included in the RECORD.

Mr. President, I request that the attached summary be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

1. *Florida, Gainesville (Research on insect attractants, behavior, and basic biology, and environmental research on stored-products insects.*

The new laboratory at Gainesville, Florida was completed in February of 1969. This laboratory provides facilities for the following research:

Insect attractants. Research on insect attractants, as well as insect behavior, and basic biology, to develop nonchemical methods for control of our major pest species of insects. Nonchemical methods would reduce or eliminate the amounts of insecticides used by farmers for insect control and reduce pesticide residues that pollute our air, water, soil and food. Research has shown that attractants are a promising approach to development of nonchemical methods of insect control. A number of insect attractants have been isolated and tested under field as well as laboratory conditions. One of these methyl eugenol has been used with a pesticide to eradicate the oriental fruit fly from Guam. Other attractants have been indispensible in plant pest control programs for control of Mediterranean fruit fly, gypsy moth, pink bollworm, boll weevil and other species.

Stored-products insects. Research on the biology, ecology, physiology, nutrition, and behavior of the stored-products insects, to provide knowledge on the weak points of the insects that may be attacked with entirely new types of control measures. Relatively little basic information is available on the above as it relates to stored-products insects. New approaches can employ biological and physical methods of control that would replace the use of conventional insecticides. These methods would also circumvent the increasing severe threat of acquired resistance to insecticides. Other information would lead to the development of more effective insecticidal control so the amount of chemicals used can be reduced and residues would be minimized in those circumstances where there is no alternative to insecticidal control.

2. *Georgia, Savannah (Research on insect control in stored agricultural products).*

The new laboratory at Savannah, Georgia was completed in November of 1969. This laboratory provides space for the on-going research which was conducted in substandard facilities at Savannah aimed to develop alternate methods for controlling insects in stored agricultural products; and for new research to develop practical methods for the use of pathogens to control stored-products insects. Basic research being conducted in the laboratory has indicated there is a great potential for developing pathogens (such as viruses, bacteria, protozoan, and nematodes which are harmless to man) as an alternate control method for stored-products insects. Very few of the many insecticides available have been approved for use on harvested crops and still fewer on or around processed foods and feeds. As attitudes toward residues become more critical, some of these approvals may be withdrawn and the tolerance level reduced on others. Insects are developing resistance to malathion and pyrethrins, two of the most commonly used insecticides to protect food and feed from damage and contamination.

3. *Mississippi, Stoneville (combined facility for pesticide laboratories)—Bioenvironmental Insect Control and Biological Control of Weeds.*

The new laboratory complex at Stoneville, Mississippi is expected to be completed in the first quarter of fiscal year 1971. This laboratory (in addition to research on cotton physiology) provides facilities for the following research:

Bioenvironmental insect control. Basic and applied research to develop methods of area suppression or eradication of different kinds of insect populations. The nature and extent of agricultural insecticide usage in southern areas at the present time poses a great threat to the maintenance of a clean environment. Research at this laboratory would develop ways of meeting problems that would avoid or minimize use of broad spectrum, residue-forming and persistent insecticides which may pose immediate or long-range hazards to man and his environment. Emphasis would be placed on field research on the ecology, population dynamics, and control of insects by bioenvironmental methods directed toward the control of major insect pests of cotton, corn, soybeans and various other crops, including sugarcane, vegetables, and insects affecting livestock.

Biological control of weeds. Research on

weeds to discover new herbicides, develop new combinations of cultural, chemical, mechanical, and biological methods that are safe as well as effective and do not leave harmful residues in the product or in the treated soil. Weeds cause losses in yield and quality by competing for water, fertilizer, and light. They also act as hosts and reservoirs of infection for nematodes, insects, diseases, and plant parasites. Mechanical and cultural methods of controlling weeds in these crops are inadequate alone, or even in combination with present herbicides. Few if any of these combination methods effectively control all weeds in a single crop. The overall mechanization of production and harvesting of vegetables is being impeded by the need for more efficient methods for controlling weeds. The research program is primarily directed to weed control in the Southeastern States. The research covers weed control problems of specific crops including cotton, soybean, pasture and horticultural crops. The research also covers problems concerned with aquatic weed control.

4. *Oklahoma, Durant (water pollution research).*

The National Agricultural Water Management Laboratory at Durant, Oklahoma was completed in the fourth quarter of fiscal year 1970. This laboratory provides facilities for research to determine the nature and magnitude of surfaces and ground water quality degradation resulting from management practices on farm and ranch land, and to develop methods for improving the quality of water coming from agricultural lands.

There is concern over use of pesticides on agricultural crops including the possible presence of these chemicals in the runoff water from agricultural lands with eventual pollution of streams; in soil particles eroded from fields that are carried into streams and reservoirs by the sediment; and in water entering into deep percolation that recharges aquifers providing water for domestic, farmstead, and irrigation use. Also, concern is growing over the relationship between fertilizer applications and the increase in plant nutrient level in surface and underground waters. Degradation of waters caused by eutrophication, a process due to nutrient enrichment which stimulates growth of algae and aquatic weeds, is increasing. Public health officials have expressed concern over the levels of nitrate in wells and other sources of drinking water from nitrogen fertilization of crops.

5. *Texas, College Station (research on control of livestock insects and on toxicological and pathological effects of pesticides on livestock).*

The new facilities for this research at College Station was completed in the fourth quarter of fiscal year 1970. This laboratory provides facilities for the following research:

Control of livestock insects. Research on the development of safe chemical and nonchemical methods for control of insects affecting livestock that would minimize or avoid insecticide residues in meat, milk and other animal products. There are heavy annual losses of livestock and poultry caused by insects and other arthropods in reduced weight gains, reduced production of milk, eggs, and other animal products, and inferior quality animals products. Of great concern is the development of insecticides which will not leave harmful residues in livestock and poultry products. New types of chemicals to reduce residue hazards and to develop noninsecticidal ways of controlling insects would be emphasized. The research on insects involving chemicals is in close coordination with the toxicological investigations on livestock.

Research on toxicology and pathology effects of pesticide on livestock. Research to develop ways of reducing losses of livestock and poultry due to chemical poisoning by developing an understanding of the nature of the intoxications and the biological mechanisms involved and by developing proper preventive and/or antidotal procedures. The data developed through this research will reveal the levels of various chemicals that can be considered non-hazardous and provide guidelines for the livestock and chemical industries and regulatory agencies in establishing residue tolerances for meat, milk, and other products of animal origin.

Mr. HOLLAND. Mr. President, I might add, in addition to the staffing of the pesticides laboratories, we have provided for two others that were in the same position in that they had been completed but not staffed. One of them was completed some years ago, another in more recent times. One of those was the nutrition laboratory at Grand Forks, N. Dak., and the other the poultry research laboratory at Georgetown, Del.—for which we provided only partial staffing; $253,800 is available there for 1971.

I see present my distinguished friend from North Dakota (Mr. YOUNG), who is interested not only in the pesticide program but I think has a special interest in the nutrition program at Grand Forks, N. Dak., which has been provided for in the bill.

I gladly yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I greatly appreciate that the Senator from Florida my good friend the ranking minority member, Mr. HRUSKA, and the committee saw fit to put in the bill money to staff this nutrition laboratory. It is the only laboratory of its kind in the United States. It will be dedicated in about 2 months from now, and the top nutrition experts from all over the United States are scheduled to attend.

I do not know of anything more important in the field of nutrition than to find better foods and better use of foods and better diets than is the case now. I think there is a great abundance of food all over the United States, but there is a problem with respect to the right kind of nutrition.

Our people in North Dakota are most grateful to the Senator's committee for putting in funds to staff the laboratory. If that had not been done, it would just be an empty building, at a time when proper nutrition is one of our greatest problems.

Mr. HOLLAND. I thank the Senator. I think it would be a very fine and merited tribute if that laboratory bore the name of Milton Young, because he has worked for it for years. He has been very patient in waiting for this staffing. The committee evidently thought he had waited long enough and put in funds for the staffing.

PAYMENTS TO STATES FOR RESEARCH

Mr. President, the committee has recommended a total of $69,826,000 for payments and expenses to the Cooperative State Research Service. As reported from the committee it is recommended that there be appropriated $61,390,000 for payments to the States under the Hatch Act formula, which represents an increase of $6,201,000 over the 1970 appropriation, including $3,104,970 for increased operating costs and $3 million for community improvement research. The committee believes the States should have an opportunity to broaden their research efforts in this area and has restored $3 million of the budget estimate for this purpose.

The committee has also recommended the budget estimate of $3,350,000 for research to be conducted under contracts and grants. This is an increase of $1,350,000 over the House bill and the amount of the budget estimate, to enable the Cooperative State Research Service, in conjunction with the several States, to establish five pilot regional rural development centers to concentrate in rendering specialized assistance to the several States on rural development research.

The committee has also recommended an increase of $10,400,000 over the 1970 appropriation on a nonformula basis to accelerate rural community development extension work. This increase, which was budgeted, was denied by the House, but the committee is recommending the amount requested in the budget for this purpose. The bill also carries $48,560,000 for the nutrition aide program initiated 2 years ago. The amount recommended represents an increase of $20 million over the 1970 appropriations and will provide for the employment of 2,600 additional nutrition aides, bringing the number of such aides to 7,400.

In this connection, I personally want to state that I think the Department of Agriculture, and particularly the Extension Service, is doing fine work in this field by providing liaison with nutrition aides who are not civil service employees, working between the experienced and specialized people in the Extension Service, the county agents, the home demonstration workers, and the poorer people whose nutrition needs are being supplied but who in many cases do not know what is the proper food for them either to buy with food stamps or to acquire from the commodity distribution program.

On the subject of child nutrition and food stamp programs, I have already touched, in my beginning remarks, on the fact that we had received a supplementary budget item on the school lunch program, but I note that that is included in my next remarks, which deal with child nutrition and food stamp programs.

CHILD NUTRITION AND FOOD STAMP PROGRAMS

Mr. President, the Senate received a budget amendment, Senate Document 91–94, on July 1, to increase the estimate for the child nutrition program by $216,579,000. The committee anticipated this action at the time the bill was reported and it authorized me to offer an amendment to this bill to increase the appropriation for this item by the amount of the budget amendment. I intend to offer that amendment at the conclusion of my statement, at which time I will discuss the child nutrition program in greater detail.

Mr. President, the bill as recommended to the Senate by the committee provides the full budget estimate of $1,250 million for expenses of the food stamp program during fiscal 1971, including the House provision that this appropriation shall be available only within the limits of amounts authorized by law for fiscal 1971.

I shall have more to say later, Mr. President, about the situation with reference to the pending authorization measure passed so many months ago by the Senate but still under consideration in the Agriculture Committee of the other body.

The amount recommended is a net increase of $640 million over the appropriation for fiscal 1970. The conference report on House Resolution 17399, the Second Supplemental Appropriation Act for 1970, provides that $300 million of the amount recommended in this bill for fiscal 1971 is to be available for use during the first 4 months of the current fiscal year and will be charged against this appropriation bill when it is enacted into law.

In other words, because of this great delay in the passage of the authorization for the food stamp bill, the Senate, in the passage of the last supplemental bill for 1970, included this $300 million to cover the first 4 months under the food stamp program; but beyond that there is no coverage until we have an authorization bill, and that subject, I think, will deserve very seriously consideration later in this debate.

Mr. President, the bill as reported carries $150,997,000 for the Consumer and Marketing Service, the major portion of which goes to the inspection and grading of a number of commodities and food products.

The committee has concurred in the action of the House to reinstate the special milk program and continue it at the level of $104 million. Recently, the Congress sent to the White House for approval a permanent authorization for the special milk program.

If the President has acted on that bill, the Senator from Florida has not been advised of any such action, but the $104 million will, of course, depend, as to whether it remains in this bill, upon the passage of the authorization measure, because the older authorization measure has expired.

REA ELECTRIC AND TELEPHONE PROGRAMS

Mr. President, for the REA electric program the committee bill recommends new obligational authority of $352 million. This is $30 million over the House bill and the estimate, and $12 million over the authorization for fiscal 1970. Combined with carryover from 1970, which includes the $20 million impounded by the Bureau of the Budget, this will provide a total loan program of $375 million for the coming fiscal year.

I want to say at this time, Mr. President, that while the committee made this recommendation, the committee is fully advised of the fact that the Budget Bureau has been holding up increases which the committee felt were entirely necessary and justified in view of the huge backlog of requests. It held up slight increases in the budgeted amount which this committee has reported and which have been enacted by Congress over the last 3 years. This recommendation for an increase this year may meet the same fate; but we want to make it very clear that we are recommending the increase as only a very partial handling of the great backlog of applications that are now on file.

The committee is sympathetic to the efforts of the rural electric systems to establish a cooperative finance corporation and, in that regard, has included language in the report recommending that the Administrator grant deferments on principal installments of up to 3 years in order that the cooperatives themselves may invest in this new self-financing venture. That would be with reference to new loans, Mr. President, and not with reference to outstanding loans.

Mr. President, I ask unanimous consent that the text of the statement in the committee report, pages 38–39, entitled "Supplemental Financing Program" be printed in the RECORD at this point.

There being no objection, the excerpt from the committee report (No. 91–987) was ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL FINANCING PROGRAM

The Committee commends the rural electric systems in their attempt to establish a financing organization to help alleviate the large financial needs of the rural electric systems for new capital financing from the Federal Government. The National Rural Utilities Cooperative Finance Corporation (CFC) was incorporated in the District of Columbia on April 10, 1969. The Committee understands that CFC now has 785 members in 44 states.

Historically, REA has granted loans since the program began in 1935 allowing deferment of the payment of principal on the loans for varying periods of time. In some cases the deferment period has been for one year, in some cases for two years, in some cases for three years, in some cases for five years, and in a few instances even longer.

The Committee believes that the CFC plan has the potential of diverting the growing need to increase the annual loan authorization and achieve a large measure of "self-financing" in future years. To be most effective the capitalization of the corporation must be accelerated.

The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.

In addition to the subscription of capital from existing sources, and to meet the objectives set forth in the House Committee Report, a continuous flow of capital funds is essential to the orderly development of the CFC.

The Committee is of the opinion that the recommendation to the House Committee Report to defer principal repayments on outstanding loan contracts is not a feasible method of providing for an orderly flow of capital subscriptions to the CFC. The Committee recommends that beginning on July 1, 1970, that the REA Administrator grant up to a three-year deferment on principal installments on new REA loans—with the understanding that such deferred installments on principal will be invested by borrowers in the CFC.

Such regular investments in CFC when continued for several years and coupled with the open market sale of debentures, should then enable the REA Administrator and the CFC to make an orderly transition from complete reliance upon government financing to a greater reliance upon the sale of CFC debentures, except for the financing of systems where the input of 2 percent government loans may be essential to the maintenance of adequate electrical service at reasonable rates in low density population areas.

Mr. HOLLAND. For the REA telephone program, the committee has included new obligational authority of $138,800,000, which is $15 million over the estimate and the House bill, and $15,500,000 over the amount appropriated for fiscal 1970. This amount, combined with the carryover from 1970, will provide a total program level of $140 million for fiscal year 1971. On April 2, the Senate passed S. 3387, the self-help supplemental financing program for the telephone program. To date, this bill has not passed the House.

Mr. President, I want to say that not only does this subcommittee, and the Appropriations Committee, as a whole approve of the efforts now being made by the REA electric cooperatives and the REA telephone organization to enter into self-help programs somewhat like those that are found in the Farm Credit Administration, but we have, by our language and by our actions in this bill, sought to aid in those efforts, which we think are highly commendable. The committee believes a great need exists in rural areas for this program, and has attempted to meet at least part of it with the increased funds contained in the bill.

COMMODITY CREDIT CORPORATION AND PUBLIC LAW 480

On the Commodity Credit Corporation and Public Law 480, Mr. President, there are several important changes.

The major items of difference between the House passed bill and the recommendations of the committee deal with the appropriations available to the Commodity Credit Corporation. The committee has restored the budget estimate for the reimbursement to the Commodity Credit Corporation for net realized losses. The amount recommended is $3,363,155,000, the amount requested in the budget. It covers the balance of $249,998,669 of unreimbursed losses for fiscal 1968, and the full reimbursement appropriation necessary for fiscal 1969 in the amount of $3,113,156,331.

Mr. President, I commend the Bureau of the Budget for doing at last, but for the first time, what this committee has been insisting upon for at least 8 or 10 years: that is, that the law be followed in that the full deficit incurred by the CCC—not by any illegal or irregular methods, but simply by carrying out the laws which Congress has passed—be restored each year. That is fair not only to give information as to the cost of the program, but it is fair to leave the CCC in the best position to meet all the burdens that may be placed upon it. The committee has restored the House reduction of $250 million in this fund to bring the affairs of the Commodity Credit Corporation to a current basis as intended by Public Law 87–155, which authorizes appropriations to restore and repair the capital structure of the Commodity Credit Corporation every year. This appropriation method was intended to bring to the attention of the Congress and all parties concerned the actual fiscal affairs of the CCC as soon as possible after the end of the fiscal year. The appropriation, while it provides new obligational authority, in no way affects the expenditure level of the CCC for the coming year. These mandatory expenditures are authorized pursuant to a per-

manent level and this is, in effect, only a paper transaction, that is to restore the borrowing capacity of the CCC, which it has reduced by its operations in the time period I have mentioned already in my statement. I am pleased to note that if the Senate approves the committee's recommendations on this item—and we are able to prevail in the conference, which I hope we will—for the first time in a long time the reimbursement appropriation to restore capital impairment of the CCC will be on a current basis as intended by law, and I commend the officials of the Department of Agriculture—both the prior administration and this administration—and the Bureau of the Budget for their cooperation in regard to this item. I hope that in future years this account will be kept on a current basis.

That is fair to agriculture, fair to Congress, and fair to the general public, so that they may know the scope of the operations of this very important corporation, which handles so much business not only of importance to agriculture, but of importance to the Nation in various other fields, including social service and foreign relations.

Mr. President, in connection with the appropriation for Public Law 480, the committee has recommended a total of $702,500,000 for titles I and II of that act for the coming fiscal year. This is a reduction of $230 million under the budget estimate and is the same amount proposed in the House bill, and is $217,500,000 under the 1970 Appropriation Act. The action of the committee in recommending these reduced amounts in no way reflects upon its interest and support in the continuation of Public Law 480 activities. However, the current authorization for the program expires December 31, 1970. The legislative committees, due to the press of other business, have not been able to proceed with the extension of the authorization—which is fully expected before the adjournment of Congress. The committee believes the amount recommended is fully adequate, pending extension of Public Law 480 authorization as previously stated, and if additional funds should be needed prior to the request for supplemental estimates, the Secretary of Agriculture is authorizd by law to use the borrowing authority of the CCC to meet the expenses of this act.

Mr. President, this concludes my general statement. I yield at this time with pleasure to my distinguished colleague, the Senator from Nebraska (Mr. HRUSKA), the ranking minority member of the committee, who has rendered such great service, not just to his State but to agriculture in general, and to the committee and to the Senate, in his very active handling of matters in the hearings, in the drafting of this bill, and in otherwise generally serving agriculture. I yield to the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Florida for his generous remarks.

Mr. President, this is the seventh consecutive year in which we have been favored with a summary of the agricultural appropriation bill by the senior Senator from Florida. In the meantime, he has announced that he has chosen to retire from this body at the conclusion of this session of Congress. The dedicated service that he has rendered for the past 24 years to this body and to the Nation is a subject on which much can be said, and later in the day much will be said on this subject. I defer in that regard until a later time, when more of our colleagues can be in the Chamber to comment on it. In the meantime, I make this expression of appreciation for his very fine summary of the bill before the Senate.

As to the budget itself and the bill, Mr. President, the proposal before us represents the best composite consideration of the Agriculture Appropriations Subcommittee and the full Appropriations Committee. Because of the budget stringencies which all of us are attempting to observe, the subcommittee has reviewed the proposed budget closely in an effort to weigh the priorities fairly, and to assess accurately the impact of major adjustments proposed by the Department of Agriculture and by the House of Representatives.

Throughout the proceedings, the subcommittee has been mindful not only of the great needs of the farmer, but also of the consumer as well. After all, without the consumer and his interest and his need of the agricultural products, we would have no justification for activity.

At this point it would be well to correct an erroneous impression held unfortunately by too many people—the impression that the agriculture budget is simply a subsidy for farmers. In order to try to correct that constantly recurring phenomenon, I ask unanimous consent to have printed at this point in the RECORD a table of statistics on this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE—BUDGET OUTLAYS, FISCAL YEARS 1969, AND ESTIMATED 1970 AND 1971

[In millions of dollars]

	1969	1970 estimate	1971 estimate
Programs which clearly provide benefits to consumers, businessmen, and the general public:			
Programs having foreign relations and defense aspects:			
Sales of agricultural commodities for foreign currencies and for dollars on credit terms (title I, public law 480)	$610	$614	$501
Commodities and other costs in connection with donations abroad (title II, Public Law 480)	364	357	351
Transfer of bartered materials to supplemental stockpile (net)	−4	−2	
Donations of dairy products to armed services and others	27	5	23
Total	997	974	875
Food distribution programs (domestic):			
Commodities distributed to the needy and others	621	577	703
Food stamp program	248	575	1,249
Child nutrition program	237	302	314
Special milk program	102	81	17
Total	1,208	1,535	2,283
REA and FHA repayable loans:			
REA loans	473	511	492
Repayments of principal and interest	−276	−273	−287
FHA loans	263	312	−755
Salaries and expenses for loan programs	80	93	106
Total	540	643	−444
Long-range programs for the improvement of agricultural and natural resources:			
Forestry	61	97	102
Agricultural and forestry research	265	268	279
Plant and animal disease and pest control	88	96	101
Soil and water resource protection and development:			
Agricultural conservation program	234	223	173
All other	$278	$312	$315
Cooperative agricultural extension work	97	130	171
Inspection of commodities and other marketing services	115	145	149
All other	91	106	114
Total	1,229	1,377	1,404
Total	3,974	4,529	4,118
Other programs which are predominantly for stabilization of farm income, but which also benefit others:			
CCC price-support and related programs:			
CCC loan, purchase, export, and related programs	928	390	−114
Storage, handling, and transportation expenses	121	181	188
Interest expense (net)	228	303	405
Acreage diversion payments:			
Feed grains	801	541	801
Wheat	24	47	77
Cotton	96	19	28
Price-support payments:			
Feed grains	626	728	715
Cotton	643	798	878
Wheat certificate program	359	398	430
National Wool Act program	65	55	62
Total	3,891	3,460	3,470
Cropland adjustment program—adjustment payments	76	76	76
Conservation reserve program	107	40	1
Federal crop insurance program (net)	7	4	
Sugar Act program	87	93	88
Salaries and expenses for above programs	188	205	200
Total	4,356	3,878	3,835
Grand total	8,330	8,407	7,953

Mr. HRUSKA. The fact must be granted that the farmer benefits from many phases of the budget, as he has for decades. But it does the vast program a disservice to dismiss it perfunctorily in such terms. Its benefits to the Nation are much, much broader; extending to many segments of our society and our economy. These benefits include the health and safety of consumers, better and cheaper products, rural community development, antipollution and antihunger measures, among many of which are contained in this bill.

Despite the general application of the Department's program, its critics focus inevitably each year on the farmer, characterizing him as a poor dependent who costs the Government billions of dollars in subsidies. This is a most unjustified view.

The fact must be brought home to our urban friends that the consuming public benefits most from the achievements in American agriculture and therefore has the greatest stake in a stable, progressive agriculture program. It has been estimated, Mr. President, that more than 50 percent of the total 1971 budget contains programs which will be of direct benefit to consumers, businessmen and the general public.

Let us consider as a case in point the matter of good prices. While they have risen recently, they still have not risen at the rate of other consumer products, or at the rate of personal incomes. Food is still a relatively good buy—the best in history, in fact. The average U.S. consumer can buy this family's food supply for 16½ percent of his after-tax income, and the is the lowest percentage of income which has ever been spent for food in this country. Of course, it is a good deal lower than is spent anywhere else in the world.

For this achievement, the consumer is indebted to our agricultural research program and the remarkable efficiencies which have been built into our food industry, the envy of every nation in the world.

The agriculture industry also has been a pioneer in seeking solutions to many national problems, such as pollution, hunger, health, and safety of the public. Such problems have been the concern of the industry for many years. Now they are being approached with even greater emphasis.

This is why the Senate committee felt it was necessary to move forward as originally scheduled on pesticide research and control, antipollution research and rural community development.

There are several items in the Agriculture appropriations bill which are of particular interest which I would like to discuss briefly. They are:

First, the necessity to move forward with pesticide research.

Second, the great benefit resulting to the consumer from research to improve the quality and productive efficiency of meat.

Third, the need and concern for rural development, thus reversing the trend of outmigration from farms and rural communities.

Fourth, the concern for the problems of pollution of our air, soil and water.

Fifth, the need for improved livestock surveys.

First, we are all aware of and concur in the emphasis currently being placed upon the potential danger to the consumer and the possible effects to our environment of unwise use of pesticides and herbicides. This problem was foreseen some time ago by the Congress and the Department, and a research program to meet the need was launched in 1965. Research facilities were authorized for construction, with completion and staffing scheduled to be completed by 1972.

These research laboratories are now completed and standing idle.

The Senate committee felt that because of the pressing need by the consumer and the farmer for information and guidance in this important area, staffing of the facilities should proceed as planned. We have, therefore, provided for full staffing of these laboratories, which was not provided in the Department's request or the House bill.

We feel this research is needed now, not only for its direct results, but for its important relation to other antipollution research and control measures which are being planned and implemented.

A second area of important consumer benefits is the research which will be done to improve the quality and productive efficiency of meat.

The beef industry, which accounts for the largest segment of our largest and most important industry, faces a tremendous challenge if it is to produce 40 percent more beef needed by 1980 and still provide the necessary product quality and production efficiency. The rapid rise in consumer demand for beef in the last few years has resulted in higher prices.

I am not here to defend these prices or to condemn them. It should be noted, however, that the farmer and rancher do not sell meat. He sells cattle. There is a wide gulf between the price of cattle at the farm and the retail price at the meat counter. Sometimes the ways in which prices move are mysterious, and we do not have the time today to untangle the relationship between retail and wholesale meat and farm cattle prices. But when prices rise, I can assure you the blame should not be placed on the stock grower who is getting for his product essentially what he received 20 years ago, and perhaps a little less.

In the meantime the farmer and rancher is facing higher production costs. Waste fat amounts to 20 percent of the beef carcass from feedlot cattle. Lack of tenderness is found in 5 percent of these cattle. Consumer-preferred cuts account for only 50 percent of the total carcass. There is a great opportunity for improvement through research of the quality of the product and feeding efficiency. This research will be of direct benefit to consumers.

This bill contains $1,328,800 for research to improve quality and feeding efficiency of beef and sheep. Along this line, $1,800,000 in development funds have been granted to complete the phase I facilities for the U.S. Meat Animal Research Center at Clay Center, Nebr.

For too long there has been an imbalance between the resources we have invested in crop research as opposed to those invested in animal research. Over the past 13 years the Department of Agriculture has spent two and three times more for crop research, although livestock marketing receipts are about 54 percent of total farm cash receipts. It is high time to bring about a better balance in the two research budgets in recognition of their relative importance in dollars.

There are many other areas which have a direct or indirect effect on public welfare. More than $16 million was approved for economic research. This service develops and carries out a program of economic research designed to benefit farms and the general public by providing studies and economic reports on commodities and the markets. More than $149 million was put into consumer protective marketing and regulatory programs. Payments to States and cooperative programs fund many activities directed at maintenance of the quality of agriculture products, development of new and expanded markets, and more effective disposal of seasonal surpluses through better advertising, and improved marketing techniques.

Third, rural development is also a topic of great concern and current discussion. Although the House felt that it would be better to allocate more money for loans and grants for rural water and sewer development, our committee felt that a good start should be made in research programs directed at community improvement so that the migration out of rural areas can be reversed or at least halted, thus reducing the growing problems of overcrowded urban centers.

The Senate committee has restored $3 million of the budget estimate of $5 million, denied by the House to the Cooperative State Research Service for community improvement research. The committee felt that the States should have the opportunity to apply their skills and effectiveness to this field of research. There is also $1,350,000 to establish five "pilot" regional research centers which will concentrate on community improvement research and render specialized assistance to the States in this new program.

Along this line, the committee has provided $10.4 million for the Extension Service, the amount of the Department's estimate, which will finance extension activities for State and multicounty rural community development work.

Rural development has long been the cornerstone of the Soil Conservation Service, but this year work will proceed at an even faster pace. The Senate increased the resource conservation and development program by $800,000 over the House mark and budget estimate. This carries on the program of rural renewal and will provide planning funds for new projects without impinging upon development work in authorized projects.

There are also substantial increases in the construction of watershed works of

improvement and the Great Plains program. In my opinion, the Soil Conservation Service is one of the Federal Government's most popular programs as far as Nebraskans are concerned. I certainly consider its efforts as one of the best investments of public funds that we receive in my State. It fulfills the administration's desire to strengthen rural America and improve the quality of our environment. It is also sound evidence of the pioneering work of the Department of Agriculture in the field of pollution abatement.

The cause of rural development is also advanced by the committee's action in increasing the loan level of the Rural Electrification Administration to $375 million, and the rural telephone program to $140 million; also by increasing Farmers Home Administration loans for water and sewer improvement to $60 million. The increase in water and sewer loans is $36 million over that requested in the budget and $40 million under that recommended by the House committee.

My fourth point is pollution.

Pollution is an item which has been mentioned several times before earlier today. It is a matter of concern in almost every phase of the activities of the Department of Agriculture. The Soil Conservation Service has made great contributions in meeting this problem, but there are still many things to be done. Secretary Hardin has stated that "siltation is still the largest single pollutant of water." Through the agriculture conservation program and the Soil Conservation Service, major steps are being taken to stop the deterioration of the American environment and to bring about resource and environmental improvement.

In this connection, the Senate committee has granted $1,452,200 for pollution research concerned with animal and poultry waste management. This has become an increasingly bothersome problem, and we are confident that much progress can be made as time goes on, with a little more emphasis in this area. The intensified research is needed in all phases of animal waste management, including characteristics of manure removal from animal quarters, runoff, storage, transport, treatment, ultimate disposal, and economic evaluation to insure improvement of environmental quality with minimum disruption of current production-efficiency levels. The research which is proposed would determine the physical, chemical, and biological properties of wastes and the influence of management practices on these properties; developing methods for effectively reducing the volume and polluting properties of animal wastes; developing alternative uses of wastes; and developing processes for eliminating odors originating in livestock and poultry operations. All of this research is directed to reducing soil, water, and air pollution caused by animal wastes.

New laboratories have also been authorized for construction and for planning for soil and water research directed at the pollution problems.

Fifth, let me say how pleased I am that the Department has included in its estimate $1.3 million for multiframe livestock surveys. This program, initiated last year, will now involve 16 important livestock States. These States have been selected to provide the minimum coverage required in order to attain a significant improvement in the accuracy of our national estimate for cattle and hogs.

This new technique features probability sampling, utilizing a combination of list and land area survey procedures. In the past, the livestock industry, which is Nebraska's largest, has suffered disastrous consequences as a result of unreliable statistics. The procedures to be followed in this new list system are substantially different from historic methods where estimates were based primarily upon data obtained from lists of farm operators exhibiting a willingness to complete questionnaires received in the mail. The new approach is designed to provide reliable, independent estimates, based on probability sampling, at the lowest cost. It is hoped that these surveys will provide cattle and hog estimates with sampling errors of 1 percent or less for the 16-State area.

In 1969, farm marketing of both crops and livestock totaled $51.2 billion. Of that total, livestock and livestock products accounted for 54 percent, or $27.7 billion. Unless we have reliable marketing statistics that will enable advantageous marketing of commodities, somebody is going to get caught short and be exploited. This is something to be avoided if at all possible. It is good that the need for this vital survey program has been realized and that the Department and House have followed through with the program which the Senate fought hard to start last year.

Another item of interest to me and to all of the Great Plains States which face the yearly shortage of boxcars for grain shipment, is a research program on temporary storage of high-moisture feed grains. This research is designed to study moisture changes within grain storage piles, identify active micro-organisms in high-moisture grain storage, test chemicals which may inhibit the development of fungi in high-moisture grain, and evaluates temporary storage procedures and practices for the Great Plains region.

This research hopefully will lead us to better temporary storage systems. While that does not help the transportation system, it will help protect the grain until it can be transported or at least stored properly.

Mr. President, I should like now to comment briefly upon the provisions in the bill for the funding of the Commodity Credit Corporation. I subscribe fully to the remarks made and the analysis made by the Senator from Florida on this subject.

It is also my hope that in future years the Commodity Credit Corporation will be kept on a current basis, so that in all fairness not only to the agriculturalists in the Department of Agriculture but also to the citizens of this country we will all be aware of the exact status of the corporation's financial structure and just how it is actually handled.

Mr. President, that concludes my prepared remarks with reference to the bill, and I revert now to the subject I started out with, which is a favorite subject of mine; namely, commenting on the illustrious career of the distinguished senior Senator from Florida (Mr. HOLLAND) in the Senate for almost 24 years.

During those 24 years, he has earned a position of high respect and great esteem among his colleagues. He has acquired wide influence not only among Senators but also in the field of agriculture generally. He enjoys the high respect of the entire Nation.

It has been my privilege to serve with him for 7 years and observe his diligence, his fairness, and the way he ferrets out the necessary information in order to work out a balanced and workable bill to fund Agriculture Department activities.

He has never failed to impress me with his sound, careful, and thoughtful approaches to agricultural problems. His conduct in the hearings and in committee sessions has been a model of efficiency and rewarding productivity which should be emulated by all who are placed in similar positions of authority.

Recently, in a more or less reminiscent mood, the Senator from Florida told me that his father was a farmer, an agriculturalist in Florida, was an enterprising and resourceful fellow. Apparently, he had introduced into the agricultural scene in Florida a great many innovations, new ideas, and new methods of doing things.

The Senator from Florida also told me that his brother was engaged in work as an extension agent in that capacity, and engaged in activities which meant much to the increasing efficiency and productivity of agriculture in Florida.

The Senator from Florida, being a lawyer by profession, was not able to get into the field of agriculture directly, but here in the Senate, certainly with bills on agriculture and appropriations for agriculture, he has done a monumental job nationwide to advance and improve agriculture.

Thus, he has kept up the tremendously fine tradition of the Holland family, so that we are all very grateful to them.

In due time, we shall salute the Senator from Florida even more fervently and gratefully; but, for the present, I confine my remarks to his contribution in agricultural appropriations efforts, in which he has functioned so well.

Mr. HOLLAND. Well, Mr. President, I am so grateful for that gracious statement. I wish I merited it all. If I had known the Senator was going to make that statement, I might have run again for the Senate, because that would have been very helpful to me. As the Senator knows, my age and my health prevent me from running again.

I must add one thing to the very kind things the Senator had to say about my late father and brother. They both had green thumbs. Anything they touched would grow. Exactly the opposite was true about me, so that if I was to do anything for agriculture, it had to be done through some other method. I chose the only method available to me, because

I agree that agriculture is the most important enterprise in the Nation. We have to eat. We have to be clothed. Our tremendous productive capacity gives us the greatest ace in the hole we have in our dealings with the rest of the world.

Thus, it has been a great pleasure to do anything that I could for agriculture.

I certainly do not merit all the kind things which the Senator said about me, but I certainly appreciate them all very much, and I thank him warmly.

Mr. YOUNG of North Dakota. Mr. President, I, too, wish to commend the distinguished senior Senator from Florida (Mr. HOLLAND), chairman of the Subcommittee on Appropriations, and the distinguished senior Senator from Nebraska (Mr. HRUSKA), the ranking minority member of the subcommittee, for the careful consideration they have given to this bill and their effective handling of it, as well as the fairness which they abundantly displayed.

The Senator from Florida (Mr. HOLLAND) is not running for reelection this year. If I were a betting man, I would give big odds that he would be reelected and would be back here in the Senate. But our good friend from Florida has decided not to come back, which I regret very much.

I was very much interested in the comments of the Senator from Nebraska about the Senator from Florida concerning his father and brother. I had not realized that the Senator came from such an agricultural background.

I have often marveled at the intense interest he displayed in the problems of agriculture. I would have understood his motives better all these years, had I known a little bit more about his background.

Mr. President, this Agriculture appropriations bill we are considering today will be the last appropriations bill our beloved and distinguished friend from Florida—Senator SPESSARD HOLLAND—will be handling as chairman.

As chairman of the Senate Subcommittee on Agriculture Appropriations, he has dealt fairly and with great understanding for all agricultural interests. Even though there are some farm programs he is not entirely in accord with, he has always fought hard to provide the funds necessary to operate them as required by law.

Mr. President, I know from experience this Agriculture appropriations bill is one of the most difficult and involved of all of the appropriations bills that we handle. Senator HOLLAND has given his usual great study and careful consideration to the literally hundreds of different items contained in this bill.

Our friend—SPESSARD—has a long and outstanding record in the U.S. Senate extending over a period of nearly a quarter of a century. Before that he was the Governor of Florida—and one of its best. Even previous to that he had a brilliant record in the legislature of his State.

While I am not an attorney, I understand from my attorney friends in the Senate—and they make up about two-thirds of its membership—that SPESSARD HOLLAND is rated as one of the very best in my time. His great ability as a lawyer, coupled with his hard work and dedication, not only to the interests of the people of Florida, but the entire Nation, has enabled him to establish this truly outstanding record as a U.S. Senator.

Over the years he has been here in the Senate he has handled some of the most difficult legislation, not the least of which was the tidelands oil bill. It was during the handling of this bill, and many other very difficult ones, that he demonstrated his unusual ability as a lawyer advocate and legislator.

I have often said to my friend that, if I ever got into serious trouble, I do not know of anyone I would rather have as my lawyer.

Many Members of the Senate during my time have established good and outstanding records as legislators, but I do not know of a single instance where a Senator was accorded the recognition and appreciation that our friend—SPESSARD HOLLAND—received recently when his friends in the agriculture industry of Florida had a special appreciation day to honor him. I understand from people who were there that more than 3,000 agricultural producers gathered to pay tribute to him—and a well-deserved tribute it was. I do not know of a Member of the Senate who has fought harder or more effectively for the agricultural interests of his State than he.

He has been almost solely responsible for many great public works projects of all kinds in his home State and particularly water projects.

Sometimes people tend to think of our friend—Senator HOLLAND—as a conservative and I think his viewpoint on most matters could be so considered. There have been some notable exceptions—one important example was his rewriting of the farm credit laws—laws which, because of his keen thinking, broad knowledge, great ability, and friendly attitude, were made much more liberal and effective. This was a godsend to innumerable farmers. I cite this piece of legislation because it was so typical of SPESSARD HOLLAND.

Mr. President, it is with deep regret that I look toward SPESSARD HOLLAND'S leaving the Senate. He has served the Senate and his State for a long, long time and, if anyone deserves a little time for relaxation and to enjoy life more, it is SPESSARD and his most lovely wife, Mary. We need more people in Washington like SPESSARD and Mary—not less. We all wish them well in their future life, and it is our hope and wish that we will be seeing them often in the future.

Mr. HOLLINGS. Mr. President I wish to join my colleagues in paying tribute to the able leadership of the distinguished Senator from Florida, SPESSARD L. HOLLAND. I have served on the Agriculture Committee with Senator HOLLAND and I know that under his guidance and direction the agricultural interests of our Nation have been well served. Although we have disagreed on some aspects of the hunger problem, I have the highest respect for his judgment and his keen logical and analytical approach to legislative problems. There is no Senator who is more diligent in carrying out his legislative responsibilities, both on the floor of this Chamber and in the committee activity in which he actively participates. His presence in this body will be sorely missed by his colleagues, his constituents, and his Nation.

Mr. HOLLAND. Mr. President, I had no intimation that any such accolades would be bestowed upon me at this time, but I appreciate them very greatly. Indeed, I want to make the record clear on one point, that the Senator from Nebraska and the Senator from North Dakota are two of the best friends any man ever had who had to preside over a subcommittee dealing with agricultural appropriations.

The Senator from Nebraska has been the ranking minority member for the past several years. Prior to that, all the time I served as chairman of the subcommittee, the Senator from North Dakota was the ranking minority member.

No man has ever had more complete and thorough understanding and cooperation from his associates than has existed on the part of these two distinguished Senators whom I count not only as dear friends of mine but also as among the best friends of the soundest agricultural economy that this Nation has ever seen.

I hope that the people of their States recognize that and keep them in the Senate at least until they are the age I have attained, and I hope they may be able to stay here for a longer period of time.

I know that the Nation would be well served as long as they are here. I thank warmly my distinguished friend, the Senator from North Dakota, for his remarks. I wish that I deserved them. I appreciate them greatly.

Mr. ELLENDER. Mr. President, I would like to join my friends and distinguished colleagues in this colloquy. I agree wholeheartedly with what has been said about my good friend SPESSARD HOLLAND.

When he announced that he was not going to run for reelection to the Senate, I did my best to persuade him to change his mind. Even now, I hope that there may still be a chance that he will reconsider.

I know of no other Senator who is more devoted to his work than SPESSARD HOLLAND. He is now the second man in seniority on the Agriculture Committee. He has served the American farmer and consumer well. He is chairman of the Agriculture Subcommittee of the Senate Appropriations Committee, where he has done a marvelous job. He has gone into our rural- and farm-related problems, and familiarized himself with the intricate details necessary to produce each year a fair bill, and a bill that would inure to the benefit of agriculture and the Nation as a whole.

I am proud of the fact that Senator HOLLAND chose to serve on the Agriculture Committee of the Senate as well as on the Appropriations Committee. On those two committees a Senator has the privilege and opportunity of working for the protection and preservation of two of our most important resources—land and water.

It has been my privilege to travel abroad on many occasions. I have long since concluded that only by protecting and preserving these two great resources

can a country provide a good life for its citizens over any length of time. Any country which fails to look after its agricultural base and care for the land itself will be in trouble.

The Senator from Florida has been of immeasurable help on the Committee on Agriculture and Forestry in helping the Congress to achieve this goal. He has always attempted to devise more effective ways and means of protecting and preserving American agriculture as well as our land and water resources.

I regret more than I can say that he will not be with us after January 3 of next year. As I have said, I do not know whether it is yet too late to persuade him to reconsider. He is not too old to continue his service in the Senate. I am very hopeful, SPESSARD, that you might change your mind.

As Senator YOUNG of North Dakota has just stated, I doubt if he would encounter any opposition if he ran again as a candidate for the office of Senator from Florida.

I am very hopeful that his lovely wife, Mary, will see to it that he again presents himself for reelection. I am satisfied that if he does, he will be overwhelmingly reelected. If we cannot persuade him to continue his service in the Senate, there is no doubt that this great body will lose much of the advantage it presently has because the Senator from Florida will not be serving on these two important committees, the Appropriations Committee and the Committee on Agriculture and Forestry.

In addition to the great work of the Senator from Florida on the Appropriations Committee and the Committee on Agriculture and Forestry, he has been one of the leading supporters of the space program, which has brought so much advantage to our country.

I am proud to say that Senator HOLLAND was one of the leaders in the efforts to bring to our country this great glory by making it possible for a representative of our great Nation to be the first man on the moon.

Mr. President, I urge my good friend to come back again to the Senate and to continue doing the job he has so nobly performed in the past.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, it is a rare privilege indeed to join my colleagues on both sides of the aisle in paying tribute to my friend and neighbor, SPESSARD HOLLAND.

It has been my privilege to know SPESSARD HOLLAND for 30 years, from the time he served as Governor of Florida.

When I came to the Senate, 13½ years ago, I was assigned to the Committee on Agriculture and Forestry. Since that time, I have watched him in his dedicated, courageous, and hard work for the farmers of our Nation.

Senator HOLLAND is one of the hardest working men in the U.S. Senate. He rarely ever misses attending a committee meeting, and then only because he has other committee meetings which may be of more importance or some important previous engagement.

I never cease to be amazed at the alertness of his mind and the vast store of knowledge he has accumulated in his years of service. He has been extremely hard working and has conducted very sound hearings.

It was my privilege to succeed Senator HOLLAND as chairman of the Subcommittee on Agricultural Credit and Rural Electrification. During the time Senator HOLLAND served as chairman of that subcommittee, he reorganized the credit system of agriculture in this Nation and made it farmer owned and farmer operated. That was a great contribution to the rural people of our Nation.

Senator HOLLAND'S roots go deep in Georgia. His family migrated from Carroll County, Ga., to Florida. Senator HOLLAND is a native born Floridian, but he attended Emory University, one of our leading universities. He is still a member of the board of trustees of Emory University where his great talent has helped to make it one of the great universities in our Nation.

I was saddened when he announced that he would not seek reelection to the Senate, because I know that his great wisdom, his devotion to duty, his great knowledge, and his great courage have meant much not only to the Senate, but also to the Nation.

Now that he is handling his last appropriations bill, the agriculture appropriation bill, for our Nation and will soon retire to his beautiful, sunny Florida, I join his many friends in the Senate and in Florida and his millions of friends throughout the Nation in wishing him continued good health and happiness so that he and his wife, Mary, can enjoy life with their children and their many grandchildren whom he so seldom has the opportunity to see.

SPESSARD, all of us wish you Godspeed.

The ACTING PRESIDENT pro tempore. The junior Senator from Florida is recognized.

Mr. GURNEY. Mr. President, I join my other colleagues in paying tribute to the senior Senator from Florida on the occasion of his last handling of the appropriations bill for agriculture.

I think that I can say with utter candor and without argument from anyone in the State of Florida that no citizen of our State has ever had a more distinguished career in public service than the senior Senator from Florida.

Almost immediately when he commenced his adult life after college he entered public affairs in the State of Florida. He was a distinguished prosecuting attorney in his younger days, a member of the State legislature—an outstanding member, I might say—a Governor of Florida, of course, and one of the best we ever had, and then there followed his many years in the Senate.

No man from our State has ever made a greater contribution to public life in the State of Folrida and no man has ever made a greater contribution to the public life of this Nation than SPESSARD HOLLAND.

Mention has been made here of his decision this year to retire from public office. I can say as a Republican and one who, of course, contends in the political battleground on the other side from the senior Senator from Florida, that there never would have been any doubt of his reelection if he had decided to run again. I think he has as much support from Republicans in Florida as he does from Democrats. I know that on previous occasions when he has been opposed by members of my party there really was never a contest; there was only a slight exercise until the Senator was reelected.

He is held in tremendous affection by people all over the State of Florida, and that is particularly true in the area of agriculture. If one were to say there is a "Mr. Agriculture" in Florida, it would have to be SPESSARD HOLLAND. He is known by everyone in our State who is in that business. Agriculture is either the first or second business in Florida, depending on who you talk to and when; but it is a major economic factor in our State, whether it is vegetables, citrus or other fruits, tobacco, cattle, or all the other things embraced in agriculture in Florida. People in that business know him not only as a great friend who has espoused that cause year after year in public life in the State, here in the Senate, and in the Nation, but they also know him as one who probably knows more about all of Florida's agriculture than most people do.

As his colleague in the Senate I can say personally that I will miss him when he leaves. He has always been helpful to me, not only in the short time I have been in the Senate but also in the 6 years I served in the House of Representatives. This is true in many little things. Mention was made by the Senator from Georgia of the work output of our colleague. I do not believe anyone in the Senate works harder than he does; and he does it in many little ways other people do not do it. If we have delegations from the State of Florida here, he is never too busy, even with the enormous workload he carries—the committee work and hours he spends on the floor—to meet with our delegations from Florida no matter what walk of life they come from, nor how humble nor great they may be.

Mr. President, this is the sign of a great public servant, one who is interested in helping the people, as well as the fame and glory which goes with being a Member of the Senate.

That is why I think the Senator is so respected and beloved, and I use that word advisedly, by citizens from the State of Florida. I hope when he retires he will spend a long time enjoying life in our State; and it is a wonderful place to live, away from the hurly-burly and the many demands Congress presents to its Members. If anyone ever earned a rest after a distinguished career in public service, it is the senior Senator from Florida.

I certainly join Senators in saying that he will be sorely missed.

(At this point, Mr. EAGLETON assumed the chair.)

Mr. ALLEN. Mr. President, I have had the pleasure of knowing personally the distinguished senior Senator from Florida, SPESSARD HOLLAND, only since coming to the Senate in January 1969. How-

ever, as a member of the Alabama State Legislature, and as Lieutenant Governor of Alabama, it was my privilege to follow Senator HOLLAND'S career from the time of his distinguished service as Governor of the great State of Florida, on through his able, distinguished, and illustrious period of service of 24 years in the Senate.

It was my privilege to hear Senator HOLLAND make a great extemporaneous address in Chicago at the 1952 Democratic National Convention. The Democratic Party then, as now, was beset with many differences of opinion, and many things that divided our party. The distinguished senior Senator from Florida made a great speech in which he sought to smooth over some of the differences that existed in the party.

Since coming to the Senate, it has been a great privilege for me to enjoy a close association, I believe, with the distinguished Senator from Florida. Many times I have had occasion to sit at the same table with him at lunch in the Senators' private dining room at the table reserved for Democratic Senators. While I figuratively sit at his feet on those occasions, I do actually sit beside him, and I have enjoyed discussing, and hearing Senator HOLLAND discuss, elaborate upon, point out, and explain to the junior Senator from Alabama, some of the great history and traditions, and the great personalities of the Senate in the years that he has served in the Senate. I have enjoyed and profited greatly by these periods when I experienced this close association with the senior Senator from Florida.

It has been my privilege, too, of serving on the Committee on Agriculture with him. His grasp and great familiarity with the intricate bills that he has mastered and that he presents from time to time on the floor of the Senate have been a constant source of amazement to me. I have been truly amazed with his familiarity and grasp of major bills coming before the Senate that are not his specialty. I have profited by the experience that I have had serving as a junior colleague of the distinguished senior Senator from Florida.

Mr. President, I remember most vividly one of the first matters that the U.S. Senate considered after the junior Senator from Alabama became a Member of this body. It was the consideration of an amendment of Senate rule XXII, which would have allowed the application of cloture on the vote of three-fifths of the Senators present, rather than the two-thirds majority as is required under the Senate rules. The distinguished Senator from Florida led the fight of those who opposed that amendment or that effort to amend the Senate rules.

In the judgment of the junior Senator from Alabama the most important vote that has been taken in the U.S. Senate in the 91st Congress, whether the first session or the second session, was on the appeal by the distinguished senior Senator from Florida from the ruling of the Chair, the then Vice President Hubert Humphrey of Minnesota, under which the then Vice President had ruled that cloture had been applied to debate on the amendment because, on the motion to apply cloture, a majority of the Members of the Senate had voted to apply cloture. The Vice President ruled that since the vote was taken at the start of the session, a majority of the Senate should not be denied the right to amend the rules of the Senate for that session. The distinguished Senator from Florida appealed from that ruling, and the Senate overturned the ruling of the Chair, deciding in effect that it takes a two-thirds vote rather than a bare majority to apply cloture at the start of a session or any other time.

The Senator from Florida holds the distinction of being the only Member of either body of the Congress who is the son of a veteran of the War Between the States. His father was a teenager who fought alongside Senator HOLLAND'S grandfather and was seriously wounded in that war in the battle of Kennesaw Mountain, near Atlanta. The fact that Senator HOLLAND'S father and grandfather were Georgians, fighting for their homes and for the South does not make the junior Senator from Alabama think less kindly of the distinguished Senator from Florida.

Mr. President, a man is judged by the company he keeps, by his deeds, by his thoughts and motives, by his dedication and sincerity, by his integrity—yes, and by the books he reads, by the music to which he listens. But, Mr. President, I suggest that a man can be judged by the men he most admires—by who his heroes are. So, the junior Senator from Alabama is proud to be categorized as an admirer of the distinguished senior Senator from Florida.

The distinguished senior Senator from Florida is one of the great Senators of this time or of any other time, and the Senate as an institution and the individual Members of the Senate will miss Senator HOLLAND. The Senate will lose some of its greatness because of his leaving the Senate. It will lose some of its luster as the greatest deliberative body in the world if Senator HOLLAND should leave the Senate at the expiration of his present term.

So it is my privilege to salute the senior Senator from Florida, Mr. SPESSARD HOLLAND, whom I admire greatly, whom the people of Alabama admire and look on as a great U.S. Senator.

Mr. PASTORE. Mr. President, I consider it a great privilege to rise at this time to associate myself with all of our colleagues who have been paying these deserved tributes to my friend and seatmate, the distinguished Senator from Florida, SPESSARD HOLLAND.

I have been in the Senate now for 20 years. When I came here, SPESSARD HOLLAND was already here. Scholar and soldier—lawyer and statesman, to me, in a great sense, he has been a guiding light. If one characterization is to be made of this fine gentleman from Florida, I must say he is Mr. Integrity of the U.S. Senate. In all my associations in this great body, I have never found a man with more desire and more compelling concern to live by his convictions. It makes no little difference to SPESSARD HOLLAND whether the issue is popular or unpopular; the only question he has ever sought to answer is, Is it good for my Nation? Is it good for the people of this country?

I have looked upon SPESSARD HOLLAND as an older brother. We two have chatted here and we two have debated here, formally and informally. We have not always agreed, but I have always found him very fair, very just, very understanding, very cooperative, and never in any disagreement has SPESSARD HOLLAND been disagreeable.

It is hard to say that about most men, but one can say it with assurance about SPESSARD HOLLAND.

Yet I must add another note. I think much of his success has been due to the inspiration of his beloved Mary, his devoted wife. We have enjoyed seeing her here in the gallery time and time again sharing our own appreciation of the oratory of SPESSARD HOLLAND—a statesman at work. You could almost see the twinkle in her eye revealing her approbation and her admiration of her distinguished husband.

Truly a family man, he would tell me about his grandchildren and his children and I loved to listen. I think it is a fine thing, because I feel a good family man and husband and parent not only makes a good citizen but, in my humble opinion, he has the qualifications to be a good U.S. Senator.

When SPESSARD HOLLAND leaves the Chamber, something will go along with him. First of all, it will be the affection and love of his colleagues, who respect him in such high degree. But even more than that, as our distinguished colleague, the previous speaker, Mr. ALLEN, has already said, something will pass from the Senate. This may be the day of Aquarius, this may be the age of the young—I am not ready to dispute that—but in our midst we have so many with gray hair who have done so much to make this country what it is for the benefit of those who are younger than we are; and SPESSARD HOLLAND is one of those gentlemen.

I have said that our love and affection goes with him as he leaves this Chamber. In a larger sense that affection will remain here as we stay mindful of his inspiration.

This is an appropriate hour to express our sentiments because there is before us the last appropriation bill that Senator HOLLAND will possibly present before he retires to private life.

I am sure life can never be truly private for a man with such dedication to patriotism and such contribution that the good neighbors and good citizens can still and will make to community, State, and Nation.

And so I say to SPESSARD HOLLAND on this morning, I pray that the Good Lord will grant to you and your beloved wife and your entire family many, many more years of health and happiness.

May they be years of satisfaction as you contemplate your service to mankind.

May they be years of deepest affection now centered in your home. And I sum it all in the ancient yet timely tribute—ad multos annos.

Mr. HOLLAND. Mr. President, I am completely overcome by these more than generous statements. I just want to say first that if I had had any intimation that they were going to be made, you can be sure that Mary, Mrs. Holland, would have been advised and would have been up here in the gallery. I think it is the one thing I regret, because I think my stock would have been raised for the remaining years that I hope we will enjoy together.

I am so grateful to my distinguished colleagues, my junior colleage from Florida (Mr. GURNEY), the Senator from Alabama (Mr. ALLEN), the Senator from Georgia (Mr. TALMADGE), my seatmate, the Senator from Rhode Island (Mr. PASTORE), my distinguished chairman, the Senator from Louisiana (Mr. ELLENDER), who have all been my friends. I have already made some comments with respect to my two friends, the Senator from Nebraska (Mr. HRUSKA) and the Senator from North Dakota (Mr. YOUNG).

I would not want anybody to think that I feel I merit these kind comments, but I just appreciate them more than you will ever know.

May I say this for the record, for nothing else could be said by me. Of course, I shall miss the Senate, though I think that, at 78½—and that is how old I shall be at the end of this year—I am entitled to retire, and that I should retire.

The thing that I shall miss most greatly is the friendship and the kindness of Senators, because there is not a Senator who has spoken with whom I have not, at some time or other, had serious disagreements; and yet the charity, the friendliness, and the brotherliness that prevails here is something that cannot be replaced by anything else that I have ever experienced in life. It is that which I shall miss.

I am grateful to all of you, more than I can say, and I thank you from the bottom of my heart.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded, for the purpose of further amendment, as original text, provided that no point of order shall be considered to have been waived by reason thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 13, after "$100", strike out "$146,143,200" and insert "$157,346,200"; in line 17 after the word "appropriation", strike out the comma and "except that $1,000,000 of the foregoing amount shall be available for matching with funds utilized for research under public law 89-502,"; in line 20, after the word "which", strike out "$1,500,000" and insert "$3,760,000"; and, on page 4, line 4, after "Public Law 88-250", insert a colon and *Provided further*, That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1972 of less than the amount required to conduct the pesticides research program as authorized pursuant to Public Laws 88-573 and 89-316;".

On page 4, line 16, after "(21 U.S.C. 1114b-c)", strike out "$98,619,750" and insert "$99,369,750"; and, in the same line, after the word "which", strike out "$2,000,000" and insert "$1,500,000".

On page 6, line 20, after the word "including", strike out "$58,390,000" and insert "$61,390,000"; at the beginning of line 25, strike out "$4,012,000" and insert "$4,412,000"; on page 7, line 2, after "(16 U.S.C. 582a-582a-7)", strike out "$2,000,000" and insert "$3,350,000"; and, in line 14, after the word "all", strike out "$65,076,000" and insert "$69,826,000".

On page 8, line 1, after "$48,560,000;", insert "payments for rural development work under section 3 (d) of the Act $10,400,000;"; and, in line 8, after the word "all", strike out "$140,031,000" and insert "$150,431,000".

On page 8, line 18, after the word "employees", strike out "$13,515,000" and insert "$12,932,600".

On page 9, line 12, after "(7 U.S.C. 1621-1627)", strike out "$1,649,000" and insert "$1,684,000".

On page 10, line 2, after the word "aircraft", strike out "$128,557,000" and insert "$128,457,000"; in line 4, after the word "head", strike out the colon and *"Provided*, That Public Law 40, Eighty-fourth Congress, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1956, and for other purposes, is hereby amended by striking out the period following the last proviso in the section entitled "Flood Prevention", substituting a comma and adding the following: "and where the Army does have jurisdiction and responsibility, may enter into agreements with the Army to carry out jointly the measures heretofore set out and in areas where the Secretary is authorized to purchase land rights for structural measures, the Secretary in lieu of such acquisition, may reimburse local organizations for such proportionate share of the cost of land rights furnished by local organizations as the Secretary deems equitable in consideration of the national interest,"" and, in line 19, after the word *"Provided"*, strike out *"further"*.

On page 12, line 12, after the word "expended", strike out "$6,698,000" and insert "$5,434,000".

On page 13, at the beginning of line 4, strike out "$74,278,800" and insert "$76,000,000".

On page 14, at the beginning of line 11, strike out "$15,355,000" and insert "$16,355,000".

On page 14, line 19, after "(16 U.S.C. 590a-f)", strike out "$13,876,000" and insert "$14,676,000".

On page 15, at the beginning of line 25, strike out "$14,592,000" and insert "$16,228,000".

On page 16, line 21, after the word "laws", strike out "$17,716,800" and insert "$17,874,800".

On page 17, line 14, after "$149,247,000", strike out the comma and "of which $1,000,000 shall be placed in reserve to be released only when required to carry out the Wholesome Meat Act."

On page 18, line 2, after "(7 U.S.C. 1623 (b)), strike ut "$1,600,000" and insert "$1,750,000".

On page 19, line 21, after "(42 U.S.C. 1773-1785), strike out "$264,428,000" and insert "$259,428,000"; and, on page 20, line 4, after the word "program", strike out "$17,500,000" and insert "$12,500,000".

On page 21, line 11, after "(7 U.S.C. 1766)", strike out $24,023,000" and insert "$24,773,000".

On page 22, line 15, after the word "Corporation", strike out "$152,690,000" and insert "$150,000,000".

On page 24, line 20, after the word "to", strike out "$195,500,000" and insert "$190,000,000".

On page 26, after line 23, insert:

"INDEMNITY PAYMENTS TO DAIRY FARMERS

"For necessary expenses involved in making payments to dairy farmers who have been directed to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, $500,000: *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government."

On page 27, after line 7, strike out:

"RURAL COMMUNITY DEVELOPMENT SERVICE

"SALARIES AND EXPENSES

"For necessary expenses, not otherwise provided for, of the Rural Community Development Service in providing leadership and related services in carrying out the rural areas development activities of the Department, $230,000: *Provided*, That not to exceed $3,000 shall be available for employment under 5 U.S.C. 3109."

On page 27, line 22, after "5 U.S.C. 3109", strike out "$15,378,000" and insert "$12,412,000"; and, in the same line, after the amendment just above stated, insert a comma and "and in addition, not less than $3,434,000 shall be derived by transfer from appropriation, "Food Stamp Program" and merged with this appropriation".

On page 28, line 7, after "5 U.S.C. 3109", strike out "$3,508,650" and insert "$3,748,000".

On page 29, line 16, and after the word "Library", strike out "$3,614,750" and insert "$3,914,750".

On page 30, line 6, after the word "Agriculture", strike out "$3,384,000" and insert "$3,459,000".

On page 30, line 15, after "5 U.S.C. 3109", strike out "$5,559,000" and insert "$6,058,000"; and, in line 21, after the word "Secretary", strike out the colon and *"Provided further*, That not to exceed $269,000 of funds contained in the Working Capital Fund established under authority of Public Law 78-129 may be used to carry out responsibilities under the Civil Rights Act of 1964.".

On page 31, at the beginnnig of line 13, strike out "$322,000,000" and insert "$352,000,000"; at the beginning of line 14, strike out "$123,800,000" and insert "$138,800,000"; and, in the same line, after the amendment just above stated, strike out the colon and *"Povided*, That an additional $20,000,000 is placed in contingency reserve to be made available by the Bureau of the Budget on the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for expeditious and orderly development of the rural electrification and rural telephone programs".

On page 32, line 2, strike out "$14,613,000" and insert "$14,896,000".

On page 32, at the beginning of line 15, strike out "$30,000,000" and insert "$19,000,000".

On page 33, line 1, after "(7 U.S.C. 1926)", strike out "$100,000,000" and insert "$60,000,000".

On page 33, line 10, after "(42 U.S.C. 1490c)", strike out "$2,125,000" and insert "$775,000".

On page 33, line 15, after the word "advances", strike out "$1,000,000" and insert "$400,000".

On page 34, line 4, after "(40 U.S.C. 461)", strike out "$81,150,000" and insert "$84,250,000"; in line 5, after the word "than", strike out "$3,250,000" and insert "$2,250,000"; and, in line 10, after the word "amended", strike out the comma and "of which not more than $250,000 shall be available for the administration of Public Law 91-229".

On page 35, line 20, after "1969", strike out "$2,863,156,331" and insert "$3,113,156,331"; and, in line 21, after the word "total", strike out "$3,113,155,000 and insert "$3,363,155,000".

On page 37, line 22, after the word "exceed", strike out "$4,054,000" and insert "$4,226,000".

Mr. HOLLAND. Mr. President, I have already given notice that I would call up seven amendments. I am sorry that the Senator from Georgia has for the moment left the Chamber. I ask that he be recalled. These amendments are of particular importance to him, since he handled the very great improvement and enlargement of the school lunch program which was recently passed by the Senate, and which these amendments are intended to fund.

SUMMARY OF FOOD ASSISTANCE PROGRAMS

Mr. President, the committee report (on page 23) carried a comparative summary of financing for child nutrition, special milk, food stamp and transfer from section 32 and section 416 for food assistance programs administered by the U.S. Department of Agriculture. That table did not reflect the $216,579,000 in the budget amendments for the child nutrition activities.

I ask unanimous consent that a revised table—which includes the amended amounts pursuant to the increases in Senate Document 91–94—be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

FOOD ASSISTANCE PROGRAMS OF THE U.S. DEPARTMENT OF AGRICULTURE

[Program level-dollars in thousands]

Program	Fiscal year 1969	Fiscal year 1970 [1]	Fiscal year 1971		
			Budget estimate, excluding amendments in Senate Doc. 91–94	House bill, excluding amendments in Senate Doc. 91–94	Senate bill
A. Child nutrition program:					
1. Cash grants to States:					
(a) School lunch (sec. 4)	$162,034	$168,041	$169,721	$169,721	$225,000
(b) Free and reduced price lunches (sec. 11)	54,000	134,800	200,000	200,000	356,400
(c) School breakfast	3,500	12,000	15,000	15,000	15,000
(d) Nonfood assistance	748	15,000	12,500	17,500	15,000
(e) State administrative expenses	153	2,750	2,750	2,750	3,500
(f) Nonschool food program	[2] 3,244	[2] 13,572	[2] 15,000	[2] 15,000	[2] 15,000
Total, cash grants	223,679	346,163	414,971	419,971	629,900
2. Commodities to States	292,107	230,205	264,465	264,465	264,465
3. Nutrition training activities					750
4. Federal operating expenses	3,995	5,282	5,542	5,542	6,442
Total, child nutrition program	519,781	581,650	684,978	689,978	901,557
B. Special milk program:					
1. Milk (direct appropriation)	102,048	83,314		103,314	103,314
2. Special sec. 32 funds used for milk program		20,000			
3. Administrative expenses	629	686		686	686
Total, special milk program	102,677	104,000		104,000	104,000
Total, child nutrition and special milk programs	622,458	685,650	684,978	793,978	1,005,557
C. Family feeding program:					
1. Food stamp program	250,981	610,000	1,250,000	1,250,000	1,250,000
2. Direct distribution to families:					
(a) Section 32 commodities	192,668	182,015	160,300	160,300	160,300
(b) Financial assistance to States	4,154	16,000	19,700	19,700	19,700
(c) Federal direct operation at local level	1,300	2,318			
(d) Section 416	79,278	61,942	92,745	92,745	92,745
Total, direct distribution to families	277,400	262,275	272,745	272,745	272,745
3. Nutrition supplement	8,317	33,000	40,000	40,000	40,000
Total, family feeding	536,698	905,275	1,562,745	1,562,745	1,562,745
D. Direct distribution to institutions	32,227	12,889	26,416	26,416	26,416
E. Nutrition education program [3]	9,948	30,000	50,000	50,000	50,000
Total, food assistance program	1,201,332	1,633,814	2,324,139	2,433,139	2,644,718

[1] Revised to reflect approval of Public Law 91–207 (Mar. 12, 1970) to provide additional funds for child nutrition program.
[2] Excludes balances carried forward to succeeding year.
[3] Includes administrative expenses.

Note: The Budget estimate and House bill amounts for 1971 shown below do not include the additional amounts requested in Senate Document No. 91–94, submitted on July 1, 1970. These additional amounts were not considered by the House.

Mr. HOLLAND. I have already stated that the supplemental budget item reached us after the markup. However we knew it was imminent, and we were given authority by the full Appropriations Committee to offer this item as an amendment to the committee bill, which I now do.

For the information of Senators and the general public, there was printed in the CONGRESSIONAL RECORD yesterday, July 7, on page 23003, the budget amendment (Senate Document 91–94) pertaining to the additional $216 million requested for the child nutrition program, a letter from the Secretary of Agriculture summarizing the amounts requested for various purposes, and the justification from the department as to the need and purpose of the additional funds requested, the texts of the seven proposed amendments to the pending bill to implement this budget request, and a brief explanation of each amendment.

Mr. President, the purpose of these amendments is to raise, by $216 million plus, the appropriation for the school lunch program, so as to conform to the program which we passed so recently here in Congress, and which has become law through the signature of the President.

Mr. President, I send these seven amendments to the desk at this time, and ask that they be reported. I am perfectly willing to have them considered separately, but it seems to me that it might save time to have them considered en bloc; and, after they are reported, I shall make the request that they be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read the proposed amendments, as follows:

Page 19, Line 19, following "1751–1761)" insert "; Public Law 91–248"

Page 19, Line 21, strike", $259,428,000" and insert "; Public Law 91–248, $476,007,000"

Page 20, Line 2, strike "$48,347,000" and insert "$204,747,000"

Page 20, Line 3, strike the word "schools" and insert "school children"

Page 20, Line 4, strike "$12,500,000" and insert "$15,000,000"

Page 20, Line 5, strike "$750,000" and insert "$1,500,000"

Page 20, Lines 7 and 8, strike "to remain available until September 30 of the next succeeding fiscal year" and insert ": Provided further, that funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended"

Mr. HOLLAND. Mr. President, I have already explained that these seven amendments, at various places, in the bill, together provide for an additional $216 million to fund the increased school lunch program which we recently passed. They are all needed at the various places in the bill to accomplish that single result. I ask unanimous consent, therefore, that they be considered en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, the amendments will be considered en bloc.

Mr. HOLLAND. Mr. President, while I am willing to answer any questions that may be addressed to me, I think that the purpose of these amendments is now well understood; and, unless there are questions, I am ready to have them voted upon by the Senate.

I invite my distinguished friend from Nebraska to make any comments he cares to make at this time.

Mr. HRUSKA. Mr. President, the chairman of the subcommittee and manager of the bill has stated the case well. He has stated the necessity and the basis for these amendments. This Senator is in full accord with them, and supports them. They are occasioned, of course, by the signature into law by President Nixon of Public Law 91–248. It is commonly agreed that they will vastly expand and improve the field in which this law operates. I think we should go forward with them. They have been discussed among the members of the committee, and it was agreed that this is the fashion in which we should approach the situation.

Mr. HOLLAND. I thank my distinguished friend. A full explanation of the matter appears in the item that I placed in the RECORD yesterday, at page 23003 of yesterday's printed RECORD.

Mr. President, I call for a vote on these amendments en bloc.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Florida.

The amendments were agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr President, there may be other amendments. I see in the Chamber my distinguished friend from Delaware (Mr. WILLIAMS), with whom I have agreed so long on the matter of requiring full restoration of the depleted borrowing capacity of the Commodity Credit Corporation each year, as required by the law which he authored some years ago.

I am happy to be able to say to him that under this bill, for the first time, we have a complete restoration through last year—the last year on which we have completed audits—of the deficit of the Commodity Credit Corporation. I am happy also to say to him that this comes, not just by action of the committee, but, for the first time, by request of the Bureau of the Budget, which had been requested, as the Senator from Delaware knows, for several years, not only by the present Secretary of Agriculture but also by the preceding one, to take just that action.

I hope that we may not only have that item included in the bill, which I know to be in accord with the Senator's desire, but that we may also keep it in conference, because the other body saw fit to reduce that total restoration by $250 million, which our committee has restored in reporting the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. I noticed this change in the bill, and I both compliment and thank the Senator from Florida for his attention to this problem.

On the surface this would appear to be a $250-million increase in appropriations; but, as we have explained many times before in discussing this item, these expenditures have been made, and payment for these expenditures by restoration of funds have to be made under the basic law. Once the expenditures are made it is merely a matter of reimbursing the capital and restoring money that has already been spent.

The objection I had presented heretofore was that we were not giving a true picture to the American taxpayers as to the cost of these programs, and that was the basis of the law we put through with the support of the Senator from Florida, of which I was a sponsor, which required annual appropriation for the full cost of these programs. We have had a little difficulty in past years, as the Senator knows, in getting this deficiency brought up to date, but I am glad that it has been brought up to date now, and I hope the conferees will retain it. In the future I hope we will have full restoration for these items in annual appropriation bills so that we will know exactly what the costs of these programs are.

I remember the situation where for 2 or 3 years this expenditure was left out of the budget to give a false impression that they were reducing the appropriations of the Department of Agriculture by $2 or $3 billion.

That represented, not a reduction in budget expenditures but merely a postponement of payments.

The result of that delay was that they became approximately $5 billion delinquent in making these reimbursements. The money had been spent, and there was no possible chance of recovery. Yet it gave the impression for 2 or 3 years that Congress was reducing the cost of the agricultural programs when in reality we were increasing them. I said that we needed more truth in Government. The Senator from Florida supported that position.

While this action here today looks on the surface like a $250 million increase, it is in reality not the increase of a dime above what already has been spent under the basic law.

As the Senator from Florida knows, I have been trying for years to change certain features of the basic law which would reduce the cost of these farm programs, and I think it should be done. When we get this bill before us for the new agricultural program I will again be working toward trying to reduce the cost of this agricultural program. I think it is too high. But once the program has been enacted, once the commitment has been made and the expenditures have been made I think we have no choice but to recognize it, as the committee has done. I compliment both the Senator from Florida and the committee on giving us a little truth in Government on this point, and I hope it will be continued in the future.

Mr. HOLLAND. I thank the distinguished Senator.

I think it would be a source of comfort to both the Senator from Delaware and the Senator from Florida, when we both leave the Senate at the end of this year, if we accomplish, after this fight of about 10 years, what we set out to do about that long ago. We have gone a little at a time. I hope we can have a complete restoration this year, so that those who follow us may not be confronted with the tremendous deficit that had accumulated at the time we started on this matter. It would be a source of comfort to me, at least, if we could accomplish this, and I believe the Senator from Delaware feels the same way.

Mr. WILLIAMS of Delaware. I agree.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, the happy conclusion to this item, at least for this year, was not achieved without some travail and some great effort. I do know that in the discussions in the committee as well as in the subcommittee, it was a source of great comfort and reassurance to know that we would ultimately have the support of the Senator from Delaware when the matter got to the floor, and it was always forthcoming, with good force and with good effect. So between the two efforts, those of the Senator from Florida and those of the Senator from Delaware, we have achieved a good plan.

I join in the thought that it should thrust itself into the future years in connection with Public Law 480.

Mr. HOLLAND. I thank the Senator for his comments.

Mr. President, I have been advised that the Senator from South Dakota may wish to propose an amendment. I know of no other amendments.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. The Senator from Illinois has an amendment of which I am cosponsor. Before third reading I would want a quorum call in order to alert his office to have him come to the Chamber. But if other amendments are pending we can go ahead with them.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in

whole or in part of gold or silver, and for other purposes; and

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12446. An act to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya;

H.R. 13265. An act to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec;

H.R. 13997. An act to confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma; and

H.R. 17734. An act for the relief of Sherman Webb and others.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 12446. An act to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya;

H.R. 13265. An act to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec;

H.R. 13997. An act to confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma; and

H.R. 17734. An act for the relief of Sherman Webb and others.

MESSAGE FROM THE PRESIDENT

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

PROPOSED RECOMMENDATIONS RELATING TO THE AMERICAN INDIANS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-363)

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

The first Americans—the Indians—are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country—to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

SELF-DETERMINATION WITHOUT TERMINATION

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has—at various times during previous Administrations—been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he can assume control of his own life without being separated in-

voluntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

1. REJECTING TERMINATION

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

2. THE RIGHT TO CONTROL AND OPERATE FEDERAL PROGRAMS

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education, and Welfare whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community; those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guarantees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over $400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some $57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control—at a rate and to the degree that the Indians themselves establish.

3. RESTORING THE SACRED LANDS NEAR BLUE LAKE

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal government and the Indian people. Such a relationship cannot be completed overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at and near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner without compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to In-

dians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this government's responsiveness to the just grievances of the American Indians.

4. INDIAN EDUCATION

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In fiscal year 1971, the Johnson-O'Malley program will be funded at a level of some $20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

5. ECONOMIC DEVELOPMENT LEGISLATION

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only $1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately $25 million to $75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage *private* lenders to loan more money for Indian economic projects. An aggregate amount of $200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 50 million acres of land that are held in trust by the Federal Government. In order to compete in attracting investment capital for commercial, industrial and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of $55 million from the Departments of Interior, Housing and Urban Development, and Health, Education and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

6. MORE MONEY FOR INDIAN HEALTH

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50% higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentery that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional $10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease—a particularly acute disease among Indians—can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet—almost unbelievably—we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

7. HELPING URBAN INDIANS

Our new census will probably show that a larger proportion of America's Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State, and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead these efforts.

8. INDIAN TRUST COUNSEL AUTHORITY

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance *both* the *national* interest in the use of land and water rights *and* the *private* interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

9. ASSISTANT SECRETARY FOR INDIAN AND TERRITORIAL AFFAIRS

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior—Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management—an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern—the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickel and I both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

CONTINUING PROGRAMS

Many of the new programs which are outlined in this message have grown out of this Administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's Fiscal Year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone—to mention just two examples—OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up. Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last two years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A number of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Developmnet Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately $80 million in projects on Indian reservations, including nearly $60 million in public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last three years have helped to lower the unemployment rate from 56 to 18 percent, increase the median family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal Government to help coordinate and accelerate Indian programs. We have supported an increase in funding of $4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded—including an increase of $848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America

planned, developed and operated by and for Indians. Altogether, obligational authority for Indian programs run by the Federal Government has increased from a little over $598 million in Fiscal Year 1970 to almost $626 million in Fiscal Year 1971.

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings throughout the nation in order to establish a continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of *whether* the Federal government has a responsibility to Indians to the question of *how* that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance—this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

RICHARD NIXON.

THE WHITE HOUSE, *July 8, 1970.*

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. SMITH of Illinois. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 23, line 8, insert the following: after the word "regulations" strike the period, add a colon and the following:

And provided further, That no funds appropriated by this act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any person on any crop planted in the fiscal year 1971.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SMITH of Illinois. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. SMITH of Illinois. Mr. President, I shall defer the request and make it later.

Mr. HOLLAND. Mr. President, if the Senator will yield, I shall be glad in any way I can to aid in getting a quorum for a request for the yeas and nays, when the Senator concludes his presentation.

Mr. SMITH of Illinois. I thank the Senator.

Mr. President, recently I sent a letter to Illinois farmers and farm-connected citizens asking for two things: First, their opinion on a bill I introduced last April 30 limiting farm subsidies to $20,000 per producer per year. Second, I asked what they thought of the general farm situation.

On the proposal to limit subsidy payments I can report to the Senate that the results were extremely gratifying; on the second, seriously disturbing.

Before discussing the nature of these responses, let me say something about the letters themselves. First of all, late May and early June is planting time in Illinois. Full-time crop farmers are out in the fields from before dawn-up until after dark getting out soybeans and corn; disking, harrowing, applying fertilizer, keeping equipment running, and in their spare time trying to find time to feed the livestock—a job that takes the better part of a day alone in the normal season. As a result, coming home at night and sitting down to write a letter to his Senator in Washington is a pretty reliable indication that the farmer cares. Moreover, most of the letters are not neatly typed on heavy letterhead stationery by a high-priced secretary; they come in handwritten, on school notebook paper, or on the back of post cards and envelopes or scrawled on lined sheets in the shaky hand of the elderly farmer. They are written by farm wives, themselves tired from part of the day in the field with their husbands and the other part in the kitchen and attending the children. In short, they come from the people—directly, unvarnished with polite phrases or clever suggestions, and completely sincere in what they say to their Senator. Those letters, Mr. President, are what my remarks are based on today—not my opinion, but theirs; not the corporate farm position, neatly phrased by the skilled hand of a lobbyist-lawyer, but the outpouring of expressions from the family farm—the group I am concerned about. I ask unanimous consent that a sampling of these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HIGHLAND, ILL.,
May 31, 1970.

DEAR HON. R. T. SMITH: I just want to tell you that myself and all my farm friends are 100% for your bill S. 3782 limiting the subsidy payments to not more than $20,000 to any one farmer.

Respectfully yours,

HENRY E. WALTER.

RINARD, ILL.,
May 27, 1970.

DEAR MR. SMITH: First of all, let me thank you for your letter of concern for the farm and farmers of this great land of ours.

Not often does a clod buster get a nice letter from a man of your position.

Now for my opinion of the farm situation and the subsidy bill. It is my opinion that any person buying land for investment should not be allowed to draw a subsidy at all. Only people that make their entire living and income from farming or that owned the land before retiring from the farm or farming operation should be allowed subsidy on any farm. And above all, incorporated farm or farming should not be allowed to draw subsidies.

It is my opinion that this is the reason the young farm boys leave the farm. They can't live with the competition of big corporations. And I might add that interest rates are so high a young man just can't borrow from scratch and make it pay.

In general, I think your presentation to the President is about the way I feel. There is one thing that I think the government should not do, is buy and store grain, hold it off the market and when the price for corn for example, gets up to a good price, then they dump bushels of grain on the market to hold the price down deliberately. This has been done in the past and has hurt many farmers in the $500.00 to $1,500 bracket and the government had no concern for the farmer only to keep us under government control.

I don't think we as farmers are anyway near on equal terms with any other segment. I think if we were allowed to vote on a bill

down here on a grass root level your bill probably would be passed by a large majority. Thank you for accepting my opinion in your consideration. Luck to you from us down here.

Sincerely,

M. E. WHEELER.

CISSNA PARK, ILL.,
May 27, 1970.

DEAR SIR: I was born and raised on the farm and am 67 years old and raised 8 children, sent them all through high school and no further and kept them busy, never once was any of them drunk or even had too much liquor or was in jail and on Sundays took them all to church with me and worked hard all my life 12 months a year. I own 120 acres and still have a mortgage on it, had a good living and didn't waste a thing but we are happy and content, so you can see that we could not have gotten more than our share all we have done is survived. I contact small farmers from five counties every day as I operate a magneto shop on the farm. One farmer told me the other day in our government we don't need a university degree only we need a man that goes to church on Sundays and the old-fashioned way. This man stated was a little more horse sense, which is not taught in colleges you have to get that on your own.

I read your letter over and I will back up every statement you have made and rather than to think about $20,000 is too low I would rather think it is even plenty high and on the other hand I would rather say this event should never have happened and if it is a human error let us correct it in a hurry before it is too late. As you know the outlook on the farm is pityful today so many farmers tell me day by day here we have hired a man as secretary of agriculture and paying him big money to help the farmer but instead he is helping only himself and the rich man who really don't need so much help. I say keep these farmers on the farm where they like it and belong as most of them are trained to the job and not much good for anything else. After we got these farmers sold out and moved to town would be hard to get them to go back and get them started over again. Too many city folks seem to think they don't need the farmer but they don't seem to realize that the first step in this country was farming. Let's raise some corn.

Yours very truly,

LEVI A. YOUNG IGNITION SERVICE.

METROPOLIS, ILL.,
May 27, 1970.

Senator RALPH TYLER SMITH,
Washington, D.C.

MR. SMITH: Received your letter yesterday asking opinion on your bill you introduced to become a law for farm payments. I heartily agree with you, that the farm program the past years has only helped the rich farmers and put many small farmers out of business. Many small farms have been bought by the land sharks, and the buildings have been left to go to ruin and the small farmer migrated to the city or urban areas. This is a shame and disgrace. We pay tax on 360 acres, some of it is woods lot and we receive a very small payment on feed grains, and we don't raise any corn. We have hay and soy beans in and about 14 acres wheat and oats. Our feed grain program payment is a little over 700 dollars. Many of our neighbors get less and none that I have heard of near here ever get 1,000. I think $20,000 is even more than these land sharks need that buy up these small farms just to have the acres to raise their payments. Many people would like to have, and live, raise children in the country. But their allotments are so small that the program doesn't help them. Therefore they sell out and move to the city or urban areas.

I do hope you can help the small farmer so more can live in the country. Something has to take place to stop the land sharks, or we won't have any more country people and cutting their A.S.C.S. large payments is one way it could be done. But there have been so much damage done already to our small farmers it may be too late. I am 100% behind you in trying to get the payments cut for the large farmers that is all they are interested to get large payments and buy more land.

Yours truly,

MRS. RAYMOND MITCHELL.

MASCOUTAH, ILL.,
May 30, 1970.

Senator RALPH TYLER SMITH,
U.S. Senate.

DEAR SENATOR SMITH: Thank you for your letter asking for my opinion on farm programs, ceilings, etc.

I am a farmer in St. Clair County. I farm about 700 acres and participate in the wheat and feed grain programs *almost* to the fullest extent. This 700 acres is ground that I rent from the owners. The *total* payment for all farms is about $12,000.00. Of this I get about $8,000. As a rough estimate, I figure the total payment is broken into 3 parts (in my particular case): ⅓ to landlord (he has no expense other than taxes), ⅓ to cover my expenses to meet the requirements of the program and ⅓ profit for me. These percentages may vary from time to time but I believe what I have stated to be real close.

I hire very little help, I have a 15 year old son who helps a lot when he isn't in school. I clear about 7 to 10,000 dollars per year on this operation and work *too* hard. I am not afraid of work but I know when I am working at least 3 times as hard as some of my friends who earn more.

I thought you may be interested in the above facts for your study of the problem.

Now my answer to your question. I do believe that there should be a limit on program payments. I believe $20,000 is too low and would think that about $35–$40,000 would be a better figure.

I also believe that payments should be higher for the smaller farmers.

I do not believe I should have to farm 700 acres to make a decent living. I am 46 years old, six feet one inch tall and weigh 210 lbs. and in good health. I do know that I cannot keep this pace much longer.

I think the present wheat and feed grain programs are pretty decent but would recommend higher payments for small farms (less than 500 acres).

One thing I failed to mention is that my financial statement to my banker shows a machinery investment of $35–$40,000. I also pay $360 personal property tax. Many people (my doctor for example pays $13 tax on his personal property that he earns his living with), pay little or no tax on the tools they earn their living with.

Thank you for your time to read this and your interest in farm programs.

Yours truly,

ROBERT GRODEON.

Mr. SMITH of Illinois. Mr. President, better than 90 percent of the thousands who took the time to write personal letters to me strongly favored a ceiling of $20,000 or less on crop subsidies. Their feelings were far from lukewarm on this subject. These farmers—the actual recipients of the subsidy payments, used terms like "long overdue," or "100 percent behind you," and "definitely favor," "with you all the way." Although I expected the majority of Illinois citizens—farmers and nonfarmers alike—to favor the bill, I confess I was surprised at the depth of their opposition to million-dollar payments to one-half of 1 percent of the subsidy payees. In fact, many who wrote urged the Government to get out of farming entirely, and pointed to chronically low prices for commodities presently covered by Government programs as contrasted to the healthy character of farm products still operating unshackled by ponderous Federal regulation.

In my letter to Illinois citizens, I had pointed out that the average ASC payment was approximately $1,450, and fully one-third of all recipients receive less than $500, while 0.51 percent receiving over $20,000 each hog about 14 percent of all subsidy payments. Many who read this letter were totally ignorant of the grossly disproportionate payments to the few and the rich. It would be fair to say, Mr. President, that their consensus was that the Government was only trying to make the rich richer, while the poor got poorer. Men who had farmed 50 and 60 years and never received more than a few hundred dollars per year from subsidy payments were naturally opposed both to the concept and the practice of subsidizing giant corporate farms and agribusinessmen.

Mr. President, farmers as a group are not generally "outraged" about things; as a hardworking, frugal, and loyal segment of our population, farm families generally leave it to their city cousins to march in demonstrations, petition the Government, or write strongly worded letters to their Congressmen, Senators, or the President. As a result, I was deeply impressed when they responded so forcefully to a proposed measure to limit crop subsidy payments. And I am particularly impressed when that measure provides for cutting Government payments to their own industry, as my bill would do.

Unquestionably the most striking thing about this response is this: The vast majority of farmers—the very ones for whom the subsidy payments were designed, are violently and wholeheartedly opposed to parceling out single payments over $20,000 to a producer per year. The point is clear: Even the intended recipients do not want this Government money going to the giant organizations—much less the 98½ percent of the taxpayers who do not get a dime in crop subsidies.

Mr. President, on April 30 I introduced S. 3782 which would limit the total Federal farm subsidy payments to $20,000 for each producer per year. This measure would amend title I of the Agriculture Act of 1941 to terminate once and for all the shocking and excessive sums paid to the very few, but very rich, corporate farms and agribusinessmen who annually collect up to $4 million each for not planting crops.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SMITH of Illinois. I yield.

Mr. ELLENDER. Mr. President, will the Senator tell us how many of those rich ones are from Illinois?

Mr. SMITH of Illinois. Not one.

Mr. ELLENDER. Not one. Does the Senator know that the corngrowers have always been opposed to any kind of program?

Mr. SMITH of Illinois. It is my understanding from figures I have that only one-tenth of 1 percent of the corngrowers in the Nation receive payments of over $20,000, which may implement what the Senator said. Practically all corngrowers are small farmers. We have very few large farms growing very much corn and other feed grains in Illinois.

Mr. ELLENDER. I do not wonder why they are opposed to this.

Mr. SMITH of Illinois. Of course, there are obviously reasons why people are for or against any proposition. I am simply relating the reaction from people in my State to my sampling of their opinions.

Mr. ELLENDER. As I recall, the corngrowers of the country are always the "blue-eyed girls" of this program; they profit by it but they want no regulation. That was not true for wheat, cotton, tobacco, and other regulated crops. The corngrowers are the only ones who write and talk about opposing any kind of regulation.

But they all want the benefits, direct or indirect, of price supports. The feed grain program is entirely voluntary while the cotton program, for example, is mandatory. In cotton there are acreage controls which restrict the planting of each and every cotton farmer. Furthermore, cotton prices are way below cost of production for most if not all producers. Corn prices on the other hand are at profitable levels in most cases. On June 15, 1970, prices received by farmers for corn averaged $1.21 per bushel or 68 percent of parity. Cotton on the other hand brought farmers only 22.4 cents per pound or 45 percent of parity.

But, equally important is the fact that no new program for the named crops has been formulated for 1971 and thereafter. The existing law under which payments are made expires with the 1970 crop. If no legislation is enacted the old cotton and feed grain programs which would be effective do not provide for payments, while certificates are authorized in the case of wheat with the cost of certificates to be borne by millers. So the Senator from Illinois, in effect, is trying to usurp the Senate Committee on Agriculture and Forestry prerogatives in its deliberation and formulation of a new program for 1971 and thereafter.

But, the committee has the responsibility for the formulation of a program. Extensive hearings have been held. The Secretary of Agriculture has testified. The House Committee on Agriculture is now in the process of writing up a bill. The Senate will follow. I can assure all present that the Senate committee will present to the Senate a forward looking bill. A bill that will aid producers in maintaining a strong and viable agriculture, and one which will energize the rural communities in their economic endeavors. We must maintain a strong agriculture so that the future needs of this great country can be met. But an amendment of this sort, on an appropriation bill will inhibit agriculture and add to the woes of our rural communities.

That may be the reason why they are for the $20,000 limitation—because none of them get above that. It is just selfishness on their part, in my opinion.

Mr. SMITH of Illinois. Mr. President, since the Senator raises the question, I might point out, as a matter of pride, that Iowa, the State where the tall corn grows is not the No. 1 producer of corn any more. My State of Illinois is now the No. 1 producer of corn. I say that in response to the question of a Senator representing a great corn-growing State.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. SMITH of Illinois. I yield.

Mr. WILLIAMS of Delaware. As a cosponsor of the amendment, I think we can point out that there is another large group of people who are cosponsoring the amendment, and that is the American taxpayers, who are putting up the money to subsidize a large number of corporate-type farms, which subject I shall discuss later, some of which are banks.

I have before me the name of the Southern National Bank of Lebanon, S.C., which received a subsidy of $224,000 for not farming. I have the names of several other banks here. Standard Oil Co. received a subsidy of $127,000 not to farm. These are not corngrowers; I am sure of that.

Just how Standard Oil or some of these banks can qualify as small farmers is something that has not yet been explained to my satisfaction. I think it would be well to point out that there are millions of American taxpayers who are vitally interested in cutting down the cost of a program in which the primary business of the group collecting the money is not cultivating farms, but cultivating the Treasury of the United States. That is their farming operation.

Mr. SMITH of Illinois. I thank the distinguished Senator from Delaware. Of course, he has led the fight in this body over the years to restore an equitable, commonsense approach to farm subsidies. I am very grateful to him for his kindness in allowing me to present this amendment and equally grateful to him for cosponsoring it, as he has done.

Mr. President, I am today calling up an amendment to the Agriculture Appropriations Act to the same effect.

The idea of limiting crop subsidy payments is not new. As I just indicated, the distinguished senior Senator from Delaware has long led the fight to restore an equitable, commonsense approach to farm subsidies. I am indeed very proud to note his cosponsorship of my amendment.

Mr. President, I believe I am among the first Members of this body from a prominent agricultural State to initiate legislation for a dollar ceiling on farm subsidies. I have taken this step because I believe it is time the Federal Government stopped contributing to the trend toward bigness in agriculture. As far as I am concerned, there are already too many independent forces at work encouraging heavy concentration in large farm corporations or agribusinesses: The high price of land and equipment requires immense capital outlay. Intense mechanization requires far greater acreage for full machinery utilization. Consistently lower per-unit prices for farm products necessitate bigger volume to support the producer.

All these forces by their nature are the consequence of the technological revolution in agriculture and are virtually beyond effective Government direction. The ceiling the Federal Government chooses to pay individual farming units for not planting is directly within its control, and I propose to do something about it—now.

Numerically, very few farming units will be affected by a subsidy ceiling. Less than 13,000 agribusinessmen out of the 2½ million subsidy recipients in 1969 received more than $20,000 in subsidies. Broken down by crop, the growers of approximately 2 percent of all feed grains, 3 to 4 percent of all wheat, and about 28 percent of all cotton would be affected by my proposal.

Who are these 13,000 producers? We know this: In 1969 eight subsidy payments were in excess of $1 million. A high percentage went to corporations. Among those receiving more than $20,000, as just pointed out by the Senator from Delaware, are many large, nonfarm corporations like Standard Oil, Reynolds Aluminum, and others. A substantial number of banks, several State prison farms, and even State governments share in the Federal largess under a program designed and intended to strengthen the rural family farm. The startling truth is that altogether, a mere 0.51 percent of subsidy recipients collected 13.77 percent of all payments—for a total of $508,622,613. Compare that statistic with these: More than a third of all subsidy payees—approximately 1.1 million farmers out of 2,525,800 payees in 1969—received less than $500 in payments. In all, in 1969, the average participating farmer was paid $1,463.57.

We are already paying $3.7 billion in annual farm subsidies. Fourteen percent of that amount is going to one-half of 1 percent of participating farmers. Thus, giant corporate farms continue to multiply, feeding on the small farm and the taxpayer dollar. The number of payees receiving in excess of $20,000 has gone up 30 percent in 1 year alone, and the trend is expected to continue unless it is checked by strong congressional action now.

Mr. President, my amendment will do more than apportion farm subsidies equitably: It will save taxpayers money—approximately $350 to $400 million annually.

At this point, Mr. President, I ask unanimous consent that a series of tables, compiled by the Department of Agriculture, and setting out the distribution of farm-subsidy payments, and a report by Mr. John Schnittker on this question, be included at this point in the RECORD.

There being no objection, the tables and report were ordered to be printed in the RECORD, as follows:

TABLE 1.—FREQUENCY DISTRIBUTION OF PRODUCER PAYMENTS UNDER ASCS PROGRAMS,[1] UNITED STATES, CALENDAR YEAR 1969

Payment range	Producers			Total amount of payments		
	Number	Percent distribution	Cumulative percent distribution	Million dollars	Percent distribution	Cumulative percent distribution
Less than $100	350,126	13.9	13.9	16.1	0.4	0.4
$100 to $199	257,134	10.2	24.1	38.0	1.0	1.4
$200 to $499	538,937	21.4	45.4	181.5	4.9	6.3
$500 to $699	246,780	9.8	55.3	146.6	4.0	10.3
$700 to $999	262,461	10.4	65.7	220.4	6.0	16.3
$1,000 to $1,999	419,054	16.6	82.3	586.6	15.9	32.2
$2,000 to $2,999	164,814	6.5	88.8	402.6	10.9	43.1
$3,000 to $3,999	88,613	3.5	92.3	306.0	8.3	51.4
$4,000 to $4,999	53,217	2.1	94.4	237.4	6.4	57.8
$5,000 to $7,499	64,181	2.6	97.0	388.2	10.5	68.3
$7,500 to $9,999	27,322	1.1	98.1	235.1	6.4	74.7
$10,000 to $14,999	22,556	.9	99.0	272.1	7.4	82.1
$15,000 to $19,999	9,188	.4	99.4	157.9	4.3	86.4
$20,000 to $24,999	4,525	.2	99.6	100.7	2.7	89.1
$25,000 to $29,999	2,637	.1	99.7	72.0	1.9	91.0
$30,000 to $49,999	3,808	.2	99.9	142.3	3.9	94.9
$50,000 to $99,999	1,533	.1	100.0	99.9	2.7	97.6
$100,000 to $499,999	396	(2)	100.0	66.9	1.8	99.4
$500,000 to $999,999	14	(2)	100.0	8.9	.2	99.6
$1,000,000 and over	8	(2)	100.0	16.0	.4	100.0
Subtotal	2,517,304	100.0		3,695.2	100.0	
Undistributed funds[3]				99.8		
Total	2,517,304			3,795.0		

[1] Includes payments under following ASCS programs: cotton, feed grain, wheat, wool, sugar, milk indemnity, agricultural conservation, emergency conservation, Appalachia, cropland conversion, conservation reserve, and cropland adjustment.
[2] Less than 0.05 percent.
[3] Includes approximately $88,000,000 to 90,000,000 ACP (CMS advances) cost-sharing made directly to vendors and not accountable to individual farm operators; wool promotional fund; payments to unidentified producers, etc.

Note: Sum of individual percentages and individual total amount of payments may differ from totals shown because of rounding.

TABLE 2.—PRODUCERS EARNING ASCS PROGRAM PAYMENTS GREATER THAN INDICATED AMOUNTS, SPECIFIED PROGRAMS, CALENDER YEAR 1969 [1]

Program	All producers	Producers receiving	
		$10,000 or more [2]	$20,000 or more [2]
All programs	2,517,304	44,665	12,921
Cotton	445,155	17,008	6,194
Feed grain	1,641,863	8,378	1,482
Wheat	995,371	6,797	1,123
Wool	193,544	897	243
Sugar	29,971	1,039	290
Cotton, feed grain, and wheat total	2,125,491	40,007	11,733
Cotton, feed grain, wheat, wool, and sugar total	2,252,287	42,570	12,499

[1] This table summarizes participating producers by programs and combinations as shown. The "all programs" line includes the 11 programs: Cotton, feed grain, wheat, wool, sugar, cropland adjustment, agricultural conservation, emergency conservation, Appalachia, cropland conversion and conservation reserve; but excludes commodity loans.
[2] See other tables for a breakdown of these data by states.

TABLE 3.—NUMBER OF PRODUCERS AND AMOUNT OF PAYMENTS BY SIZE OF PAYMENT, FOR EACH OF 5 PROGRAMS AND SELECTED PROGRAM COMBINATIONS, CALENDAR YEAR 1969

Program	Payments of indicated amount or more					
	$3,000	$5,000	$10,000	$20,000	$30,000	$50,000
Cotton:						
Number	56,446	36,583	17,008	6,194	3,075	1,141
Amount ($1,000)	626,479	549,531	412,229	262,623	187,072	113,808
Feed grain:						
Number	104,608	39,726	8,378	1,482	478	115
Amount ($1,000)	593,454	347,447	138,657	48,212	24,252	10,750
Wheat:						
Number	63,500	28,078	6,797	1,123	309	72
Amount ($1,000)	388,373	252,955	109,148	34,131	14,716	6,002
Wool:						
Number	3,780	2,262	897	243	90	25
Amount ($1,000)	32,100	26,247	16,638	7,681	4,019	1,584
Sugar:						
Number	5,380	3,022	1,039	290	140	74
Amount ($1,000)	56,302	45,557	32,031	21,852	18,295	15,794
Cotton, feed grain, and wheat:						
Number	250,334	122,110	40,007	11,733	5,170	1,734
Amount ($1,000)	1,884,350	1,393,460	834,484	451,444	293,049	164,223
Cotton, feed grain, wheat, wool, and sugar:						
Number	261,038	128,518	42,570	12,499	5,567	1,904
Amount ($1,000)	1,993,752	1,486,168	900,543	492,942	325,688	188,449

TABLE 8.—PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969

State	All programs	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, and wheat	Cotton, feed grain, wheat, wool and sugar
Alabama	327	244	5				317	317
Arizona	624	541	33	1	8	2	602	621
Arkansas	663	633		2			650	650
California	1,179	883	93	46	24	110	1,017	1,163
Colorado	287		36	91	16	7	238	271
Delaware	2						1	1
Florida	56	2	5			46	9	55
Georgia	377	178	31	1			344	344
Hawaii	27					27		27
Idaho	164		1	81	23	21	94	159
Illinois	152		108	2			136	136
Indiana	106		78				97	97
Iowa	118		110	1			112	113
Kansas	401		54	94		4	361	384
Kentucky	19		7				17	17
Louisiana	384	288				63	306	380
Maine	1					1		1
Maryland	7		3				7	7
Michigan	20		8				14	17
Minnesota	120			52	6	1	77	116
Mississippi	1,383	1,313	5	1			1,377	1,377
Missouri	259	65	78				240	241
Montana	201			143	8		169	185
Nebraska	222		120	14	1	1	197	206
Nevada	14	2		3	9		5	14
New Jersey	1						1	1
New Mexico	369	96	79	53	9		332	345
New York	9		1				7	9
North Carolina	88	38	14				85	85
North Dakota	139		4	49			109	125
Ohio	43		18	2			34	38
Oklahoma	179	29	6	37			177	177
Oregon	91		2	69	2	3	84	91
Pennsylvania	9		7				9	9

TABLE 8.—PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969—Continued

State	All programs	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, and wheat	Cotton, feed grain, wheat, wool and sugar
South Carolina	294	201	6				277	277
South Dakota	86		12	25	2		64	68
Tennessee	121	82	3				120	120
Texas	4,001	1,599	480	176	67	1	3,782	3,897
Utah	35			12	14	1	16	33
Virginia	4		2				2	2
Washington	256		3	212	5	2	225	246
Wisconsin	22		18				18	18
Wyoming	61			2	55		4	59
U.S. total	12,921	6,194	1,482	1,123	243	290	11,733	12,499

PAYMENTS TO PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969

[In thousands of dollars]

State	Program					
	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, wheat, wool and sugar
Alabama	7,674	140				10,221
Arizona	31,413	1,306	48	206	47	36,399
Arkansas	23,161		69			24,062
California	58,378	6,296	1,571	869	3,488	77,665
Colorado		1,128	2,785	534	199	8,988
Delaware						21
Florida	70	129			4,382	4,641
Georgia	5,568	806	22			10,804
Hawaii					9,733	9,733
Idaho		27	2,563	705	718	5,221
Illinois		3,144	59			4,055
Indiana		2,406				3,066
Iowa		3,179	20			3,309
Kansas		1,443	2,508		100	11,241
Kentucky		202				476
Louisiana	9,696				2,831	13,695
Maine					125	125
Maryland		81				182
Michigan		185				443
Minnesota		1,394	162		26	3,172
Mississippi	55,584	133	22			58,453
Missouri	1,935	2,434				7,478
Montana			4,692	204		5,832
Nebraska		3,431	392	39	21	6,009
Nevada	153		134	289		580
New Jersey						20
New Mexico	2,951	2,448	1,794	241		11,957
New York		32				255
North Carolina	1,493	603				3,164
North Dakota		126	1,370			3,511
Ohio		500	48			1,070
Oklahoma	848	178	1,021			5,093
Oregon		75	1,995	59	97	2,632
Pennsylvania		248				343
South Carolina	6,831	160				9,433
South Dakota		308	745	56		1,985
Tennessee	2,592	73				3,817
Texas	54,275	14,915	5,336	1,931	20	132,709
Utah			338	622	21	1,146
Virginia		81				81
Washington		75	6,365	140	43	7,373
Wisconsin		524				545
Wyoming			71	1,786		1,940
U.S. total	262,623	48,212	34,131	7,681	21,852	492,942

TABLE 12.—AMOUNT OF PAYMENTS IN EXCESS OF $19,999 UNDER COTTON, FEED GRAIN, WHEAT, WOOL AND SUGAR PROGRAMS, IN SELECTED STATES,[1] CALENDAR YEAR 1969

[In millions of dollars]

State	Total	Cotton	Feed grain	Wheat	Wool	Sugar
1. Texas	76.4	54.3	14.9	5.3	1.9	
2. California	70.7	58.4	6.3	1.6	.9	3.5
3. Mississippi	55.7	55.6	.1			
4. Arizona	32.9	31.4	1.3		.2	
5. Arkansas	23.3	23.2		.1		
6. Louisiana	12.5	9.7				1.8
7. Hawaii	9.7					9.7
8. Alabama	7.8	7.7	.1			
9. New Mexico	7.4	3.0	2.4	1.8	.2	
10. South Carolina	7.0	6.8	.2			
11. Washington	6.6		.1	6.4	.1	
12. Georgia	6.4	5.6	.8			
13. Montana	4.9			4.7	.2	
14. Florida	4.6	.1	.1			4.4
15. Colorado	4.5		1.1	2.8	.5	.2
16. Missouri	4.3	1.9	2.4			
17. Idaho	4.0			2.6	0.7	0.7
18. Kansas	4.0		1.4	2.5		.1
19. Nebraska	3.8		3.4	.4		
20. Iowa	3.2		3.2			
21. Illinois	3.2		3.1	.1		
22. Tennessee	2.7	2.6	.1			
23. Indiana	2.4		2.4			
24. Oregon	2.3		.1	2.0	.1	.1
25. North Carolina	2.1	1.5	.6			
26. Oklahoma	2.0	.8	.2	1.0		
27. Wyoming	1.9			.1	1.8	
28. Minnesota	1.6		1.4	.2		
29. North Dakota	1.5		.1	1.4		
30. South Dakota	1.1		.3	.7	.1	
U.S. total	374.5	262.6	48.2	34.1	7.7	21.9

[1] Where total payments in excess of $19,999 on the above programs exceed $1,000,000 for any State.

[Schnittker study, Nov. 27, 1968]

Limiting Farm Program Payments

Summary and Conclusions

Payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Difficult administrative problems would arise, however, as producers would seek to avoid the limits by dividing large farms into smaller units.

Whatever the level of payment limits, cotton producers would be affected in greatest number. Few wheat and feed grain producers would be affected, and the impact on the industry would be negligible at the maximum payment levels examined here.

Budget savings ranging from $200 to nearly $300 million could be made with limits at levels examined here, if the law could be administered firmly. However, if either Congress in amending the law to authorize payment limits, or the Secretary of Agriculture in his administration of the law, took a relaxed attitude toward dividing farms into smaller units to avoid payment limits, much of the potential savings would be lost.

Introduction

Agricultural price and income support programs originally were undertaken in the 1930's to improve prices and income for the average family farmer. They continue to be primarily supply adjustment and price support programs designed to achieve higher incomes for farm families producing the bulk of farm commodities marketed. Clearly, the more a farmer produced, the more he benefited from the higher prices per unit achieved through price support operations.

The farm programs have not generally been considered by the Congress as welfare programs, to be adjusted to the income needs of individual families. Some program changes in recent years, however, have moved in this direction.

Direct payments geared to output became important in the 1960's. By this time, however, there were far more large farms than in 1930—hence an increasing concentration of payments. Recent efforts to limit farm program benefits have arisen both out of this increase in farm size and greater use of direct payments.

Limitations on farm program benefits have been proposed from time to time, and some have been adopted. Congress provided a sliding scale, but no upper limit for payments under the Sugar Act of 1934. Statutory limits

on the size of Agricultural Conservation Program payments, and administrative limits established by the Secretary of Agriculture have been in effect from time to time since 1938. A $2,500 limitation per producer is in effect for Agricultural Conservation Program payments. There also were payment limitations in the Conservation Reserve Program of the Soil Bank in the 1950's, and in the pilot Cropland Conservation Program in the 1960's.

Proposals were made largely in the 1950's to limit the size of price support loans. In the 1960's efforts have been made to limit the amount of direct cash payments to individual producers (apart from loans)—but none have been successful. In August 1968, however, the House of Representatives approved an amendment to the proposed Food and Agriculture Act of 1968, which would have limited combined payments to any individual under all the farm programs to $20,000 per year. This amendment was not accepted by the Senate and was deleted by the Conference Committee; it generated a great deal of interest, however. Payment limitations will probably be on the Congressional agenda for 1969.

Effective opposition in the Congress and the Executive Branch to proposals to limit loans and payments under the commodity programs in recent years has been based on two factors:

Limiting price support loans could make price support less effective in some years, if eligible smaller farmers did not place enough of their products under loan to bring market prices up to support levels. Resulting lower market prices would have an adverse effect on all producers—large or small. This objection is valid but not very important, since most producers would have full access to price support.

One cannot build a strong economic case *for or against* limiting the size of price support loans. Limiting price support loans may have merit, however, as public relations for farmers. It would limit direct benefits to large growers, but would scarcely affect actual benefits to them.

Refusing to make fairly large acreage diversion and price support payments to individual farmers would reduce the effectiveness of voluntary production adjustment programs, slow surplus disposal and delay price recovery.

This argument was most valid when the surplus disposal task was greatest in the early 1960's. It is less important in 1969 than it was in 1965, for example. For reasons cited later, this line of agrument is no longer a conclusive objection to payment limitations, unless they were to be applied at levels much lower than examined here.

One additional example is useful as background. In the Sugar Act Program, payments have been made on a sliding scale. No upper limit is set and a few individual payments are around $1,000,000 each year.

Producers who plant within the sugarcane or sugarbeet acreage allotment set by the Secretary, and meet specified conditions with respect to farm labor, qualify for payment at the rate of 80 cents per 100 pounds of sugar produced up to 350 tons per farm or per person.

The statutory rate of payment per 100 pounds of sugar for larger producers is:

350 to 700 tons	$0.75
700 to 1,000 tons	.70
1,000 to 1,500 tons	.60
1,500 to 3,000 tons	.55
3,000 to 6,000 tons	.525
6,000 to 12,000 tons	.50
12,000 to 30,000 tons	.475
More than 30,000 tons	.30

This schedule provides some disincentive to large growers, although not enough to prevent considerable concentration of sugar production.

INCREASED USE OF PAYMENT PROGRAMS

The use of direct Government payments to producers has increased sharply in recent years. Payments were added to existing price support programs as a shift was made from relatively high price support levels to price supports at or near world price levels.

One key reason for direct cash payments was to maintain farmer income. Payments were also the main incentive for farmers to reduce their acreages of certain crops, as a voluntary acreage reduction program *became* the first effective production restraint for feed grains, *replaced* mandatory acreage allotments for wheat, and *supplemented* the long-standing mandatory program for cotton.

These differences in approach for the three big commodities arose more out of history than from differences among the crops or the areas producing the crops. Congress had provided for mandatory acreage allotments for corn in 1938. The procedure had never been used, however, because of the likelihood that less than two-thirds of the producers would vote for the mandatory quota penalties necessary to enforce acreage allotments. It was repeated in the late 1950's. Thus, when corn surpluses had to be curbed in 1961, Congress approved the voluntary, payment-based approach recommended by the Administration.

In the voluntary acreage adjustment programs, wheat marketing certificates, price support and acreage diversion payments for feed grains and cotton, and non-recourse price support loans are available only to growers who meet the acreage diversion requirements established for that year by the Secretary of Agriculture.

Payment programs for wheat and cotton have similar origins, although the legislative struggle in cotton was limited to recent years, while it dates back many years for wheat. Market prices for both crops were supported far above world levels in the 1960's. U.S. wheat and cotton could sell abroad in this period only with large export subsidies.

Wheat growers had agitated for many years for a "2-price plan"—a shorthand term meaning relatively low prices in the market supplemented by payments on that part of the crop used as food in the U.S.

In addition, manmade fibers were fast replacing cotton in the U.S., and it was argued that lower cotton prices would stop or slow that trend. In both cases, farm income would have dropped sharply when price supports were reduced, except for the introduction of direct payments.

Viewed functionally, most payments under the cotton and wheat programs today are income supplements. They are set by law at substantially higher levels than would be required as incentives to assure enough participation by farmers to stabilize commodity carryover. In both cases, either total payments, or payments to large farms, could be reduced substantially (by about one-third) with little effect on acreage and production.

Feed grain program payments, however, are closely scaled to the incentive levels required to achieve the objective of a fairly stable reserve carryover. If total payments to feed grain growers were to be reduced in the years just ahead, larger surpluses would soon accumulate, *unless* the level at which market prices were supported was also reduced, in order to increase feed grain utilization.

Utilizing these programs, stocks of farm commodities owned by the Commodity Credit Corporation (CCC) were reduced from $5.6 billion in July 1961 to less than $1 billion in July 1968. Production has not been reduced for each crop each year. But production has been held below potential levels. Coupled with expanding demand, especially for grains, reducing the acreage harvested has been one of the chief engines of surplus disposal.

Direct payments to farmers increased from $702 million in 1960 to an estimated $3.4 billion in 1968. Much of the increase in Government payments was offset by reductions in CCC expenditures formerly associated with price support loans and acquisitions, and export subsidy activities.

It was noted earlier that payments became an integral part of the commodity programs in the 1960's, farmers were also rapidly increasing the size of their operations. The number of farms with sales of $40,000 or more increased from 113,000 in 1960 to about 183,000 in 1967. There were 227,000 farms with sales of $20,000 to $39,999 in 1960, and 318,000 in 1967.

The 501,000 farms in these two groups produced 68 percent of all farm products marketed in 1967. Farmers affected by payment limitations at levels examined in this report fall primarily in the larger farms of these two size groups, although some in the other group would be affected.

ALTERNATIVE APPROACHES TO PAYMENT LIMITATIONS

Farm program payment data only recently available, make it possible to estimate the probable effects of alternative payment limitation levels on producers, and on key agricultural commodity sectors.

Four alternatives are examined in this memorandum:

A $20,000 limit on total payments.

A $10,000 limit administered commodity by commodity.

A sliding scale with total payments limited to $17,500 per person.

A sliding scale without an upper limit (like sugar).

We have found only one rule for selecting the best payment (or loan) limitation plan, if one is to be adopted. That is, it should not render the acreage diversion (or price support) programs ineffective. Beyond that, there is little to guide us. One could begin from an amount of budget money to be saved, or from a fixed limit on the total to be spent for payments. Setting a limit high enough to exempt most bona fide family farmers is probably a better approach; the examples used here certainly meet that test.

Inevitably, any approach to limiting farm program payments will be fairly arbitrary. It could be made effective in one sharp move, but there is no reason other than costs in any limitation adopted to be fully effective in the first year. A producer's payment might be reduced by one-third the amount by which it exceeds the limit in the first year, two-thirds the second year, and the full amount in the third year. There is no limit to the possible formulas.

For the levels studied here:

1. Farm program payment records for 1967 indicate that a $20,000 limitation on total payments to a farmer would affect 9,789 producers in the U.S. This is .4 percent of all producers receiving payments. In this group, 8,157 received cotton program payments, 3,304 received wheat certificate payments, and 4,878 received feed grain program payments (Item 1, attached Table 1). Many received payments under several programs. Total payments in excess of the $20,000 limitation totaled $206 million (the maximum potential saving). A state by state listing of the number of affected producers is in an attached table.

2. A maximum limitation of $10,000 for each producer, administered separately for cotton, wheat, feed grains, etc., would affect about 23,000 producers. Of these, 18,054 would be affected through the cotton program, 4,579 through wheat, and 850 through feed grains. In most cases, the feed grains are produced

in combination with cotton or wheat (Item 2, attached Table 1). The amount paid out in excess of $10,000 per farm per program in 1967 totaled $293 million.

3. A sliding scale could provide for full payment of the first $10,000 payments earned under present laws, one-half of the next $10,000 and one-fourth of the third $10,000. Payments in 1967 in excess of these limitations totaled $215.2 million. About 23,000 producers would be affected. (Item 3, attached Table 1).

4. A sliding scale starting at the level of the alternative (3) above, but with more moderate graduations has also been considered. It could either have a set limit, or it could be open ended. A schedule which provided full payment up to $10,000 per farm, 90 percent payment for the next $10,000—ending with 10 percent of the regularly computed payment for 100,000 or more would be one possibility.

Over half of those who receive payments in excess of $10,000 in 1967 produced more than one of the price supported crops. Thirty percent received cotton program payments only, 1.5 percent received feed grain program payments only and 11.3 percent received wheat certificate payments only (Table 2).

Clearly any limitation on payments to an individual producer would affect primarily cotton producers. A limitation as low as $20,000 per farm in total, or $10,000 per commodity would affect those who produce one-third of the U.S. cotton crop, although even on the farms affected, much of the cotton crop would be eligible for price support payments.

One of the serious administrative problems sure to arise would result from proposed division of farms into smaller units if a limitation were imposed, in order to evade the limit. This would reduce the savings levels indicated in Table 1.

Any payment limit set by Congress would need to be backed up by a firm policy against each farm-splitting. There would need to be strict, uniformly administered regulations to back up the law. As much as one-third to one-half of the potential savings might otherwise be lost.

It is possible that a substantial part of the indicated savings would be lost in any case for reasons related to the nature of farm proprietorships. Many large farms are family or other partnerships, or corporations operated as a small business by a few owners. In any year there are hundreds of bona fide revisions of these arrangements.

It would be impossible for Washington, for a state administrative committee, and especially for a farmer-elected county committee to distinguish charges for causes other than those which would be a direct result of payment limits.

A second serious administrative problem could arise under options (1) and (3) above, since most producers receive payments for participating in more than one commodity program. In such cases, a producer would need to consider his participation in all of the programs simultaneously. Yet, some programs normally are not ready to be announced when other program decisions are made, since planting and harvest dates vary.

Some changes in administrative procedure would be required. Simultaneous announcement of the basic features of wheat, feed grain, and cotton programs for the year ahead would help. Also, in order to avoid overpayment to large growers, a prepayment audit with direct personal attention to each affected farm, would be useful. Final payment would need to be somewhat later than at present, and the present policy of making advance payments might have to be reconsidered.

None of these administrative problems are decisive, however. Some would be avoided in option (2) above. They are not good reasons for opposing payment limits. The number of producers affected would be so small that each could be handled as a special case with little additional expense.

CHANGES NEEDED IN BASIC COTTON LEGISLATION

Since limitation on payments would affect primarily cotton producers, certain changes should be made in that program to discourage or prevent actions by producers to avoid the payment limit, and to maintain program effectiveness. These include:

1. Legislation authorizing sales of cotton allotments should be amended to prevent sales of allotments for the express purpose of avoiding the payment limit. (This, too, would require a Solomon-like determination by administrators).

2. The "snapback provision" in the 1965 Act (Section 402(12)), P.L. 89-321 must be repealed if the limit is to be effective. This provision requires that if payment limitations are authorized, the old permanent (and obsolete) cotton price support system goes into effect. This would include high price supports, with CCC acquiring most of the cotton, and selling it back into the market at lower prices. This would seriously disrupt the cotton industry. By shielding cotton from any payment limit policy, it would avoid the intent of Congress.

3. The mandatory features of the cotton acreage adjustment program could either be terminated or modified, in order to give producers affected by the payment limit an opportunity to expand their acreage.

With U.S. producers facing world level cotton prices for a large part of their output on the acreage allotment, it appears that mandatory acreage controls backed up by marketing quota penalties are no longer needed to achieve a cotton supply-demand balance. The industry has little incentive to overproduce at this price level. Low prices may be enough of a deterrent.

However, present acreage allotment procedures, based on past acreage, do slow down the further westward shift in cotton production. Most of the cotton producers and interested Congressmen want them continued, since they value the cotton acreage allotments in the state, either for economic or political reasons.

Therefore, an intermediate step short of terminating acreage allotments would probably be best. This could provide for waiving marketing quota penalties for producers who overplant their farm acreage allotments by specified percentages.

Producers who were receiving full payments as calculated under the law, for example, could be required to plant within their farm acreage allotment.

Producers losing only a small percentage of their payment could overplant their acreage allotment only a little.

Producers losing most of their payment (being reduced from $150,000 to $10,000 for example) might plant up to double their farm acreage allotment.

The Secretary of Agriculture would need a lot of discretion in setting such percentages from year to year, since the results could not be accurately estimated in advance. It does seem clear that large producers who would be touched by payment limits do value the opportunity to expand acreage. Thus a satisfactory *quid pro quo* may be possible.

CHANGES NEEDED IN WHEAT AND FEED GRAIN LEGISLATION

Few wheat or feed grain producers would be affected by payment limitations, at levels examined in this memorandum. Yet modest changes in these programs would reduce inequities, and might avoid adverse effects on program participation.

Existing legislation could be amended to provide that wheat and feed grain producers subject to payment limitations would either get a larger acreage allotment (in the case of wheat), or would have their acreage diversion requirements reduced in the case of feed grains. For example, if payment limitations reduced a feed grain producer's payment by one-half, the diversion otherwise required to become a cooperator in the program could also be reduced by half. Again, the Secretary would need some discretion in administering such a provision, in order to maintain program effectiveness.

EFFECT OF LIMITATION IF APPLIED TO SUGAR PROGRAM

Roughly 100 to 125 sugar producers received payments in excess of $20,000 in 1967. About 1,500 producers were above the $10,000 mark.

Payments under the Sugar Act provide sugarbeet and sugarcane growers with an incentive to restrict their acreage. Acreage limits are set by the Secretary when supplies or potential supplies are large, based on formula in the law. Without loss of payments to provide an incentive to keep acreage down, quota limits might be ignored and the Sugar Act in its present form could become ineffective in limiting U.S. sugar production.

A maximum of $20,000 per payee would have no effect on growers who produce less than 1,000 tons of recoverable sugar per year and only a small effect on those who produce as much as 1,500 tons per year—percent of all sugar producers—with percent of all production would thus be exempt.

At the other end of the scale is the question of whether or not payment limits at levels examined here would discourage production. For the larger producers, the 30 cents per 100 pounds received in Sugar Act payments for production in excess of 30,000 tons equals about 4 percent of the current price of raw sugar in New York. Program payments are less than 5 percent of gross receipts for large producers; are only one of several factors which influence output, and which encourage compliance with allotments. Even if payments were reduced to a maximum of $20,000, the largest sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments.

EFFECTS OF LIMITATIONS IF APPLIED TO WOOL

Payment limitations applied to wool growers would affect few producers, and would not reduce program costs appreciably.

There is no price support loan for wool. Income support to wool growers is entirely in the form of direct payments equal to the difference between average market prices and a target set by law. Payments were intended to encourage increased wool production, but they have, at best, served to slow the decline of the U.S. sheep industry.

A limitation of $20,000 applied to all programs would affect about 125 wool producers with 4 percent of total U.S. wool production in 1967. Wheat, feed grain or cotton payments also were involved in 98 of these cases.

A limit of $10,000 for wool payments alone would have affected 165 producers in 1967. They received about $2.6 million and accounted for about 9 percent of the total U.S. wool and mohair production. A $10,000 limit would have reduced total wool payments about a million dollars.

The sliding scales in alternatives (3) and (4) would reduce payments a little over one-half million dollars for (3) and by a negligible amount under (4).

Payment limits would reduce the incentive for wool production in the U.S. slightly, but even present payments provide only a limited incentive. Limitations would not have any decisive impact on the sheep and wool industry.

TABLE 1.—EFFECTS OF ALTERNATIVE PROGRAM PAYMENT LIMITATION PLANS

Payment limitation plan	Program [1] Cotton	Wheat	Feed grains	Total
$20,000 total for all programs:				
Number of payees affected	8,157	3,304	4,878	[2] 9,789
Payments in excess of limitation [3]				$205,600,000
Production on farms affected	[4] 3,780,000	[5] 74,600,000	[5] 113,800,000	
(1) Percent of U.S. total production on farms affected [3]	34	5	2	
$10,000 per program:				
Number of payees affected	18,054	4,579	850	[2] 23,017
Payments in excess of limitation	$261,900,000	$26,400,000	$4,500,000	$292,800,000
Production on farms affected	[4] 5,440,000	[5] 69,400,000	[5] 151,800,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	29	3.6	0.4	
Sliding scale per program: [6]				
Number of payees affected	18,054	4,579	850	[2] 23,017
Payments in excess of limitation	$196,400,000	$16,000,000	$2,800,000	$215,200,000
Production on farms affected	[4] 5,440,000	[5] 151,800,000	[5] 69,400,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	22	2	0.3	

[1] Includes all payees who received $10,000 or more from all ASCS programs. The 3 commodity programs account for about 90 percent of total payments.
[2] Net figure—since some producers participate in more than 1 commodity program.
[3] Impossible to calculate excess by program since exact amount will depend upon how a producer who participates in more than 1 program decides to allocate his program earnings between programs.
[4] Bales.
[5] Bushels.
[6] Full payment for 1st $10,000; ½ of next $10,000; and ¼ of 3d $10,000.

TABLE 2.—PAYEES RECEIVING $10,000 OR MORE AND $20,000 OR MORE IN PAYMENTS FROM ASCS WHO RECEIVED COTTON, FEED GRAIN, AND WHEAT PAYMENTS IN SPECIFIED COMBINATIONS, 1967

Source of payment	$10,000 or more Number	Percentage of total	$20,000 or more Number	Percentage of total
Cotton only	8,882	29.8	3,494	37.3
Cotton and feed grain	7,316	24.5	2,557	27.3
Cotton and wheat	1,196	4.0	511	5.4
Cotton, feed grain, and wheat	4,626	15.5	1,545	16.5
Any cotton payments	(22,020)	(73.8)	(8,107)	(86.5)
Feed grain only	453	1.5	80	.8
Feed grain and wheat	4,000	13.4	646	6.9
Any feed grain payments	(16,395)	(54.9)	(4,828)	(51.5)
Wheat only	3,367	11.3	542	5.8
Any wheat payment	(13,189)	(44.2)	(3,244)	(34.6)
Total	29,840	100.0	9,375	100.0

DISTRIBUTION OF PAYEES RECEIVING GOVERNMENT PAYMENTS OF $20,000 AND OVER, BY MAJOR COMMODITY, BY STATE 1967

State	Cotton	Feed grains	Wheat	Wool	State total
Alabama	289				289
Arizona	586	2	1		589
Arkansas	862	2			864
California	931	3	18	7	959
Colorado	5	9	124	7	145
Florida	4				4
Georgia	177	2			179
Idaho			55	4	59
Illinois	2	20			22
Indiana		13			13
Iowa		12	1	1	14
Kansas	2	13	143		158
Kentucky	6		2		8
Louisiana	321				321
Michigan		1			1
Minnesota			5		5
Mississippi	1,411				1,411
Missouri	98	17	2		117
Montana		4	75		79
Nebraska	1	15	5		21
Nevada	3	1	2	1	7
New Jersey		1			1
New Mexico	119	14	39	1	173
North Carolina	70	1			71
North Dakota		1	26		27
Ohio		3	1		4
Oklahoma	65	1	39		105
Oregon			76		76
Pennsylvania		1			1
South Carolina	217				217
South Dakota	2	1	17		20
Tennessee	102				102
Texas	2,365	84	193	11	2,653
Utah			5	2	7
Virginia		1			1
Washington		1	175		176
Wyoming			3	5	8
Total, United States	7,638	223	1,007	39	[1] 8,907

[1] 882 additional payees received payments of $20,000 and over from other ASCS programs.

NUMBER OF PAYEES RECEIVING $10,000 OR MORE FROM COTTON, FEED GRAIN, WHEAT, OR WOOL PAYMENTS, BY STATES, 1967

State	Cotton	Feed grains	Wheat	Wool
Alabama	808	3	0	0
Alaska	0	0	0	0
Arizona	870	11	9	5
Arkansas	2,098	2	6	0
California	1,728	12	70	16
Colorado	11	26	449	17
Florida	10	0	0	0
Georgia	604	7	1	0
Idaho	0	4	290	18
Illinois	5	76	6	0
Indiana	0	50	1	0
Iowa	1	67	3	1
Kansas	4	47	647	0
Kentucky	22	2	2	0
Louisiana	814	3	1	0
Michigan	0	4	2	0
Minnesota	0	17	25	0
Mississippi	2,510	1	2	0
Missouri	330	54	6	0
Montana	1	11	613	7
Nebraska	1	72	55	0
Nevada	12	1	2	4
New Jersey	0	2	0	0
New Mexico	371	58	72	8
New York	0	0	1	0
North Carolina	217	10	0	0
North Dakota	0	2	262	0
Ohio	0	13	3	0
Oklahoma	200	9	226	0
Oregon	0	1	316	2
Pennsylvania	0	5	0	0
South Carolina	574	6	0	0
South Dakota	4	6	90	3
Tennessee	419	1	0	0
Texas	6,439	256	474	46
Utah	0	0	28	3
Virginia	1	2	0	0
Washington	0	2	905	3
Wisconsin	0	7	0	0
Wyoming	0	0	12	32
Total, United States	18,054	850	4,579	615

COMMENTS ON STUDY DATED NOVEMBER 27, 1968, "LIMITING FARM PROGRAM PAYMENTS" BY H. D. GODFREY FOR ASCS

This study concludes that payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Admitting that difficult administrative problems would arise, the report leans toward concluding that they could be solved. Budget savings, it is averred, would range from $200 to $300 million if the law could be administered firmly. The range of savings would depend upon the kind of limit adopted. Four are discussed: (a) a $20,000 payment limit per farm; (b) a $10,000 limitation per commodity; (c) a $17,500 total payment limitation per person, based upon a sliding scale; and (d) a sliding scale payment provision without an upper limit, somewhat like the sugar provision.

A quick review of the salient points and arguments which the report makes causes us to conclude that the study is overdrawn, with much of the narrative not providing firm support for the report's conclusion. The following detailed comments embrace our views:

1. The report indicates for cotton and wheat that a payment limitation would have little effect on acreage and production. For feed grains, it indicates that a limitation would soon lead to larger surpluses unless the level at which market prices were supported was also reduced.

In the case of wheat and feed grains, our data indicate the imposition of a $20,000 payment limit probably would not seriously

disrupt the voluntary wheat and feed grain supply adjustment programs. Under the 1967 wheat program, payees receiving payments over $20,000 accounted for about 2.5 million acres, or 4 percent of the wheat allotment. Most producers could of course, continue to participate in the program. Further, by 1970 a wheat farmer would have to overplant his allotment by almost 70 percent in order to pocket the same returns as a program participant.

In the case of feed grains, payees receiving over $20,000 in a 1967 program payments comprised about 2.6 million acres of the total feed grain base, made up of about 0.8 million base acres of corn and 1.8 million base acres of grain sorghums; the total comprises only about 2 percent of the feed grain base. The estimated corn base attributed to payees receiving over $20,000 of payments in the 10 leading corn (grain) producing States approximated a little over 200,000 acres; most of these payees also received payments under the wheat program. The remaining corn base involving 0.6 million acres was widely distributed primarily in the Southeast and Mississipi Delta cotton producing areas, where corn payments are minor relative to cotton. In general, feed grain payments in the sorghum area are small relative to cotton payments on cotton-feed grain farms. In this context feed grain production would not be expected to increase materially under a $20,000 limitation.

But the case for both wheat and feed grains begins to unravel as the payment limitation drops—for example, a $10,000 or lower limitation would importantly change the situation.

For cotton our data show that payees receiving over $20,000 in 1967 program payments accounted for more than 30 percent of the potential production; about 4.4 million allotment acres were on farms affected by this limitation. Further, the study indicates that a $10,000 program limitation would affect payees producing about 5½ million bales, or more than 40 percent of a normal crop. These figures are significant; our interpretation of them is different than that taken by the report, which is inclined to conclude that, while difficult administrative problems would arise, nonetheless they could be worked out so as to result in budget savings of from $200 to $300 million, and at the same time provide adequate supplies of cotton with little disruption to most producers. In our judgment this is *unrealistic*, and *in fact is not supported by the report itself*. Table 1 of the study indicates the range of savings under the alternative limitations, *provided* any limitations were 100 percent effective. At the same time the body of the report indicates that from one-third to one-half of the potential savings might be lost unless the limitations were "backed up by a firm policy against farm-splitting," going on to say that "it is possible that a substantial part of the indicated savings would be lost in any case for reasons related to farm proprietorships". The study goes on to conclude that "it would be impossible for Washington, for a State administrative committee, and especially for a farmer-elected county committee to distinguish changes for causes other than those which would be a direct result of payment limits".

As we see it, a cotton payment limitation would result in only negligible budgetary savings simply because of the cotton farm infrastructure. In explanation, a great majority of the legal entities which receive the larger cotton payments involves more than one person. Many of them are partnerships, corporations, or joint ventures involving a fairly large number of individual producers and landowners. The large farms have been operated as one unit in order to increase efficiency, but if limitations were to be put into effect, most of the large farms could be divided—legally—into smaller units with each individual operating a separate farming unit.

Very few of the producers who have received payments in excess of $20,000 own all the land that they operate. Most of them rent or lease some of the land they are working, and many of them also have leased or purchased allotment acreage from other farms. If a limitation is made effective, those producers who have been leasing would not continue to lease the additional land or allotment.

By 1970 cotton payments are likely to average about 20 percent smaller than in 1967 as diverted acreage is greatly reduced or eliminated. This would reduce the number of farms affected by a $20,000 limit. In 1967, about 8,900 payees received a payment of over $20,000 on cotton, wheat, feed grains, and wool. By 1970, it is estimated this number would be reduced to around 6,500 payees even if they continued to operate the same land in the same manner as in 1967.

The list of large cotton payees (over $25,000) in 1967 has been reviewed for a few counties by some of our people who are knowledgeable about farms and farming in these counties. The following summarizes the actions which our people think these payees might take in 1970 if a limitation were in effect.

County	Number of payees over $25,000	Action that would likely be taken			
		Increase number of payees [1]	Rent out owned land	Release rented land	Sell or lease part of allotment
	(1)	(2)	(3)	(4)	(5)
Yuma, Ariz.	46	34	3	29	10
Maricopa, Ariz.	175	105	52	27	136
Reeves, Tex.	65	24	11	23	13
Sunflower, Miss.	82	38	21	16	2

[1] Includes cases where farming operation would be divided between present owners and/or partners, and where operation would be changed from hired hands to share tenants or cash tenants.

Note.—Cross totals do not add to col. 1; many payees would take multiple actions.

Thus, a central question relating to making a payment limitation work for cotton involves action which the Government could take to enforce a limitation. Realistically we doubt that legal actions could be taken to, in effect, freeze the number of payees, deny producers the right and opportunity to rent land which they own, release land which they have rented, or even to sell or lease portions of their allotment. In this connection, we note the report's suggestion that legislation authorizing sale of cotton allotments should be amended to prevent such sales for the express purpose of avoiding a payment limitation, commenting that this would require a "Solomon-like" determination by administrators. Indeed it would!

Furthermore, the study does not give any serious consideration to the impact on other programs if limitations were applied to cotton and who could administratively enforce such limitations. It is possible throughout the cotton area to grow alternative crops, but the alternative crops are also in surplus. Thus, any limitations which would affect cotton would naturally lead the producers to adopt farming practices which would involve the growing of other price supported crops, all of which are now in surplus. Thus, any savings as a result of limitations on cotton would for all practical purposes be largely offset by increased cost of price supported operations for feed grains, wheat, soybeans, dairy, etc.

It is true, as the report states, that certain payment limitations have been in effect in past years, mentioning the Agricultural Conservation Program and the Conservation Reserve Program. These limitations are described in enclosure 1. It is important to point out here, however, that a clear distinction must be made between a limitation involving voluntary participation in acreage adjustments, as contrasted to a program which sharply limits payments to producers for a crop that is their main livelihood. In a word, little useful comparison can be drawn between a payment limitation on the ACP, and a cotton payment limitation.

Much of the above comment relates to a limitation of around $20,000. The problems we describe, and their effect on overall program results, would bear down much more forcefully if the payment limitation were $10,000—and the impact of a $5,000 limitation would obviously be much greater yet. I believe we can agree that as the payment limitation drops, the number of producers affected would sharply increase, and there would be less opportunities for producers to legally avoid the limitation. This brings up another serious problem—the ability to provide an adequate cotton production involving participation by the family farm, countrywide, with price support at about world price levels.

In sum, I am seriously concerned with a report which contemplates savings of from $200 to $300 million through a payment limitation. Realistically, I do not believe the necessary steps could be taken, either by statute or administratively, to make the program effective enough to result in important savings. And further, if the limitation were dropped to the point where large numbers of smaller producers were affected by it, program savings would be made at the risk of jeopardizing the entire program with resultant damage to the family farm enterprise. There would be serious question as to whether or not adequate quantities of cotton would continue to be produced.

2. The Sugar Program: The study would apply the limitations described above to the sugar program as well. This program, however, now embraces limitations on sugar act payments, based on a sliding scale, but with no absolute limitation. The statutory rate of payment per 100 pounds of sugar starts at 80 cents for the first 350 tons per farm or per person, but drops to a rate of 30 cents per 100 pounds for quantities in excess of 30,000 tons. The report states that the limitations "provide some disincentive to large growers although not enough to prevent considerable concentration of sugar production." We see no problem on the sugar program; it has a long history and it is working well. We seriously doubt the wisdom of embroiling the sugar program in any new limitations, of the kind the study contemplates. The study indicates that 1,500 producers received payments in excess of $10,000, and from 100–125 obtained payments in excess of $20,000 in 1967. For the larger producers, program payments amount to less than 5 percent of the gross receipts. The study conjectures that if payments were reduced to a maximum of $20,000 the larger sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments. It's our view that enact-

ment of sugar legislation is time consuming, tortuous and difficult; it usually has been handled separately. We do not believe the problem of payment limitations for sugar is sufficiently serious to warrant further consideration at this time.

3. The Wool Program: Here again we doubt the wisdom of applying a payment limitation. The study shows that 125 wool producers would have been affected by a $20,000 limitation under the 1967 program. A limitation of $10,000 would have affected 165 producers that year, they receive about $2.6 million and accounted for perhaps about 9 percent of U.S. production. A $10,000 limitation would have reduced payments about $1.0 million. But the wool program payment is considered an "incentive payment" designed to increase domestic wool production, make consumers less dependent upon imports. It is financed from tariff receipts on imports, thus is somewhat different from our other programs. For these reasons we doubt that action to impose a limitation would serve a really useful purpose.

4. Changes in basic legislation for wheat, feed grain and cotton: The study suggests the possibility of amending wheat and feed grain legislation so as to provide either for a larger acreage allotment, or a reduced diversion requirement for those participants who would be affected by a payment limitation. For cotton, it suggests that marketing quota penalties might be waived for producers affected by the limitation, who overplant farm acreage allotments by specified percentages.

We see little need for the wheat and feed grain proposal which has serious shortcomings. We are inclined to doubt the acceptability of a program which would offset payment limitations with the opportunity to produce larger quantities with the benefit of price support. Administratively, the provision would give rise to difficult problems.

The cotton proposal apparently stems from the belief that producers whose payments are drastically reduced under the limitation ought to have the opportunity to produce extra supplies with the benefit of the loan. This is a laudable objective particularly if there is reason to believe that production otherwise would not be adequate. At the same time we have serious doubts both as to its general acceptability or the need for it. For example, if a $50,000 price support payment were reduced to $20,000, this amount could be earned on perhaps 40 percent of the domestic acreage allotment. If the domestic allotment percentage was set at 65 percent, this means the $20,000 could be earned on 26 percent of the allotment. In this situation the producer already would be able to grow the remaining 74 percent of his allotment with benefit of price support. Administratively, the suggestion for extra acreage to such a producer would raise serious and complex problems. Allotments are made to farms, not individuals. Many allotments embrace situations under which a large payment accrues to one or two individuals, but much smaller payments accrue to others. This might involve basing the extra acreage on a person's intention, ahead of planting time. We see numerous problems with this, and at the same time we are not sure that the provision would be needed.

The earlier comment in this memorandum related to the provision which would amend legislation authorizing sales of cotton allotments.

Mr. SMITH of Illinois. The money saved by my amendment could be reserved, or expanded on other, more worthy, projects like farm pollution control, conservation, and wildlife management. It is clear to me that whatever constructive use of the money saved we make, it will be a better use than padding corporate and agribusiness bank accounts.

As I noted earlier, subsidy ceilings are not new. They have been suggested before and debated before. Let us look at some of the objections that have been raised to crop subsidy limitation per producer:

One argument often heard is that if big producers cannot receive full payment for all diverted acres, they will simply drop out of the program completely, pour on the fertilizer and multiply production. The result, the Department of Agriculture has argued, would be a glut on the market—followed by a sharp drop in commodity prices and the squeezing out of the small producer our farm program was designed to protect.

That future projection of an imaginary horrible was flatly contradicted by the last administration's own Under Secretary of Agriculture, John Schnittker. In a report dated November 27, 1968, in the closing days of Secretary Freeman's term, Dr. Schnittker stated unequivocally:

> Payments to producers under existing price support and acreage control programs . . . could be limited to around $20,000 per farm, for all payments . . . without serious adverse effects on production or in effectiveness of production adjustment programs.

The then Under Secretary went on examining supporting data in some detail, documenting fully the reasons why a subsidy limitation would not ruin the farm program.

The Johnson administration, however, did not permit the report to see daylight. The truth of Dr. Schnittker's remarks becomes more obvious when we recall the history of recent agricultural legislation.

The original purpose of subsidy payments was to stabilize production, and thereby markets, through orderly crop reductions, diverting acreage from the raising of commodities. Once Congress resolved to pay the farmer high price supports for his produce. That policy failed when it stimulated even greater production, and brought about a gigantic surplus.

At one time those surplus commodities, as I am sure many Senators will remember, were worth $8 billion, and cost fully $1 billion a year simply to store.

Accordingly, farm policy in the United States was changed to provide subsidy payments to farmers who limited production by diverting their land to nonproduction. Payments were awarded to compensate them for not using their most valuable capital asset, the land.

For some commodities, like feed grains and wheat, the purpose of limiting output was achieved. Fully 89 percent of all feed grain payments in 1968 were devoted to limiting output. For wheat, the figure was 51 percent, and this proportion is expected to increase in 1970.

For cotton, the story was different. In 1969, only 38 percent of subsidy payments went to limit production. In 1970, virtually all cotton payments will be for income supplements, with no payments for production limitation.

Let me make clear at this point that I have nothing against cotton farmers. Raising cotton in the United States has been an essential part of our economic cutput since the beginning of the Republic, and I would not, under any circumstances, favor compromising that portion of our agricultural output. I am for the farmer; I am flatly against outrageously excessive payments to rich agribusinessmen and corporations who receive more than $20,000 in any year.

It is necessary, however, to examine somewhat more closely the cotton program, since the brunt of my legislation would fall on the cotton agribusinessmen who compose about two-thirds of the farm units whose payments would be affected by this amendment.

Cotton acreage is not severely limited at the present time. In fact, the national cotton acreage allotment has been increased. As a consequence, Federal cotton subsidies go to enhance income, not to limit production. Right now, the taxpayer is paying about $900 million a year to generate a cotton crop worth only slightly more than $1 billion.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. SMITH of Illinois. I yield.

Mr. ELLENDER. Since the Senator is talking about subsidies paid to growers of various crops, does he know that seven States where corn and other feed grains are grown are paid $1,324 million, and Illinois appears to be the fourth or fifth State in point of receipts? Illinois received $195 million by way of subsidies. Louisiana, which grows cotton, a little corn, and a little rice, gets $52 million.

The State of Indiana, corn growing, $132 million. Iowa, corn growing, $260 million. Kansas, $234 million of these subsidies the Senator is talking about. Minnesota—mostly corn growing, and with no cotton—will get $171 million. Mississippi, $133 million plus, and Nebraska, $199 million plus—all corn and other feed growing States.

So that is where all of the subsidies go, when you talk about amounts. Of the $3 billion plus of subsidies that are paid, 1 billion, 3 hundred and some-odd million dollars is paid to six States in the Midwest. Would the Senator be willing to put a limitation on the payments as to States?

Mr. SMITH of Illinois. No, certainly not. And I would add that, while I do not in any sense, of course, question the figures that the Senator has just quoted, I would point out that the purport of this amendment is to limit the amount received by any producer. Notwithstanding the fact, as the Senator has pointed out, that a substantial part of the total dollars are received by farmers in Illinois, the fact is that my State is one of the great agricultural States in the Nation, but there are only 136 farmers in all of Illinois who receive more than $20,000 per producer. That is, of course, the impact of this amendment—to cut down the excess over $20,000 to any one producer.

Mr. ELLENDER. Well, of course, the Senator realizes that there are many crops grown in this country that require a lot of handling, and the cost of production increases. Cotton happens to be one of those, whereas in the case of corn, it is all mechanized, and one per-

son can now do the work done by perhaps 15 or 20 heretofore, because of mechanization.

In the case of cotton, a good deal of it is handwork, and the cost of production is high. In order for a farmer to be able to grow cotton in the South, he must be mechanized. If he has a farm of, let us say, less than 100 acres or less than 150 acres, where he must mechanize to produce a crop, he could not possibly survive unless he is able to mechanize.

That, to me, is the difference between the situation that exists in States like Illinois and States in the South, where cotton is grown in abundance, on a large scale, because of the inability of the small farmer to purchase the required machines so as to properly mechanize his farm.

Mr. President, if the Senator will permit me, what we are talking about now may appear in the RECORD at the end of the Senator's speech, and I would like to ask unanimous consent to have printed in the RECORD, if the Senator will not object, the tables from which I have been reading, indicating where these subsidies are paid.

Mr. SMITH of Illinois. I have no objection.

Mr. ELLENDER. As I have stated, almost a third of the amount of money that is paid out in subsidies is paid to six States in the Midwest which plant corn and other feed grains.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS DURING CALENDAR YEAR 1969

State	Cotton acreage diversion and price-support payments	Feed grains acreage diversion and price-support payments	Wheat acreage diversion and price-support payments	Sugar Act program	National Wool Act payments	Milk indemnity payments
Alabama	$47,372,610	$24,681,988	$606,506		$6,439	
Alaska					27,372	$31,119
Arizona	39,792,872	3,337,525	1,103,481	$946,886	881,636	
Arkansas	72,707,713	2,948,140	1,280,772		21,424	
California	81,487,963	13,130,673	6,253,569	11,936,765	3,951,185	2,697
Colorado		19,780,717	32,971,553	3,275,766	3,096,832	
Connecticut		185,172			7,299	
Delaware		1,385,339	408,262		1,806	
Florida	1,034,722	7,878,713	172,666	5,247,946	3,950	
Georgia	35,274,710	34,514,116	1,897,959		5,325	
Hawaii				10,809,756	70	
Idaho		2,417,134	30,929,193	7,728,552	2,482,354	
Illinois	132,827	156,696,151	27,830,856		636,325	
Indiana		104,339,848	19,580,674		513,544	
Iowa		246,759,650	817,836	49,433	1,601,287	
Kansas	427	71,430,634	151,090,541	1,035,761	714,420	
Kentucky	437,042	39,678,618	2,573,993		252,758	21,421
Louisiana	34,681,867	2,872,213	392,404	9,588,463	20,269	13,979
Maine		81,928	3,127	470,612	32,704	
Maryland		5,063,926	1,913,800		34,791	
Massachusetts		86,170	260		13,099	
Michigan		36,906,891	22,400,751	3,790,455	526,574	
Minnesota		140,202,782	14,677,795	4,876,710	1,075,987	
Mississippi	110,876,620	14,526,073	609,031		16,745	
Missouri	20,307,945	97,382,782	24,797,724		618,651	
Montana		4,711,778	63,857,616	2,117,518	3,309,339	5,876
Nebraska		141,299,473	45,625,720	2,641,255	634,043	
Nevada	316,409	44,665	439,824		505,325	
New Hampshire		52,168			8,357	
New Jersey		3,207,032	794,766	35,545	14,123	
New Mexico	13,273,449	12,192,348	8,099,410	175,983	1,974,159	
New York		10,729,179	6,736,524	241,567	213,228	
North Carolina	14,143,085	40,919,217	5,190,345		23,673	
North Dakota		33,132,891	113,013,504	2,426,870	901,241	
Ohio		64,578,755	26,646,888	1,211,660	1,510,930	16,258
Oklahoma	21,763,826	14,202,439	68,945,642		208,293	5,914
Oregon		1,986,092	16,993,254	1,123,526	1,392,119	
Pennsylvania		13,930,955	6,572,270		307,905	
Rhode Island		3,805			2,354	
South Carolina	30,307,718	14,743,858	2,747,212		1,596	
South Dakota		48,152,159	33,031,244		3,264,747	
Tennessee	34,120,724	28,659,250	1,970,553		92,437	
Texas	269,657,954	124,424,302	54,365,707	1,699,018	20,327,186	
Utah		1,222,545	4,710,220	1,292,843	3,054,217	
Vermont		193,161	123		11,280	
Virginia	446,718	9,992,804	3,081,768		404,218	
Washington		1,865,070	47,881,515	3,494,906	472,895	
West Virginia		1,232,637	244,657		352,117	
Wisconsin		44,674,192	719,371		287,591	14,121
Wyoming		861,084	3,524,223	1,907,719	5,543,677	
Puerto Rico				7,824,500		
Virgin Islands						
Undistributed					[1] 3,715,865	
Total	828,137,201	1,643,299,042	857,505,109	85,950,015	65,006,761	111,385

[1] Represents deductions from producers incentive payments for advertising and sales promotion programs and paid to American Sheep Producer's Council, Inc., and Mohair Council of America, Inc.

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS DURING CALENDAR YEAR 1969

State	Agricultural conservation program	Emergency conservation measures	Cropland conversion program	Soil bank conservation reserve	Appalachian region conservation program	Cropland adjustment program	Total payments
Alabama	$5,169,234	$4,437	$59,056	$1,046,303	$310,813	$2,773,553	$82,030,939
Alaska	63,832	800					123,123
Arizona	1,484,219	120,080	8,362			174,924	47,849,985
Arkansas	4,418,341	13,089	6,047	717,812		347,907	82,488,245
California	4,052,079	1,925,676	13,320	144,165		308,302	123,206,394
Colorado	3,462,935	778	104,354	1,173,311		1,021,734	64,887,980
Connecticut	398,072			5,729		211,345	807,617
Delaware	277,775			8,601		79,225	2,161,008
Florida	3,148,517	10,242	54,556	601,462		1,131,305	19,284,079
Georgia	6,674,009	67,320	166,070	2,792,494	165,630	4,531,103	86,088,736
Hawaii	136,982	6,614					10,953,422
Idaho	1,981,863	31,618	6,831	404,363		103,773	46,085,681
Illinois	7,014,952	29,496	42,720	160,293		2,830,857	195,374,477
Indiana	4,469,457	274,560	120,791	342,435		2,523,060	132,164,369
Iowa	7,222,462	173,922	175,669	174,611		3,376,286	260,351,156

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS—Continued

State	Agricultural conservation program	Emergency conservation measures	Cropland conversion program	Soil bank conservation reserve	Appalachian region conservation program	Cropland adjustment program	Total payments
Kansas	$5,595,191	$29,654	$93,148	$2,842,021		$1,513,565	$234,345,362
Kentucky	6,307,491	168,064	108,974	453,864	$283,138	2,227,863	52,513,226
Louisiana	4,189,146	17,655	44,679	276,612		168,995	52,266,222
Maine	929,185	4,872	21,215	299,637		57,728	1,901,008
Maryland	1,260,420			65,237	26,430	237,229	8,601,833
Massachusetts	465,892			6,182		67,817	639,420
Michigan	4,248,953	7,201	60,041	1,078,490		4,374,684	73,394,040
Minnesota	4,843,032	435	139,159	1,118,482		4,222,444	171,155,956
Mississippi	6,115,513	142,372	46,488	272,159	168,297	837,587	133,610,885
Missouri	7,902,311	86,316	150,326	1,030,719		3,982,242	156,259,016
Montana	3,467,630	370,023	174	1,118,816		306,496	79,265,266
Nebraska	4,420,932	58,098	175,474	925,263		3,684,422	199,464,680
Nevada	531,432	46,516					1,884,171
New Hampshire	470,904			46,959		2,447	580,835
New Jersey	608,963			34,505		194,021	4,888,955
New Mexico	2,001,982	45,074	189,671	29,783		3,014,292	40,996,151
New York	4,779,857		29,162	1,294,720	188,266	1,240,261	25,452,764
North Carolina	6,476,334		88,368	435,016	189,052	2,291,695	69,756,785
North Dakota	4,890,697		108,523	5,550,144		2,284,309	162,308,179
Ohio	5,022,483	153,561	61,140	658,088	175,517	3,397,955	103,424,235
Oklahoma	5,045,659	187,392	63,506	2,271,426		1,248,844	113,942,941
Oregon	2,393,464	46,357	11,055	298,579		98,981	24,343,427
Pennsylvania	4,290,241		7,888	720,848	238,965	1,797,120	27,866,192
Rhode Island	61,811					714	68,684
South Carolina	3,114,074		57,599	2,800,189	57,944	2,358,687	56,188,877
South Dakota	3,454,791	166,419	184,612	3,088,810		2,373,487	93,716,269
Tennessee	4,926,920	249,715	67,593	1,013,764	460,811	2,160,847	73,722,614
Texas	18,430,862	2,008,791	361,230	2,766,834		7,863,953	501,905,837
Utah	1,192,263	47,048	633	221,457		69,128	11,810,354
Vermont	1,014,854		[1] 216	195,044		29,950	1,444,196
Virginia	4,161,030	101,319	11,831	183,402	183,103	1,087,759	19,653,952
Washington	2,572,740		4,842	471,956		125,223	56,889,147
West Virginia	1,626,726	2,098		94,035	231,575	93,297	3,877,142
Wisconsin	4,912,261	13,246	86,024	1,010,227		4,629,321	56,346,354
Wyoming	1,915,254	93,917	11,106	118,366		97,525	14,072,871
Puerto Rico	1,022,730						8,847,230
Virgin Islands	18,141						18,141
Undistributed							3,715,865
Total	184,656,898	6,703,905	2,942,021	40,363,213	2,679,541	77,581,262	3,794,996,353

[1] Denotes refunds and adjustments.

Mr. SMITH of Illinois. I would certainly agree, as obviously one must, that there is a difference in the mechanics of producing corn as opposed to producing cotton. Certainly, there is a difference in the process. But the fact is, from the information I have in tables that I have already asked to have printed in the RECORD, shows that over 70 percent of total cotton production right now comes from those receiving less than $20,000 in subsidies. It is on the remainder only that the impact of this amendment would fall.

So I suggest that the comparison made by the Senator of the difference in the processing is not an adequate argument to offset the limitation which is the impact of this amendment.

If I may continue in my remarks, admittedly, farmers who produce only 2 percent of all feed grains and 3 to 4 percent of wheat would be affected by this amendment. Some will suggest that this measure would discriminate against cotton—as has been indicated by the distinguished Senator from Louisiana since 28 percent of that crop would feel the impact of ceiling limitations. But the important point to remember is that these programs can be distinguished because wheat and feed grain payments are working. They limit production. Cotton subsidies do not work. Instead, they simply supplement income, and most of these are incomes which do not need supplementing.

Some have objected that, if a subsidy limitation is enacted, cotton producers will simply shift to other crops, such as soybeans or corn, and glut those markets. A Louisiana State University study, however, has recently demonstrated that, even without subsidy payments, cotton is a more profitable crop than, for example, soybeans.

In conclusion, Mr. President, my amendment is intended primarily to cure a major flaw in the farm subsidy program—excessive payments to individual producers. But this long overdue legislation will do more: It will build a bridge of understanding between rural and urban America.

In our country, three out of four citizens are city dwellers, while only one of every 20 is a farmer. Because of the flagrant abuse of a program designed to assist the family farm, many city people picture the farmer as a wealthy propertyholder receiving vast subsidies from the Federal Government for doing nothing. The recent attention given by the national media to the 13,000 producers receiving more than $20,000 per year has presented the average citizen with an image of the farmer. To them he appears a bloated caricature; a rural Daddy Warbucks.

These 13,000 constitute a total of 0.51 percent of all subsidy payees.

Any farmer, or anyone with family or close friends who farm, knows this caricature is a vicious libel to millions of honest, hard working, frugal family farmers caught in the squeeze of rising costs and diminishing prices. The average farmer gets about $100 per month for deliberately leaving idle his most valuable asset, and better than a third get no more than a dollar a day. In the meantime, far from sitting on the porch in his rocking chair, any farmer who is going to keep farming is out in the hot sun, working with his hands on the hundreds of laborious, backbreaking, physically demanding jobs which must be done to keep a family farm operation going. His wife helps out, and so do his sons and daughters, and no group, no occupation, and no profession exceeds the contribution they make to our society. This is the true picture of the American farmer. I believe that my amendment will go a long way toward dispelling the biased, distorted image many of our uninformed citizens have of the farmer.

Mr. HOLLAND. Mr. President, I have a good deal of sympathy with the position taken by the distinguished Senator from Illinois, though I completely disagree with the method of his approach.

I want the RECORD to show at this time that the list placed in the RECORD earlier by the Senator from Louisiana was prepared by the Department of Agriculture, showing the total payments of subsidies by States, and that in the case of Florida, the State which I represent in part, the total subsidy is only $19,284,000, in spite of the fact that our total agricultural dollar production is $1.3 billion. In other words, this is not a major question at all in my State and, naturally, the thinking of my people is affected by that situation, just as with the farmers in Illinois, where the average farm is producing feedgrains and is not a corporate farm but is generally a small family farm.

I want to say to the distinguished Senator that I think the method he is following here is completely wrong, and I hope he will reexamine his situation and decide to make this fight at another time and on another bill.

As a matter of fact, the Senator from Florida did not vote for the 1965 bill and did not vote for its extension for one year when it was extended. Therefore, he

has already shown his dissatisfaction with the legislation now on the books. I think the Senator knows that pretty well. But the Senator from Florida also knows that the suggestion made here, applied to an appropriations bill, has always been the wrong method to approach the matter, and an unfair method. In this year, it is particularly wrong and particularly untimely, because the agricultural legislation under which we are operating—that is, the 1965 bill as extended for 1 year after its original 5—expires with this year; and the big fight this year is going to be, so far as agriculture is concerned, on the adoption of the new farm bill.

The Senator from Florida is going to support some sort of limitation in that bill. He does not know what the total evidence will show. He has already stated to the able Secretary of Agriculture, when the latter appeared before our legislative Agricultural Committee, of which the Senator from Florida happens to be a member, as well as a member of the Appropriations Committee, that he thought that the recommendation then made by the Secretary that the limitation should be, as I recall, $110,000 was too great and that some better figure than that would have to be suggested in order for it to have any chance of adoption.

The point the Senator from Florida is making, first, is that the fight ought to occur on the general farm legislation, second, that the legislation to which this amendment would apply, if it were attached to this bill, does not exist. This amendment applies to crops planted in fiscal 1971, and crops planted in 1971 are not under the existing legislation but on ancient legislation, which the Senator from Florida cannot even remember in its exact details.

The Senator from Florida recalls that as to corn, no price support was provided, except by agreement made by the corn producers and by action taken by the Department of Agriculture. Corn producers only twice, as the Senator from Florida recalls, ever entered into any agreement for that purpose, so that this amendment is completely untimely in that it applies to appropriation bills in the first instance and, in the second instance, it seeks to apply to an agricultural program which is not now in existence but will have to be in existence within the next few weeks because it will have to be in existence so as to apply to the winter wheat which will be planted, as I recall, in September or October. So that the bill is coming up very shortly.

The Senator from Florida will be glad to help to get some sort of limitation in the bill, and so will others who, I am sure, will not share the feeling of the Senator from Illinois that it is appropriate to place this kind of arbitrary limitation in any appropriation bill, particularly when it is to apply to a farm program that does not yet exist.

He hopes that the distinguished Senator from Illinois will agree, as was agreed by others in the other body who share the same conviction that he shares. They decided there that this is not the bill to attach such a provision to but that, instead, the fight should be deferred to the new farm bill. He hopes the Senator will consider that well, because he thinks he will get a great many more votes and there will be greater sympathy with his approach to a limitation. I am not speaking about this particular amount, because I do not know what limitation will be in the farm bill. This would simply inject into the conference a matter already rejected by the other body.

The Senator from Florida knows the convictions of the Senator from Illinois. He does not question them for a moment, but he does suggest to the Senator from Illinois, first, that he reexamine the untimeliness of the proposal and, second, that he hold his fire, mass his ammunition, keep his powder dry, and be ready to make his fight when the farm bill comes up.

He simply makes that suggestion as a friendly one, because there are so many other items involved in the bill which would be adversely affected by a long conference, that he thinks the Senator from Illinois will get fewer votes in his proposal as presented now than he would when properly presented on a legislative bill.

I am glad now to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I concur in the remarks just made by the distinguished chairman of the Agricultural Appropriations Subcommittee. I also agree with the Senator from Illinois that there has to be a limitation on the payments. However, this is not the bill to put that on. There must be and there certainly should be an agricultural bill coming over to us from the House and we will consider it here. In fact, we have already considered most of it. We are waiting for them to get something over to us. I would be glad if they would just send the title of the farm bill over and let us fill in the rest of it. But, so far, they have not done that.

Now that I am on my feet, I join with all the others who have paid tribute to the Senator from Florida for his work on agricultural appropriations, not only for this bill but for the bills which we have had coming before us throughout the years.

I do not think anyone has ever performed this work as conscientiously, certainly not more conscientiously, than has the Senator from Florida.

I am not saying this in the nature of a eulogy because I do not like eulogies. I believe in giving credit where credit is due. Not only do I not believe in eulogies, but we expect to get a great deal more work out of the Senator from Florida while he is a Member of the Senate. He certainly has done a remarkable job, not only for his State and country but particularly for American agriculture.

The pending bill is one of his better works because we have been operating under difficulties, with everyone saying that we do not have any money for this or we do not have any money for that, and then we have to decide what we do have money for.

Once again let me say that the work which the Senator from Florida has been performing is almost superhuman over the many years that he has been looking after agricultural appropriations. Also as a ranking member of the Agricultural Committee, his work has been outstanding.

Mr. HOLLAND. I thank my distinguished friend from Vermont most sincerely.

I think the Senator from Illinois may not have been listening, because he was chatting with another Senator, when the Senator from Vermont made it plain that he agrees there should be limitations and he thinks this is not the bill it should be on.

Like myself, he supports some limitations in the farm bill. Like myself, except he is a good deal senior to me both in length of time in service on the agricultural committee and in his amount of knowledge of agriculture, he is supporting a limitation in the farm bill, so that we have two friendly suggestions to make to the Senator, that this is not the time for him to make his best fight.

Mr. AIKEN. The Senator from Illinois has the right idea. He is in the right place. A little later I think it will be the right time.

Mr. HOLLAND. Mr. President, while the Senator from Vermont is on his feet, I know he has great interest in obtaining more convenient and expeditious handling of requests by farmers in his State, by the establishment of a Farmers Home Administration State office in Vermont. Previously, they have had to go over to Orono, Maine, which is a friendly State and a most friendly place to go, but is a good many miles away, especially in the wintertime.

I am glad to be able to state to the Senator that I have received a letter dated July 2, 1970, from Secretary of Agriculture Hardin, and I will read a part of it:

> This is to inform you that a Farmers Home Administration State Office will be established in the State of Vermont.

Then he goes on with the information.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD in its entirety.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 2, 1970.

HON. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Appropriations for the Department of Agriculture and Related Agencies, U.S. Senate, Washington, D.C.

DEAR SENATOR HOLLAND: This is to inform you that a Farmers Home Administration State Office will be established in the State of Vermont. The area to be served by the State Office has not yet been determined as it will be necessary to reorganize the New England State Office at Orono, Maine, which now administers the FHA program in the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

The Farmers Home Administration is presently reviewing the workload and organization in the New England area and will establish a State Office in Vermont at an early date.

Sincerely,

CLIFFORD M. HARDIN,
Secretary.

Mr. AIKEN. Let me again thank the Senator from Florida for looking after this. The Farmers Home Administration work has grown in my State, as it has also grown in Maine. Up until now, the volume of its business has not warranted the establishment of a State office in Vermont. This is no reflection at all on the work which has been done by the Maine office, which is 400 miles away from western Vermont—almost as far away as Washington, D.C.—but their business has grown. Until now circumstances dictate that a Vermont office should be established.

I have a feeling that with the economy of this country as it is today the work of the Farmers Home Administration will increase much more rapidly in the very near future.

The Farmers Home has been a good organization. It has done worthwhile work. Certainly, it has made mistakes occasionally. But who has not? Anyone who says he does not make mistakes once in a while is no good anywhere. I thank the Senator from Florida for having the letter from the Secretary of Agriculture printed in the RECORD. I have also received a similar letter from Secretary Hardin and at this time wish to express my thanks to the Secretary and other officials of the Department for their cooperation.

Mr. HOLLAND. Mr. President, to supplement what the Senator from Vermont has said, the farmers of New Hampshire, at least, will be greatly pleased by this news because apparently their travel to Vermont is much easier, particularly in winter, than it is to Maine, and much shorter in distance. So that his efforts result not only to the convenience of the farmers in his State but also to the convenience of many of the farmers, perhaps all of them, in New Hampshire.

Mr. YOUNG of North Dakota. Mr. President, I join the Senator in opposing the Smith-Williams amendment that would place a limitation of $20,000 on the amount that any one farmer could receive under the various farm programs.

A limitation is necessary, but in order not to disrupt the operation of present programs, we would have to include legislation on this appropriation bill. This would be subject to a point of order.

I am sure the Senator is right when he says that a poll in Illinois indicates that 90 percent of his farmers want a $20,000 limitation. I am sure that a poll of the farmers in my State would indicate that 95 percent of them want a limitation. There are only 65 farmers in the whole State of North Dakota receiving more than $20,000, as I recall, only one receiving more than $65,000.

I am sure that in the next legislative bill, which we will be considering soon, there will have to be a limitation. I point out that that is the place in which to do it and not in this bill.

Mr. HOLLAND. Mr. President, I thank the Senator for his comments. I point out that all of these comments have been made by friendly Senators who think that the Senator from Illinois, with all of his intense convictions, would stand a much better chance to get some practical limitation if his attempt were to support the limitation which will be included in the farm bill or to change whatever limitation there will be in that bill. There will certainly be a limitation in that bill in the opinion of the Senator from Florida.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, the Senator from Illinois has marshaled well his arguments for a limitation on payments pursuant to his amendment. They are classical arguments that have been made many times before in the Senate.

The Senator from Illinois has armed himself well with the prevailing sentiment in his State. And he has acquired a very firm conviction that he is on the right track and is doing the right thing in advocating the pending amendment.

I join my colleagues who have spoken to the effect that this is neither the time nor the place. It is not the time because these moneys would not apply to the crop year that would be relevant. It is not the time because this is not a legislative bill. It is an appropriation bill.

There is this further proposition about it insofar as the merits are concerned. It is not a simple proposition to try to deal intelligently and effectively with a limitation of the payments.

The chief testimony on that consists of the weeks and weeks of testimony taken in the other body in committee in an effort to try to devise a formula which would limit the payments and at the same time permit the programs to proceed and be in shape so that they would not be impaired by the larger operators competing in withdrawing from the program.

If there is to be a program, there must be cooperation by the larger owners or enough of them to make an impact upon the intense reduction in production.

The House has labored long and it has labored to a point where there will be a type of limitation on payments that will be much more acceptable and much more workable. That provision will be contained in a bill in which it will mean something and will be a part of the national policy in this regard.

None of those results would flow from the pending amendment. Hence, I join my colleagues and concur with them in opposing the amendment of the Senator from Illinois.

The PRESIDING OFFICER (Mr. HUGHES). The question is on agreeing to the amendment of the Senator from Illinois. All in favor signify by saying "aye."

Mr. HOLLAND. Mr. President, I told the Senator from Illinois that I would be glad to join him in an effort to get a rollcall vote if he wanted to do so. However, I would hope that he would defer his fight for a limitation until the debate on the farm bill. That is something that he must decide for himself. I will help him get a rollcall vote if he desires to do so.

Mr. WILLIAMS of Delaware. Mr. President, as a cosponsor of the amendment I urge its adoption. Whether it is to be voted on at this time or adopted as a part of the major farm bill is a decision that I will leave with my friend, the Senator from Illinois. He can decide the most strategic time.

As one who has been advocating this $20,000 limitation over the years, I point out that I have never taken the position that large farming as such is wrong. I recognize that with large equipment and modern machinery there is a trend toward larger farming, and that is appropriate because it contributes greatly toward increased efficiency and bringing down the cost of production. But at the same time, our agricultural program as supported by the American taxpayers is designed specifically, or at least the claim is made that it is designed specifically to help the small farmers. The larger payments do not help them because they subsidize to an extent the type of corporate operation more than the small operators.

The man with a small farm has to buy a minimum amount of modern equipment. So from an efficiency standpoint he cannot afford to idle his acreage under the soil bank plan, as the large operator can do, because he would lose his efficiency. His machinery would be idle.

A large operator owns several tractors and combines. He can idle one or two of those and reduce the number of employees with the result that to a large extent the subsidy he receives represents primarily a gain. So it does give a definite advantage to the large corporate-type operations. I think that a correction in the law is long overdue.

Mention was made by my friend, the Senator from Illinois, about his State's being the No. 1 corn-producing State. I come from one of the Eastern States. We are often considered as not being connected with agriculture. However, as I have pointed out with pride to my friends a number of times, while I come from a small State in the eastern part of the country the county in which I live was third in agricultural production to any county east of the Rocky Mountains. I think it is about 12th or 15th now. At that time it outranked every county in agricultural production in the so-called agricultural belt of the Midwest. I say that not with any disrespect to any of them but as a matter of pride and to point out that some of us in our area of the country are interested in agriculture.

With reference to these subsidies, I think that from the standpoint of the small farmers they would be better off with this limitation. Besides, what is equally important is that it would save the taxpayers around $300 million.

The argument has been made that if the amendment were passed at this time it would delay the bill in conference. I am not too sure of that. The fact is that the House on at least one occasion has passed a bill with a limitation of $20,000 and that it was the Senate that rejected it.

I feel confident that once we can get this limitation through the Senate it will be accepted by the House, and for that reason I would not be concerned about the fact that the limitation is included in the bill. The time to win is when the votes are available.

I think that we want to get the largest

vote possible when the amendment is offered. On March 24 of this year I included in the CONGRESSIONAL RECORD a list of the payments in excess of $60,000. The committee has compiled a larger report that lists the amount of payments down to $5,000.

The reports showed that there were seven companies receiving in excess of $1 million each. Certainly no agricultural program can be justified with that type of payment.

There were 14 companies that were paid between $500,000 and $1 million.

There were 54 companies that were paid between $250,000 and $500,000.

These were not small farmers.

There were six banks that were drawing payments ranging from $27,000 to $224,000 not to cultivate their farmland.

The Southern National Bank of Lumberton, N.C., was paid $224,254. The First National Bank of east North Carolina at Dunn, N.C., collected $69,943. The First National Bank of Dumas, Tex., was paid $69,415. These banks are classified as small farmers under the existing program. The Waccamaw Bank & Trust Co., Lumberton, N.C., was paid $58,134. The First National Bank & Trust Co., Wichita Falls, Tex., received $34,686. The Wilbur Security Co., Wilbur, Wash., collected $27,445.

It does not make sense to have an agriculture program that is paying these banks not to cultivate farmland. They cannot be described as small farmers.

The Standard Oil Co., Oildale, Calif., collected $127,995. The Arizona State Penal Farm, Grady, Ariz., collected $148,628. The Louisiana State Penitentiary, Angola, La., collected $85,219 not to cultivate its farmland.

The question arises in my mind in connection with penitentiaries being paid as farmers not to cultivate the land, we have criminal penalties for violations of the law relating to these payments. Just suppose one of these penitentiaries violated the law and was convicted. Mr. President, how could you put a penitentiary in the penitentiary for violating the law? Perhaps someone could give us the answer, but this points out the ridiculousness of the situation. The great State of Montana collected $641,341 as a farmer not to cultivate its land.

Mr. President, the entire list was printed in the RECORD of March 24 of this year. I will not belabor the RECORD by asking that it again be printed.

I point out that the time is long overdue when we should put a realistic ceiling on these payments and limit them to bona fide farmers, those who cultivate their farms as a farming business, and not pay the money to those who are absentee corporate-type owners.

This amendment should be overwhelmingly agreed to by the Senate, especially now that we are operating at a deficit of around $30 million a day and having to borrow money to finance the deficit of the Government. This is not the time to continue payment of these large payments. I hope the amendment will be agreed to. I recognize that theoretically, if the proposed new agriculture bill does not pass at this session of Congress it would not make as much difference because there would be a limited farm program under which these payments could be made next year.

That is not an excuse, however, for rejecting this amendment here today.

The adoption of this $20,000 limitation will have an excellent chance to be accepted by the House, and I hope that when the roll is called the amendment will be agreed to.

Mr. DOLE. Mr. President, first I commend the Senator from Illinois (Mr. SMITH). As he stated, he is one of the first Members of this body from an agriculture State to advocate payment limitations. Coming from an agriculture State I believe we should look beyond payment limitation to the program itself. We should be discussing a program and payments made thereunder, advocated by Secretary Freeman, passed during the Johnson administration, and passed by this Congress by a substantial margin in both Houses. Those of us who supported that program bear a greater burden than those not voting on the 1965 act.

Mr. President, the argument is not whether there should be a limitation of $20,000, $15,000, $10,000 or $5,000; but whether there should be any payments made to farmers.

I point out to my friends from urban areas that farmers now comprise only about 6 percent of the population but the American people still have the best food bargain of any in the world because of the efficiency, devotion, and dedication of farmers.

Mr. President, in Kansas about 410 farmers receive $20,000 or more in payments. I feel certain those 410 farmers will survive with or without payment limitations. But I share the concern of the Senator from Florida that this is an appropriation bill, that the authorizing legislation, the Farm Act of 1970, is now in the process of being compromised in the other body and hopefully it will be passed this year by Congress.

I suggest that is the time to impose payment limitations. There is no doubt in my mind because of the recognition by every Member of this body and the efforts of the Representative from Massachusetts, Mr. CONTE, and from Illinois, Mr. FINDLEY, in the other body, payment limitations will become a fact of life in the event a farm bill is passed.

I say to the Senator from Illinois that while I share many of his views, this is not the appropriate time to consider this limitation on an appropriation bill. When we have the farm bill before this body it will contain some payment limitation, one that some will feel is too high and others may feel is too low.

There is a recognition that perhaps farm programs should be tightened to exclude certain corporations, and such organizations mentioned by the distinguished Senator from Delaware. Let us not, in the meantime, penalize the American farmer because we pass the farm programs. The farmer does not come to us and say, "We want a $20,000, $30,000, or $40,000 program." The programs are generally passed with a bipartisan majority and the farmer must then comply with it. Then many in this country criticize the farmer for accepting the benefits under that program passed by Congress, not by farmer or farm organizations.

I trust on reflection we recognize that it is not the fault of the American farmer. If there is a fault, perhaps it is that of the legislative branch, and the executive branch.

In any event, I commend the Senator from Illinois for bringing this matter to the attention of the Senate but trust we may delay consideration until the farm bill is before us.

Mr. BYRD of West Virginia. Mr. President, I shall vote for H.R. 17923, which appropriates $7.7 billion for the Department of Agriculture and related agencies for fiscal year 1971. While there are many features in this bill which will greatly assist the people of my State, there is much more that must be done to develop and strengthen our agricultural industry.

I first want to note, as a member of the subcommittee which considered this bill, that we will surely miss the able leadership of our chairman, the senior Senator from Florida (Mr. HOLLAND), who is retiring at the end of this Congress. Senator HOLLAND, who is also the ranking member of the Agriculture and Forestry Committee, has served as chairman of the Appropriations Subcommittee on Agriculture for the past 8 years. He is one of the leading experts in the country on agricultural matters, and his efforts on behalf of this important sector of the economy will be missed by all who understand that a strong agricultural industry is the backbone of a strong America.

Mr. President, among the items in this bill, the committee recommends $128,457,000 for conservation operations which will be used to furnish technical assistance to farmers, ranchers, and cooperators in soil and water conservation districts. Included in this effort are funds for soil surveys which determine land capabilities and conservation treatment needs. In addition, the committee recommends $9,043,000 for the conduct of cooperative river basin surveys and investigations which will assist in the development of a coordinated water resource program.

The committee also recommends $5,434,000 for watershed planning, $21,037,000 for flood prevention, and $76 million for watershed works of improvement. West Virginia, with its mountainous topography, varied soil types, flooding problems, and surface mining of coal, has special resource problems that present many challenges. These funds will be used to further administer a watershed program which will benefit a large percentage of the State's population.

All of these programs, which I have just mentioned, are part of the Department of Agriculture's Soil Conservation Service, which is considered by many of my constitutents as one of the most effective and beneficial programs offered by the Federal Government. In West Virginia, the Soil Conservation Service supplies technical assistance to the State's 14 soil and water conservation districts in developing revegetation plans for areas

disturbed by strip mining. The stabilization of these strip mine areas reduces the amount of lost sediment and pollution, enhances the esthetics of the countryside, improves the wildlife habitat, and increases the production of forest products.

The watershed program, provided for under Public Law 566, is making substantial progress in West Virginia. It benefits the local economy by furnishing flood protection for homes, businesses, industry, and agriculture. It creates additional jobs and a better way of life.

The committee recommends $14,676,000 for the resource conservation and development program. The appropriation recommended is $4,424,000 over the 1970 appropriation, and $800,000 over the House bill and the budget estimate for 1971. Funds from this program are used to develop an overall program of land conservation and resource development. The mountain-dominion project in Mercer and Summers Counties in West Virginia has shown excellent results. The Little Kanawha Resource Conservation and Development program located in Wood, Wirt, Roane, Ritchie, and Calhoun Counties was one of the first 11 projects to be approved in the Nation, and it too has been very successful.

At my request, the committee included language in its report directing the Department of Agriculture to utilize existing research funds to develop detailed plans and specifications for the establishment of a Northeastern Appalachian Region Fruit Crop Research Station in West Virginia. This project is long overdue, and its implementation would be a major step in increasing the yield and quality of our fruits and berries, while at the same time reducing the costs of harvesting and production.

The committee recommends the full budget request for appropriations for the child nutrition program and the food stamp program. In addition, the committee has reinstated the special milk program, and has included $104 million in order that the program may continue at the present level. These programs are of great importance to the people of West Virginia and the whole Nation, and will go a long way toward eradicating hunger among the less fortunate, particularly our schoolchildren. In a country as rich as ours, no child should attend school on an empty stomach.

Mr. President, this bill provides for an increase in funding for the Farmers Home Administration. The FHA, which was established in 1946, has greatly assisted the development of our rural areas, both in my State of West Virginia, and across the Nation. Throughout my service in the House of Representatives and in the Senate, I have always supported legislation to strengthen and expand the FHA loan programs so that credit will be available to more of our rural citizens.

During the past decade more than $100 million was invested in West Virginia by the FHA. Today, there are 27 full-time offices and 28 part-time offices to serve the needs of West Virginians. I strongly urge that Congress increase this assistance in the decade ahead. We need improved housing, adequate water supply and waste disposal systems for our smaller urban areas and rural communities. We need additional assistance for the small businessman and for the family farms.

Without the loan assistance provided for by this legislation, family farmers and other rural families in my State would have been forced to quit the land and migrate to our Nation's overcrowded cities causing additional urban problems. FHA loans have helped over 700 families in West Virginia to buy farms with more than $8 million in loans; and more than 8,000 families in West Virginia have been able to improve their farm operations with operating loans totaling more than $19 million. To date, more than 839,000 persons in the rural areas of my State have benefited from the comprehensive water and sewer systems provided for under FHA.

The Farmers Home Administration has done much to better the life in rural areas of West Virginia. I intend to continue to support its efforts to strengthen family farms, to improve rural communities, and to provide economic and social opportunities for West Virginians.

Mr. President, as we worry more and more about the quality of our environment, our attention should not be limited to the plight of our cities. For it is our rural communities that provide the food and the natural resources which allow our cities to continue to live. The resource base of America must not be forgotten in the rush to determine national priorities. We must be vigorous and consistent in conserving and improving our soil and water resources. We must provide through adequate appropriations the indispensable weaponry of proper land and water management, so that America will remain strong in the future.

My State is what I would term a rural one, and what I have been saying about this bill is that its provisions will be highly beneficial to our area. These features to which I refer are the agricultural research programs, the soil conservation programs, the food and nutrition programs, the commodity programs, and the Farmers Home Administration. West Virginia cannot be called a metropolitan State, and it will not receive hundreds of millions of dollars in urban assistance. This legislation will fund to West Virginia an excess of $65 million in agricultural assistance for fiscal year 1971. Money which will be used for the good of America, and I intend to fully support and vote for this bill.

Mr. President, I ask for the yeas and nays on the amendment of the able Senator from Illinois.

The yeas and nays were ordered.

Mr. INOUYE. Mr. President, I rise today in opposition to the proposal to limit the amount of agricultural payments any one producer can receive. While this amendment does not in its present form apply to sugar, I am certain that should this move be successful, attempts will surely be made to include the sugar under this payments limitation either this year or next year. I do not believe I am exaggerating to say that should such an amendment limiting sugar payments be adopted, it would destroy the sugar industry in my State and have an extremely disastrous effect on Hawaii's economy. The sugar industry is one of the most important income-producing industries in Hawaii.

At the present time, the sugar industry in Hawaii employs approximately 11,300 persons on a year-round basis, with an annual payroll of $71.7 million, including the cost of benefits, making them the highest paid agricultural workers in the world. I believe these figures alone adequately explain the effects this payments limitation would have on the economy of our small State.

It is expected that the application of such a payments limitation amendment could lead to very desperate times for the industry in Hawaii. Not only would some sugar plantations go out of business, but at the present time, there is no alternative use possible for most of the sugar lands. Only a very small fraction of the land could be used on an income-producing basis.

My opposition to the payments limitation is based on the unique nature of the present sugar program administered by the Federal Government. In 1934, the Congress enacted the Jones-Costigan Sugar Act. The essential features of the sugar program as it exists today are based on the 1934 act. At that time the Congress did not believe that it had the constitutional power to directly regulate the sugar production; however, it was acknowledged that the Congress had the power to tax. Therefore, a plan was devised which would tax the sugar industry for every hundred pounds of sugar produced. The major part of the revenue raised in this manner would then be returned to the producer who complied with the certain regulations such as to limit the crop to a particular quota for an area; employed no child labor; paid a minimum wage established by the Department of Agriculture. Thus, the sugar payments paid to producers are not a subsidy, but rather a refund of the taxes the producer pays, as long as he complies with certain prescribed regulations. Therefore, the sugar program as it was first established was merely a device to regulate the production of sugar since the Congress was in doubt as to its power to limit production. While the doubts as to the constitutionality of regulating agricultural production had been allayed, the form of the sugar program had not changed.

The compliance payments a producer can receive start at $16 a ton and decrease to $6 a ton with an increasing volume of production. Since most of Hawaii's sugar production is grown on large farms, these producers receive less in payments than they pay in taxes. Last year, according to figures compiled by the Department of Agriculture, Sugar Act payments to producers in the State of Hawaii amounted to $10,462,831, while the excise tax paid by Hawaii farms amounted to $11,820,000. Therefore, Hawaii producers paid more in taxes than they received in compliance payments. Granted, the lower payments are basically a result of the large farms in Hawaii. However, the high cost of pro-

duction and marketing make necessary the economies resulting from large modern farm operations. Hawaii's closest market is 2,400 miles away on the west coast, and most of Hawaii's sugar is also refined there. In addition, much of Hawaii's land is mountainous and unsuitable for cultivation. Therefore, a large portion of the land planted in sugarcane must be irrigated—a very costly process. The modern equipment and machinery necessary to keep this product competitive with mainland beet sugar are also extremely expensive, thus making it most difficult for small farms to survive.

The excise tax collection from sugar producers goes into the general fund of our Treasury and it is interesting to note that since the sugar program began these taxes have exceeded producer payments by $611.9 million. Therefore, I submit that the sugar program is a self-supporting one and clearly distinguished from other agricultural programs currently administered by the Federal Government.

I, therefore, urge that the payments limitation amendment be defeated and at the very least that sugar be excluded from its coverage for the reasons stated above.

In closing, I would like to summarize the reasons for my opposition to the payments limitations. Other States would also be severely hurt economically by a payments limitation. However, I submit that it would be particularly damaging to Hawaii, because of its geographic position and the reliance of our State's whole economy on sugar production. Second, the sugar program as presently devised is a self-supporting program with the payment of excise taxes and the return of a portion of these taxes as compliance payments. These payments are not subsidies, but are payments made to producers for complying with certain regulations.

Mr. FONG. Mr. President, I strongly oppose the Smith of Illinois amendment which would set a $20,000 limitation on payments to farmers. The Smith amendment would place a $20,000 ceiling on payments under any price support program—that is, feed grains, wheat, wool, and cotton. The sugar program is specifically excluded.

Such a limitation should not be offered to the pending agriculture appropriations bill. For as we all know, before adjourning this year, the Senate will consider a major farm authorization bill. The authorizing legislation, and not the appropriations bill, is the proper vehicle for thorough and comprehensive debate on price support programs and other farm programs.

Two years ago, the Senate rejected attempts to place limitations on payments to farmers when the farm authorization bill was considered. The pending amendment is an attempt to do through the appropriations process what the Senate failed to do through the authorization process. There will be ample opportunity to consider the question of a limitation when the farm authorization bill is brought up for Senate debate and action later this session.

This is the sensible and orderly procedure.

Our Nation's farm programs are too complex to tinker with by means of a payments ceiling such as proposed in the Smith amendment.

Let me cite additional reasons against the $20,000 limitation.

It would keep controls on large farmers but would deny them payments of over $20,000 for complying with these controls.

It discriminates against large farmers and legal entities. While individual farmers could collect up to $20,000, it would prevent farmers in partnership or other joint organizations from collecting more than $20,000.

It discriminates against stockholders of companies who operate large farm enterprises. While an individual farmer could receive as much as $20,000, the individual stockholder could not. A farm enterprise owned by 100 stockholders, for example, could not be eligible for more than $20,000. Stockholders would get the short end of the stick.

It would very likely invite subterfuge. A large individual farmer who is now entitled to more than $20,000 might decide to break up his farm. His wife could own one part of it, he could own another, and if he had any adult children, they could own other segments. In this way, each could perhaps qualify for the maximum of $20,000. The intent of the Smith amendment could thereby be evaded.

Similarly, large company-owned farms might be able to subdivide the ownership in order to qualify for separate agricultural payments, thereby circumventing the intent of the Smith amendment. Those large companies unable to subdivide their ownership would be discriminated against and possibly could be forced out of business.

Such a limit, which fails to provide any substitute program for the protection of farm industries affected by the amendment would seriously disrupt several of America's basic farm programs, which help provide a cornucopia of foodstuffs and fibers at moderate prices.

As the Smith limitation is written, sugar producers are exempt from the $20,000 ceiling. But all my colleagues should understand that if approved, this amendment would be followed by another amendment to place a similar $20,000 limitation on compliance payments to sugar producers. Proponents of the limitation have made this clear in the past.

Such a limitation would be grossly unfair to sugar farmers in America. It would deny them an important part of their farm income by cutting back on their compliance payments under the Sugar Act. Yet it would not allow them to recoup this loss through price adjustments in the marketplace or through repeal of the Federal excise tax of 50 cents per hundredweight on all sugar refined in the United States.

The fact is, the proposed $20,000 limitation if extended to sugar would leave standing the Federal excise tax. It would also leave standing the provision in the Sugar Act which effectively provides a ceiling on the price of sugar a domestic sugar farmer can obtain for his crop.

The Sugar Act controls sugar prices. It controls sugar production. It establishes sources of sugar supply. It includes tax and payback provisions—compliance payments—which are not subsidies, but are part of Federal regulation of the sugar industry.

Payments are made to domestic sugar producers who comply with production restrictions, pay "fair" wages to workers, agree not to employ child labor, and if they are processors pay "fair" prices for sugarcane.

These payments are made out of the U.S. Treasury out of funds obtained from the Treasury's collection of the excise tax on all sugar, foreign and domestic, processed in the United States.

Over the life of the Sugar Act, the Federal Government has profited to the tune of more than $500 million on the sugar program. In other words, the Federal Government has collected more than half a billion dollars more in sugar excise taxes than it has paid out in compliance payments to domestic sugar producers.

Under the Sugar Act, smaller producers of sugar receive more per ton in compliance payments than large producers. Growers who produce 350 tons of sugar or less are entitled to the maximum authorized compliance payment of $16 a ton—or 80 cents per hundredweight. Large growers receive less per ton, with largest producers paid $6 a ton.

In 1965, the latest year for which I have figures, compliance payments to Hawaii producers totaled $10,840,000 whereas the excise tax paid on Hawaii sugar totaled $12,319,060. So even under the present Sugar Act, excise taxes on Hawaii sugar exceed compliance payments to Hawaii sugar producers.

If a $20,000 limitation on payments were imposed, the excise tax on Hawaii sugar would still be collected—approximately $12,000,000—and Hawaii sugar producers could collect in compliance payments only about $1,639,000.

The consequence of such a limitation in my State of Hawaii, which produces one-sixth of all the sugar produced in America, would be destruction of the sugar industry in Hawaii. It would destroy the jobs of some 11,300 year-round sugar workers in my State. Hawaii's sugar workers are the highest paid agricultural workers in the world, earning $30 a day with fringe benefits. The sugar payroll in Hawaii annually runs about $71,700,000 including fringe benefits.

Where would so many workers find substitute jobs? Where would Hawaii sugar producers find a new source of income? There are no alternative agricultural uses for most of the acreage now devoted to sugarcane in Hawaii. Only a tiny fraction of the land could be converted to produce income.

In 1968, the payment made to Hawaii's largest sugar producers was $7 a ton; whereas the payment to Hawaii's smallest producer was $16 per ton.

Total compliance payments in 1968 to Hawaiian sugar companies ranged from a low of $53,542 to a high of $1,311,267, with the majority of companies, who are large sugar producers, receiving over $200,000.

These large payments are necessitated by the special nature of sugarcane pro-

duction. Unlike many other agricultural commodities, sugar cane needs vast acreages in order to attain high efficiency. Hawaii sugar producers must plant enormous acreage before they can produce a high output of cane and achieve the efficiency of labor that will make Hawaii's sugar competitive in the marketplace.

There are about 240,000 acres devoted to cane, and at least one-half of this acreage must be irrigated. Because of Hawaii's mountainous terrain, expansion of acreage is limited and costly. Sugar producers have spent large sums of their own money—none Federal—to develop and operate wells, reservoirs, ditches, and tunnels of the elaborate irrigation systems now in use. Hawaii's sugar industry also spends more than $2½ million annually on sugar research—an activity financed by the producers since 1895. We have had a sugar research program for more than 70 years. As a result of the Hawaii sugar industry's own efforts, Hawaii has one of the highest sugar yields per acre of any area of the world.

Efficiency per acre is a "must" for Hawaii's sugar producers, considering the cost of modern equipment, the cost of its skilled labor, and the great distance of Hawaii from mainland markets. Hawaii's closest market for sugar is San Francisco, some 2,400 miles away. Most of the Hawaiian sugar is refined at Crockett, near San Francisco, and is marketed in 26 Western and Midwestern States, including Alaska.

These are some of the compelling reasons for development and operation of large farming units in Hawaii. There are 24 large sugar plantations which produce some 93 percent of Hawaii's sugar. The other 7 percent is produced by 750 small independent growers. As I have already stated, the small producers receive higher compliance payments per ton than the large producers; that is, $16 per ton as compared to $7 for large producers. Since compliance payments are based on total farm production and most Hawaiian sugar is produced on the large plantation company farms, many of the total payments are large.

In every year since the inception of the Sugar Act 36 years ago, the excise tax paid on sugar produced in Hawaii has substantially exceeded the compliance payments to our sugar companies.

Over the period of the last 10 years, a majority of the sugar producers in Hawaii would have operated at a net loss if there were no compliance payments. In fact, many of our companies were in the red even with these payments. Any lowering of the ceiling on compliance payments would sound the death knell for Hawaii's sugar industry.

It would be an economic disaster for my State, which is the largest sugar producing State.

The $20,000 limitation, if extended to sugar, which it will be if the Smith amendment passes, would plunge the economy of Hawaii into a tailspin from which it would be very difficult to recover.

It would destroy the jobs of more than 11,300 sugar workers and the investment of 12,500 individual stockholders in Hawaii's $200,000,000 sugar industry. More than two-thirds of the stockholders live in Hawaii.

While I have spoken in some detail about the adverse effect of a $20,000 ceiling on payments to sugar producers in Hawaii, there is no question the limitation would also place the sugar industry in other domestic areas in serious jeopardy.

I remind my colleagues that the sugar program has been in operation for 35 years. Congress has reexamined and extended the basic legislation some 12 times during these 35 years. Yet the program has remained substantially unchanged. This is proof of how well it has worked.

From the standpoint of the American consumer, the sugar program has worked exceptionally well. American consumers today pay less for their sugar than consumers in practically all of the developed nations of the world and less than is paid in some of the undeveloped countries of Africa and Asia. The retail price of sugar has gone up less in recent years in America than the price of most other staples on the grocery shelf. And, remember, the sugar program is self-financing, even returning a profit of $549 million to the U.S. Treasury.

In conclusion, I shall summarize my strong opposition to the Smith amendment to impose a $20,000 limitation on payments to farmers.

It would use the agriculture appropriations bill to effect substantive changes in farm programs, which if changed at all should be done in the agriculture authorizing legislation. The Senate and House Agriculture Committees are currently drafting new farm legislation for consideration by the Senate and House.

It would keep controls on large farmers but would deny them payments of more than $20,000 for complying with these controls.

It discriminates against large farmers and legal entities.

It discriminates against stockholders of companies who operate large farm enterprises.

It would very likely invite subterfuge.

It would seriously disrupt some of America's major farm programs, which help provide a cornucopia of foodstuffs and fibers at moderate prices. It fails to provide any substitute program for the protection of American farmers affected by the amendment.

If adopted, the Smith limitation of $20,000 would lead to a similar limitation on payments to sugar producers. This would cause the death of the sugar industry in Hawaii and would seriously disrupt the sugar industry elsewhere in America.

I strongly urge defeat of the Smith amendment setting a $20,000 ceiling on payments to farm producers of cotton, feed grains, and wheat.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois. On this question the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Indiana (Mr. HARTKE) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote "yea."

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Alabama (Mr. SPARKMAN) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from California (Mr. MURPHY). If present and voting, the Senator from Illinois would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from New York (Mr. JAVITS) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from New York would vote "yea" and the Senator from Nebraska would vote "nay."

The vote was recapitulated.

Mr. WILLIAMS of Delaware. Mr. President, the regular order.

The PRESIDING OFFICER. The regular order has been called for.

The result was announced—yeas 40, nays 35, as follows:

[No. 221 Leg.]

YEAS—40

Allott	Hart	Pastore
Bayh	Hatfield	Pell
Bible	Hughes	Prouty
Boggs	Jackson	Proxmire
Brooke	Jordan, Idaho	Randolph
Byrd, Va.	Kennedy	Saxbe
Byrd, W. Va.	Mansfield	Schweiker
Cannon	Mathias	Scott
Case	McGovern	Smith, Ill.
Church	McIntyre	Spong
Cotton	Mondale	Williams, N.J.
Dominick	Muskie	Williams, Del.
Goodell	Nelson	
Griffin	Packwood	

NAYS—35

Aiken	Ervin	McClellan
Allen	Fannin	Metcalf
Baker	Fong	Miller
Bellmon	Fulbright	Montoya
Bennett	Goldwater	Pearson
Burdick	Gurney	Stennis
Cooper	Hansen	Talmadge
Cranston	Holland	Thurmond
Dole	Hollings	Tower
Eagleton	Hruska	Yarborough
Eastland	Inouye	Young, N. Dak.
Ellender	Long	

NOT VOTING—25

Anderson	Jordan, N.C.	Russell
Cook	Magnuson	Smith, Maine
Curtis	McCarthy	Sparkman
Dodd	McGee	Stevens
Gore	Moss	Symington
Gravel	Mundt	Tydings
Harris	Murphy	Young, Ohio
Hartke	Percy	
Javits	Ribicoff	

So the amendment offered by Mr. SMITH of Illinois for himself and Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PEARSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. YARBOROUGH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3215.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes which was to strike out all after the enacting clause, and insert:

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 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 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."

Mr. YARBOROUGH. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PELL, Mr. NELSON, Mr. CRANSTON, Mr. JAVITS, and Mr. MURPHY conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. BOGGS. Mr. President, the bill now under consideration, H.R. 17923, contains an appropriation of 200,000 to operate the U.S. Department of Agricul-

ture Poultry Research Laboratory near Georgetown, Del.

This figure represents only little more than one-third of the full operational cost of $580,000 a year for the laboratory. It will provide for four scientific personnel and their supporting technicians and overhead.

Mr. President, the operational funding of this laboratory is most important, I believe, in terms of the good of the poultry industry and in terms of commonsense in Government spending. This laboratory, built with more than $500,000 of Federal money, has stood idle since its completion more than a year ago. Without operational funding, the facility would represent a monument to lack of governmental foresight.

The budget estimates for fiscal year 1971 provided funding to the tune of $53,000 for the laboratory. This would have provided only one scientist—less than 10 percent of the laboratory's full operational capability.

This will be the only poultry laboratory in the country to emphasize research on meat and egg quality. Research projects will include studies on nutritional, genetic, physiological and management factors affecting breast blister, bruises, pigmentation, flavor, tenderness, juiciness, and eggshell quality. This research should result in improved acceptance of poultry products by the consumer, as well as reduced losses to the producer and processing industry.

It is estimated that industry losses due to downgrading of broilers, reduced prices for mature chickens and old turkeys and similar losses related to meat quality amount to at least $211 million annually in the United States. In addition, losses due to poor eggshell results in losses to the industry of about $292 million annually.

Mr. President, this laboratory is vitally important to the State of Delaware and the entire Delmarva Peninsula, which produces 13 percent of the Nation's broilers. But it is equally important to the poultry industry nationally and to the millions of American consumers.

TROPICAL FRUIT FLY PILOT RESEARCH PROGRAM

Mr. FONG. Mr. President, I appreciate the action of the Appropriations Committee in including in the pending agriculture appropriations bill (H.R. 17923) my request for $500,000 for an expanded tropical fruit fly research program in Hawaii. This will permit a pilot program to be undertaken in the current 1971 fiscal year.

This research project is under the Agricultural Research Service and is described on page 5 of the committee report as "Cooperatively financed research to eliminate the Mediterranean fruit fly and melon fly from Hawaii."

I have received assurance from Gov. John A. Burns of Hawaii that the State will continue to share the cost of the tropical fruit fly research program. In a letter dated July 1, Governor Burns wrote me:

> As for cost-sharing by the State, we have and will continue to furnish the services of personnel and facilities totaling $50,000 to $100,000 per year.

I have also received assurance orally from Dean C. Pearis Wilson of the University of Hawaii College of Tropical Agriculture that his college will continue its contribution of $200,000 toward the cost of this research program. I understand a letter is en route to me from Dean Wilson confirming this.

As I explained in my May 27 letter to my able and distinguished colleague, Senator SPESSARD L. HOLLAND, chairman of the Senate Agriculture Appropriations Subcommittee, on which I serve, the $500,000 per year research expansion would be programed for 3 to 5 years.

The sum would be expended approximately as follows:

Construction of temporary rearing facilities for the Mediterranean fruit and melon fly	$100,000
Rearing equipment and supplies to produce 125 million flies per week	162,500
Specific baits and lures for the three species of fruit flies	114,000
Distribution of lures and sterile flies	63,500
Seasonal labor for sterile fly releases, air drop of lures, and trapping operations	60,000
Total	500,000

Construction funds would not be needed after the first year. This amount in subsequent years would be used to increase the production of flies and to expand all operations to the maximum level for the conduct of adequate pilot tests.

To conduct this proposed large-scale pilot test, the present facilities at Honolulu and Hilo would be made available. Also, construction of a temporary mass rearing building and rental of temporary office and laboratory space on islands encompassing the pilot areas would be made.

Funds are urgently needed in fiscal 1971 as a first important step in determining and planning whether a statewide eradication campaign against the Mediterranean fruit fly, *Ceratitis capitatae,* the oriental fruit fly, *Dacus dorsalis,* and the melon fly, *Dacus cucurbitae,* in Hawaii can be successfully carried out in the foreseeable future. In determining and planning this, one of the islands would be selected for establishing pilot field tests. The entire island would be used for the purpose.

Time is of the essence for this interim research. The risk of fruit fly infestation becoming established in mainland crops is rapidly growing. Because of the increasing speed and volume of interstate commerce of passengers and fresh produce between Hawaii and California, the threat of accidental introduction of these harmful insects into the mainland has intensified. Plant quarantine inspectors at the Honolulu International Airport are busy trying their best to prevent accidental escapes. But the current practice of selective inspection of baggage for fresh produce, while speeding inspection, has not proved wholly effective in stopping fruit flies to California. In September of 1969 eight oriental fruit flies were found in the El Monte area of Los Angeles County. The county agricultural commissioner said the flies probably came from Hawaii.

Currently, the Entomology Research Division, U.S. Department of Agriculture, conducts three fruit fly investigation programs in the State of Hawaii—one in Hilo, and the other two in Honolulu.

The Hilo program has both small field and laboratory projects on the environmental and biological studies of the three species of fruit flies, which is financed by a $97,450 annual budget. One Honolulu laboratory program on the study of developing new eradication methods for these flies is financed by a $326,950 annual budget. The other Honolulu program is on the commodity treatment of fresh produce shipments to the mainland United States, and is financed by a $107,500 annual budget.

During the past 15 years, the Hawaii fruit fly investigations, among other projects, have been programed at developing more selective techniques for the eradication of the three tropical fruit flies. They have developed laboratory techniques which it is believed could be applied to populated areas without danger to the public and without dangerous pesticide residues in the environment. However, pilot operations are needed to test the feasibility of these techniques.

Federal entomologists have developed a highly effective eradication technique, the male annihilation, for the oriental fruit fly. This technique involves the use of a selective lure to which only the males are susceptible. The lure is combined with a minute amount of a nonpersistent insecticide as a bait. The technique has reduced the cost of eradication of the oriental fruit fly by about 90 percent on the islands of Rota, Saipan, and Tinian.

The male annihilation technique is also being developed for the eradication of the melon fly. But large-scale pilot tests must be conducted to prove the feasibility of this method for melon fly.

The Mediterranean fruit fly cannot now be eradicated by the male annihilation method. Further research on methods of eradicating this species is needed.

Of interest is that Federal entomologists have developed a sterilized male insect release technique involving the sterilization of males by irradiation and the release of such males in the open. This technique can be used for all three species of flies—the oriental, the melon, and the Mediterranean fruit flies.

I understand a weekly distribution of about 125 million sterilized males is required for pilot testing under the proposed expanded research. Current facilities in Hawaii for survey, rearing, irradication, and distribution of such insects are woefully inadequate.

Already, the three flies are causing the Hawaii fresh produce industry a yearly damage loss amounting to about $1.5 million. I am deeply concerned about the infestation in Hawaii, and I am deeply concerned that establishment of the fruit flies in California, Florida, Louisiana, Texas, and other States cultivating subtropical and tropical crops, would result in an estimated annual loss of $150 million to citrus, deciduous fruits, and vegetables.

Eradication of the three species of fruit flies from Hawaii would relieve the constant hazard of these flies being accidentally introduced to the mainland United States. On the basis of the two newly developed eradication techniques, I have been greatly encouraged that these fruit fly species can be eliminated from the State of Hawaii.

A statewide campaign in Hawaii, to be carried out after the interim research, would be far less costly than an eradication campaign on the mainland United States if fruit fly infestations became established in some of the States.

Therefore, I request that the sum of $500,000 be included in the 1971 Department of Agriculture appropriation bill so that pilot tests on integration and use of the new eradication techniques for the three tropical fruit flies can be started in Hawaii during the fiscal year which began July 1.

Mr. President, additional information on the need and justification for this tropical fruit fly research program is contained in a memorandum prepared this spring by the Entomology Research Division of the Agricultural Research Service, U.S. Department of Agriculture. I ask unanimous consent that the entire memorandum be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

HAWAIIAN FRUIT FLIES INVESTIGATIONS, AGRICULTURAL RESEARCH SERVICE, U.S. DEPARTMENT OF AGRICULTURE, HONOLULU AND HILO, HAWAII

The Department's Entomology Research Division, Hawaiian Fruit Flies Investigations, is composed of three programs; one at Hilo and two at Honolulu. The objective of our Hilo program is to study techniques and develop methods for control and eradication of Mediterranean fruit fly, *Ceratitis capitata* (Wiedemann), melon fly, *Dacus cucurbitae* Coquillett, and oriental fruit fly, *Dacus dorsalis* Hendel. Our research approach is to obtain information on host preferences, behavior, biology, and interspecific competition of fruit flies in relation to the control of these pests in large area tests. Bait spray combinations, lures, sterilization, insecticides, male annihilation, and other techniques for control or eradication of these three species of tropical fruit flies need to be evaluated in large plot field tests. Lures for fruit flies are now screened under field conditions.

The major objective of our Honolulu research group is to improve present methods and develop new methods for detection, suppression, or eradication of oriental fruit fly, Mediterranean fruit fly, melon fly, and other pests of subtropical fruits in Hawaii that threaten crops of the mainland United States. Their approach to this objective is to develop more effective and cheaper bait sprays and ultra low volume insecticidal control methods, sterilization and biological control methods, to suppress or eradicate fruit flies in Hawaii and incipient infestations that may occur in mainland U.S. Cheaper and more efficient methods for mass rearing fruit flies and more efficient lures with greater specificity for detection of fruit flies and for use in the elimination of isolated fruit fly populations are developed. Ecology, behavior, food preferences, population dynamics, and other biological information on fruit flies are determined.

The program on Hilo is supported by $97,450. The program at Honolulu is supported by $326,950.

A second major objective of our Honolulu research group is to develop and improve methods for treating fruits and vegetables infested with insect pests to permit movement without risk of introduction of these pests into mainland United States or other uninfested areas. The approach of this group is to determine dosages, exposure periods and temperatures with various fumigants that will destroy all life stages of the pest species in the product and also tolerance of commodity to the treatment. Effectiveness of new chemicals as fumigants and new techniques individually and in combination are evaluated. Effectiveness of irradiation and dosages required for destruction of fruit insect pests are determined. Chemical residues and rate of disappearance in fumigant commodities are determined. The research on treatment of commodities to meet quarantine requirements involves 2 scientific man years of research and funds totaling $107,500.

STAFF AND FACILITIES FOR LARGE-SCALE PILOT TESTS TO DEVELOP ALTERNATIVE METHODS FOR THE ERADICATION OF HAWAIIAN FRUIT FLIES

In order to conduct large scale pilot test of new eradication techniques an increase of $500,000/year for an estimated period of 4 years would be required. This estimate is based on the realization that eradication techniques must be developed for each of three species of fruit flies before a total fruit fly eradication effort can be undertaken in Hawaii. Construction of a temporary mass rearing building and rental of temporary office and laboratory space on islands encompassing the experimental areas would be needed. Scientific personnel would be assigned from other projects to conduct this research and existing vacancies in our staff would be filled.

The requirements for funds to support the proposed large scale pilot tests would be expended approximately as follows:

Construction of temporary rearing facilities for the Mediterranean fruit fly and melon fly	[1] $100,000
Rearing equipment and supplies to product 125 million flies/week	162,500
Specific baits and lures for the three species of fruit flies	114,000
Distribution of lures and sterile flies	63,500
Seasonal labor for sterile fly releases, air drop of lures, and trapping operations	60,000
Total	500,000

[1] After the first year these funds would be used to increase the production of flies and to expand all operations to the maximum level for the conduct of adequate pilot tests.

The above data is provided for information only and should not be considered as a request by this Service or the Department for additional funds not included in the President's 1971 budget.

RESEARCH REQUIREMENTS TO DEVELOP ALTERNATIVE METHODS FOR THE ERADICATION OF HAWAIIAN FRUIT FLIES

Statement of problem

ARS research on tropical fruit flies in Hawaii during the past 15 years has been aimed at producing biological and highly selective alternative methods for eradication of the oriental and Mediterranean fruit flies and the melon fly from Hawaii. A new eradication technique (male annihilation) was demonstrated to be effective in experimental eradication of the oriental fruit fly from Rota, Saipan, and Tinian in the Mariana Islands. This technique involves the use of a highly selective lure combined with a minute amount of a nonpersistent insecticide. Research on the use of sterile insect releases for the eradication of all three species has been promising. Many basic and applied phases of this research have been completed on a laboratory and small-plot scale. However, certain aspects of research on the sterility and the male annihilation techniques need further development. Large-scale pilot tests are necessary to perfect these two alternative methods for eradication of all three species under Hawaii conditions.

Because of the increasing speed and volume of interstate commerce of airline passenger and fresh produce between Hawaii and California, the threat of accidental introduction of these harmful insects into the mainland has intensified. The practice of selective inspection of baggage for fresh produce, while speeding inspection, has not proved wholly effective in stopping the movement of fruit flies to California. An incipient infestation of the oriental fruit fly was found in the El Monte area of Los Angeles County during the fall of 1969 that required regulatory and control action to eliminate the infestation.

A meeting held January 22, 1970, in Senator Inouye's office, attended by the entire Hawaii Congressional delegation and representatives of Regulatory, Control, and Research Divisions of Agricultural Research Service concluded that eradication of the three species of fruit flies from Hawaii is needed to eliminate the constant hazard of these flies being imported to the mainland. Establishment of the three species of fruit flies on the mainland would result in an estimated annual loss of $150 million to citrus, deciduous fruit, and vegetable crops.

The House of Representatives Fifth Legislature, 1970, State of Hawaii House Concurrent Resolution No. 24 requests action to provide assistance to the United States Department of Agriculture Fruit Fly Laboratory in Hawaii for the eradication of fruit flies in Hawaii.

Nature of research required

Based on present knowledge, methods, and experience in fruit fly eradication, it is believed that it would be possible to eradicate all three of the Hawaiian fruit fly species at a cost of $15–25 million. The procedure requires application of low volume formulations of insecticide combined with a protein bait. However, wide scale use of this technique, necessary for the success of such a program, would be objectionable. Not only would it be incompatible with biological control programs, but it probably would not have public acceptance because of the present public concern with respect to environmental hazards involving the extensive use of insecticides.

The goal of ARS research is to develop procedures that will either not require the use of chemical insecticides or will require a minimum use in an integrated program involving noninsecticidal methods. The male annihilation technique has reduced the cost of eradication of the oriental fruit fly by about 90%. The development of this technique for the melon fly or Mediterranean fruit fly would greatly reduce the cost of eradication of all three species. The development of the sterile insect release technique would provide an eradication method that is highly selective in action against fruit fly species and will not pollute the environment with hazardous insecticide residues that affect non-target organisms. The use of attractants and sterile insects simultaneous or in sequence may be more effective and practical than either method employed alone.

Staff and facilities needed

In order to conduct this research an increase of $500,000/year for 3–5 years is proposed. This estimate is based on the realization that eradication techniques must be developed for each of three species of fruit flies before a total fruit fly eradication effort can be undertaken in Hawaii. Facilities will be made available by reallocation of present space, constructing a temporary mass rearing building, and renting temporary office and

laboratory space on islands encompassing the experimental areas. Scientific personnel will be assigned to conduct this research from other projects, or by filling existing vacancies on our staff.

SOIL AND WATER CONSERVATION IN MINNESOTA

Mr. MONDALE. Mr. President, I support H.R. 17923, the agriculture appropriations bill. I particularly commend the distinguished Senator from Florida (Mr. HOLLAND) and the other Senators for their actions regarding the agricultural conservation program, the Soil Conservation Service, and the rural electrification program.

Earlier in this session I spoke to the Senate on the value of retaining the ACP and funding REA. I am pleased that the committee has not eliminated the agricultural conservation program as suggested by the administration. Their action in increasing funds for rural electrification and rural telephone loans is also commendable.

Although I would have liked to see the committee stress the need for a continued rural development effort—and I have not given up on a concerted USDA effort in this area—the measure before us today offers a reasonable budget for rural America.

Mr. President, I wish to bring to the attention of Senators the good work in soil and water conservation which is going on in the State of Minnesota.

The efforts in conservation of soil, water, forests, and related resources have done much to improve the quality of the environment in my State.

Minnesota is blanketed by 90 soil and water conservation districts. They cover 49 million acres of land. Each district has a conservation program to fit its local problems. It uses a combination of local, State, and Federal services to put its own program into effect on individual farms and in communitywide projects.

Each district is self-governed. Each has authority to enter into working agreements with other governmental agencies and with private concerns to carry out its purposes.

Some 500 dedicated lay leaders in Minnesota are giving inspired and strong direction as the governing bodies of Minnesota's 90 soil and water conservation districts. Their primary source of assistance from the Federal Government is from the Soil Conservation Service and its dedicated corps of soil conservation scientists and technicians.

The Soil Conservation Service is furnishing assistance to the citizens of Minnesota through three primary sources:

First. Onsite technical assistance to individuals and groups in preparing and applying conservation plans for their land.

Second. The watershed protection and flood prevention authority under Public Law 566.

Third. The resource conservation and development projects authorized by the Food and Agriculture Act of 1962.

CONSERVATION PROTECTS YOUR ENVIRONMENT

The technically trained conservationist is the key to the effective assistance from the Soil Conservation Service. In Minnesota these conservationists are counseling 58,000 soil and water conservation district cooperators on land-use decisions, erosion control, water management, and other natural resource management problems. The foundation for technical advice is the scientific soil survey, prepared by soil scientists. They interpret the information for use by rural and urban landowners. The data is useful for such land uses as crop production, building sites, waste disposal, recreation, wildlife and land use planning and zoning.

A major benefit of conservation practices is pollution abatement. Conservation practices help improve the quality of man's environment.

Mud is the largest pollutant, by volume, of our streams, lakes, and harbors. Mud comes from erosion. It is the soil that washes from unprotected land. Improved tillage practices, terraces, trees, crop rotations, and grass on bare land and roadsides help keep soil at home. Pollution is reduced, and all water users benefit.

The Soil Conservation Service also helps towns, industries, and others to locate sites and install sewage lagoons, sanitary landfills, living screens of trees, and other measures to help eliminate ugliness and pollution.

WATERSHED PROJECTS CREATE MORE DESIRABLE COMMUNITIES

The Minnesota State Soil and Water Conservation Commission has received 66 applications for assistance under the Watershed Protection and Flood Prevention Act. Of these 24 have received planning authorization, 14 are approved for operations and four have been completed.

The estimated project installation cost for the 14 watersheds approved for operations includes $4 million Federal construction costs, $1.9 million local construction costs, a half million dollars technical assistance for land treatment, and $3.8 million local costs.

In those watersheds completed, landowners have indicated they are providing the protection from flooding and erosion that was projected at the time the watershed work plan was approved. When there are floods crops are destroyed, and fences, bridges, and highways swept away. Homes, schools, and factories are damaged. Communities in watershed projects are protected from flood damage because their surplus water is held back, then released at a controlled rate, by watershed structures.

To the basic watershed protection pattern of small watershed projects, features can be added for municipal water, recreation, wildlife, agricultural water, beautification, and other benefits that enhance the quality of living. Land which was once flooded is returned to food, forest, and wildlife production or developed for recreation use.

Land in a protected watershed rises in value, and so does the tax base. Conservation treatment of all land including the watershed lakes and stream channels cuts down soil erosion and results in less sediment and pollution from silt. Watershed ponds and lakes add new, clear water areas for farm and home and industrial uses, recreation, and fish and wildlife production.

RESOURCE CONSERVATION AND DEVELOPMENT

Residents of two areas in Minnesota are working together in resource conservation and development projects. Guidance and financial aid is furnished by the Soil Conservation Service and other agencies under authority of the Food and Agriculture Act of 1962.

Resource conservation and development goals are the conservation and balanced development of the natural resources of the area to create a better, safer place to live, more employment and increased income, and other benefits. All segments of the community—rural, urban and suburban—work together to improve the quality of the environment. Conservation projects increase opportunities for wholesome outdoor recreation.

The west central Minnesota resource conservation and development project includes Swift, Pope, Wadena, Kandiyohi, Otter Tail, Grant, Douglas, Stevens, and the Todd Soil and Water Conservation Districts. The Onanegozie project in east central Minnesota includes the Aitkins, Carlton, Kanabee, and Pine Soil Water Conservation Districts.

These two projects initially included 257 project measures. Fifty-five of these project measures have been completed and are in operation. This supplies 144 man-years of installation labor and 256 man-years of annual employment.

The gross annual income of measures already established is estimated at $1.6 million. The active project measures in the two resource conservation and development projects now in operation in Minnesota will provide an estimated 2,430 man-years of installation employment, 1,677 man-years of employment annually, with an increase of annual gross income of $36 million.

STATE AND LOCAL SUPPORT

In order to have a greater role in improving the quality of the environment, Minnesota Soil and Water Conservation Districts worked with the State legislature to update their enabling act and provide ways and means for districts to work with more people. This resulted in enabling legislation where the county boards of commissioners and soil and water conservation district boards can now enter into agreements for the sponsorship, application and maintenance of projects. It also provides for district boards to present a budget and receive up to $15,000 annually from the county commissioners to carry out their program.

The Minnesota Legislature also passed enabling legislation to provide county governing bodies with the power to develop zoning ordinances for flood plains and shorelines. It has become evident that guidelines for developing this type of ordinances need to be tied to soil survey and proper land use. They have called on Soil Conservation Service personnel for help.

RESEARCH

I must also add a comment about the research program of the North Central Soil Conservation Research Center at Morris, Minn.

This research program is continuing to meet a need for soil and water conservation research in an area encom-

passing parts of Minnesota, Iowa, North Dakota, and South Dakota. This is an area where major concern is now focused on agriculture's role in the maintenance of clean water. It is an area where fresh, cool, clear lakes are an important economic resource.

I have legislation pending now which would provide a massive national effort toward the restoration and preservation of our fresh water community lakes. My previous clean lakes legislation, now part of the Water Quality Improvement Act, focuses on the kind of research which is possible through such centers.

All of the research at the North Central Soil Conservation Research Center relates either directly or indirectly to environmental quality. The total effort is directed toward soil and water conservation.

The program includes water quality studies which will evaluate management practices in terms of their influence on nutrient levels of both surface and ground waters and will develop practices which will insure maximum efficiency in water use consistent with minimization of nutrient enrichment.

Irrigation research will develop principles of water application and fertilization that will minimize the contribution that fertilizer materials make to surface and ground water. Fragipan soils present problems with excessive surface water runoff and the danger of surface water enrichment from animal wastes and fertilizer.

IN SUMMARY

The control of pollutants from agriculture is inseparably related to soil and water conservation. The only receptacles for the growing quantities of unwanted materials which foul the environment are soil, water, and air.

The Soil Conservation Service is increasingly emphasizing sediment control, measures that contribute to pollution abatement, and the prevention of offsite damages that affect streams and urban areas. Wind erosion control, terracing, contour plowing, streambank protection, reservoirs, ponds and control of critically erodible areas are examples of conservation work which have a significant effect in reducing pollutants.

The Soil Conservation Service is now in a position to contribute many kinds of basic technical information about natural resources and improving the quality of the environment. It provides technical help to landowners and communities in solving resource problems. It provides assistance in achieving more positive aims such as new recreation, new job opportunities, more pleasant scenery, and more wildlife to enjoy.

So I suggest to my colleagues this. If we are really serious about improving the quality of the environment, and if we are really serious about attacking pollution in this country, then we should strengthen substantially the Federal appropriations for the Soil Conservation Service.

The bill before us provides much of this effort.

Mr. President, to further explain the extent of SCS activities in Minnesota, I ask unanimous consent that a breakdown of the program by counties and program payments, be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SOIL CONSERVATION SERVICE PROGRAM PAYMENTS TO MINNESOTA COUNTIES, FISCAL YEAR 1969

County	Conservation technical assistance	Soil surveys	River basin surveys and investigations	Watershed planning	Watershed works of improvement	Watershed protection	Resource conservation and development	Emergency conservation measures	Soil Conservation Service programs, fiscal year 1969 total
Aitkin	$17,922						$1,489		$19,411
Anoka	8,794				$437,667				446,461
Becker	24,100		$61						24,161
Beltrami	19,713		90						19,803
Benton	19,623								19,623
Big Stone	21,655		73				4		21,742
Blue Earth	19,809			$134	123				20,066
Brown	17,530			208					17,738
Carlton	16,412	$20,120	93				3,207		39,832
Carver	19,468								19,468
Cass	10,687								10,687
Chippewa	18,045								18,045
Chisago	12,760	49							12,809
Clay	21,492								21,492
Clearwater	9,997		46						10,043
Cook									
Cottonwood	20,101			305					20,406
Crow Wing	12,374						46		12,420
Dakota	18,729								18,729
Dodge	10,049								10,049
Douglas	21,660	23,884	45				4		45,593
Faribault	14,668								14,668
Fillmore	33,469				547				34,016
Freeborn	41,292	14,883						$1,713	57,888
Goodhue	30,843								30,843
Grant	15,579		17				11		15,607
Hennepin	22,589	33,037							55,626
Houston	29,544		13	1,366	352,082				383,005
Hubbard									
Isanti	12,255								12,255
Itasca	27,771	8,017	114				1,164		37,066
Jackson	21,159								21,159
Kanabec	18,508	75					3,270		21,853
Kandiyohi	22,531						16,103		38,634
Kittson	28,661		169		45,775				74,605
Koochiching	631								631
Lac qui Parle	17,431								17,431
Lake									
Lake of the Woods	9,730								9,730
Le Sueur	20,851				12				20,863
Lincoln	21,553				709				22,262
Lyon	80,429	13,610		841	13,572				108,452
McLeod	17,557								17,557
Mahnomen	10,675		19						10,694
Marshall	31,303		142		5,885				37,330
Martin	18,301								18,301
Meeker	16,544								16,544
Mille Lacs	11,472								11,472
Morrison	23,882	33							23,915
Mower	22,084								22,084
Murray	14,690								14,690
Nicollet	91,281	30,418		940	11,519				134,158
Nobles	23,898	14,458			78,643				116,993
Norman	30,226	10	42						30,278
Olmsted	95,048	19,087		10,361	7,658				132,154
Otter Tail	98,221	12,797	97				43,485		154,570
Pennington	74,048	34,402	189	503	20,912				130,054
Pine	18,044						34,002		52,046
Pipestone	15,962	17							15,979
Polk	41,100		169	240					41,509
Pope	17,055						7,521		24,576
Ramsey	301,581	72,810	28,831	106,780	50,039		48,715		608,756
Red Lake	9,182		31						9,213

SOIL CONSERVATION SERVICE PROGRAM PAYMENTS TO MINNESOTA COUNTIES, FISCAL YEAR 1969—Continued

County	Conservation technical assistance	Soil surveys	River basin surveys and investigations	Watershed planning	Watershed works of improvement	Watershed protection	Resource conservation and development	Emergency conservation measures	Soil Conservation Service programs, fiscal year 1969 tota
Redwood									
Renville	$14,864								$14,864
Rice	18,794								18,794
Rock	21,623								21,623
Roseau	22,082		$104		$7				22,193
St. Louis	73,284	$11,612	131				$7,136		92,163
Scott	18,248								18,248
Sherburne	2,414	17							2,431
Sibley	21,518								21,518
Stearns	93,012	31,042			227		1,107		125,388
Steele	30,314	13,240			1,800			$970	46,324
Stevens	20,295						6		20,301
Swift	20,075	235					60,512		80,822
Todd	20,590								20,590
Traverse	18,460	6	48						18,514
Wabasha	23,510				232				23,742
Wadena	12,669						22,963		35,632
Waseca	27,577				39,852			6,374	73,803
Washington	20,763	547							21,310
Watonwan	19,698			$297					19,995
Wilkin	15,715		92						15,807
Winona	24,193				194				24,387
Wright	22,404								22,404
Yellow Medicine	18,624			2,124			144		20,892
State total	2,373,288	354,406	30,586	124,099	1,067,455		250,889	9,057	4,209,780

Source: Federal outlays in Minnesota, fiscal year 1969, compiled for the Executive Office of the President by the Office of Economic Opportunity, 1969.

LIMIT PAYMENTS TO WEALTHY FARM CORPORATIONS

Mr. McINTYRE. Mr. President, I will vote for the agricultural appropriations bill because the need for funding the many, varied and important functions of the Agriculture Department is clear and continuing.

I supported the amendment to limit payments under the price support program because I believe such limitations are important.

I am a cosponsor of the amendment, S. 3068, introduced by the distinguished Senator from Indiana (Mr. BAYH), which would provide such limitations at $10,000 per individual producer of cotton, wheat, and feed grains.

I have been told by agricultural economists in this area that the $20,000 limitation we have adopted will save as much as $150 million a year, and we all know there are plenty of places where that $150 million could be put to better use than fattening the pocketbooks of the country's biggest and wealthiest farmers and farm corporations. The need is to assist the small producer, not the big producers.

I recognize that the basic purpose of farm subsidies is to compensate producers for limiting production. Unlimited production, most of us appreciate, would produce a glut which would, in turn, destroy the entire farm economy.

But I have said on many occasions that I do not believe the bulk of farm subsidies should wind up in the bank accounts of just the major producers. And this is becoming more and more the pattern.

In the single year from 1968 to 1969 the number of producers getting farm payments of $25,000 or more for all crops increased by 30 percent. And the increase since 1966 has been at least 60 percent.

Unless we impose limitations this trend can only accelerate. The big producers collect most of the farm payments. Compensated so generously, they are then able to buy out smaller producers and collect even larger subsidies on even larger acreage.

This is an unfair, economically wasteful and discriminating cycle that can only be broken by imposing equitable payment limitations.

I am convinced, Mr. President, that we can achieve the same production restraint under payment limitations as we do without limitations. If this is true, and I am certain it is, then there is absolutely no justification for continuing to give more to the "haves" than to the "have-nots."

LIMITATION OF AGRICULTURAL PAYMENTS

Mr. BAYH. Mr. President, as we consider today the agricultural appropriations bill, the enormous amounts proposed to fund the farm subsidy program highlight once again the need for a limitation on the payments which can be made to any one farmer.

On May 5 of this year I introduced an amendment to the coalition farm bill, S. 3068, which would establish a $10,000 per program limitation. The Senator from New York (Mr. GOODELL) and eight other Senators joined me in this effort.

As I noted at that time, this amendment was motivated by the desire to reorder our national priorities—to trim the "fat" from the President's budget in order to free funds for vitally needed human resource programs. I believed then and I believe now, that a portion of the farm subsidy program could be trimmed without jeopardizing the true goals of a rational farm policy.

On June 4, 1969, in testimony before the Senate Appropriations Committee, Secretary Hardin estimated that 65 percent of the cotton payments, 40 percent of the wheat payments, and 11 percent of the feed grains payments represented income supplements rather than payments for actual acreage diversion. These estimates indicate that a large portion of the funds expended under this program do not contribute to the reduction of crop surpluses. Instead, these funds are utilized to supplement the incomes of farm producers.

Mr. President, I would not strongly object to supplementing the incomes of small- and medium-sized farms if in fact there is a need to do so and if supplementary payments rather than surplus reduction was the expressed aim of the program. In reality, however, a large portion of these income supplement payments are not made to small- or medium-sized producers but to large farm corporations, banks, and even State prisons and governments. This should not be allowed to continue.

Mr. President, the enactment of our amendment as part of the basic authorizing legislation would do much to end what the Senator from New York (Mr. GOODELL) has termed a "national scandal." I am pleased that the Senate agreed to amend the agricultural appropriations bill so that no single producer could receive more than $20,000 in subsidy benefits. While this should prove helpful during this fiscal year, it is still my intention, at the appropriate time, to press vigorously for the incorporation of this amendment in the permanent enabling legislation.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 759

Mr. GOODELL. Mr. President, I call up my amendment No. 759.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from New York (Mr. GOODELL) proposes amendments (No. 759) as follows:

On page 32, line 11, strike out "$83,000,000" and insert the following: "$355,000,000".

On page 33, line 2, strike out "$60,000,000" and insert the following: "$100,000,000".

The PRESIDING OFFICER. Does the Senator ask that his amendments be considered en bloc?

Mr. GOODELL. Yes.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc. The Senate will be in order.

Mr. GOODELL. Mr. President, this amendment would provide $100 million in development and planning grants and

$350 million in direct loans for the Farmers Home Administration rural water and sewer facilities program.

In effect, this amendment is a companion to the amendment that I offered yesterday, which was passed by the Senate. That amendment to the fiscal 1971 HUD appropriations bill provided an additional $300 million for the Department's water and sewer program, which generally services communities with populations of 5,500 or more.

The amendment we are considering now would provide vitally needed funds for the same program in FHA which assists smaller communities—those with a 5,500 population or less.

Yesterday, we discussed the critical need for water and sewer systems in cities and towns. The same urgent need exists in our Nation's rural areas.

These communities want to move ahead with their environmental protection programs. They want to install the systems to insure that clean drinking water will be available to the community. They want to clean up the rivers, lakes, and streams so that they can be used for recreational purposes. They want to install adequate antipollution systems to protect themselves and other communities from contamination.

In addition, such systems are an integral part of the economic development of these rural communities. They want to attract industry and commercial development; to keep the young from migrating to the city; to insure a future of economic and social growth for themselves.

These communities, however, cannot initiate or sustain growth if they cannot provide basic community facilities such as water and sewer systems. Industries must be assured that the communities have the capacity to meet a growing demand for increased services. Homeowners must have the same assurance if the community is to appear as an attractive place to live.

Without adequate water and sewer facilities rural areas cannot provide this assurance. They cannot attract growth and development so vital to a prospering community.

Yesterday, I mentioned a small village in New York State that has been experiencing a difficult time in an effort to obtain funds for rural water and sewer facilities.

I believe this village is similar to many others in this country. It has a population of approximately 2,300. In an effort to expand, the village has made efforts to attract industry to the area. It has designated industrial sites for this purpose and industry has responded to those overtures to locate within the community.

Now, however, that potential growth the community worked so hard for is fast slipping away. They have applied since 1966 for water and sewer facilities funds which they have never received. For 4 years, their applications have been delayed or rejected because of funding limitations. As a result, the community cannot proceed with its plans to construct adequate water and sewer facilities. Consequently, the industry in the area is threatening to leave, taking with it the community's hopes of prosperity.

This situation is repeated countless times by other communities in this country.

In December of 1969, the Farmers Home Administration conducted a survey to show the need for water and sewer systems in rural areas of our Nation.

The survey reveals that a total of over $11 billion will be required to improve and/or provide adequate water and sewer systems in our rural areas. These costs threaten to increase because they are estimated on the basis of the 1969 dollar. Experience in New York State over the past 4 years indicates that the costs for construction of sewer systems alone has risen at the rate of 12 percent a year, and that this cost rise is continuing.

In June, I wrote to my colleagues in this body and in the House advising them of the results of the survey. At this point I ask unanimous consent to have that letter printed in the RECORD, along with the summary of the national need for rural water and sewer systems.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., June 29, 1970.

DEAR COLLEAGUE: I am writing to tell you of a survey that dramatically shows the need for water and sewer systems in rural areas of our nation. In December 1969 the Farmers Home Administration conducted a survey of all communities with populations of 5500 or less, and the results of this survey have now been tabulated by State and Congressional District.

The survey reveals that a total of $11,283,280,000 will be required to improve and/or provide adequate water and sewer systems in our rural areas. These costs are estimated on the basis of the 1969 dollar; however, experience in New York State over the past four years indicates that the costs for construction of sewer systems alone has risen at the rate of 12 percent a year, and that this cost rise is continuing. Attached is a summary of the total national need.

Attached for your information is a copy of the printout of this survey for your State, which shows the total need by Congressional District. For specific information with regard to the names of the villages I would suggest that you contact your local State Director of the Farmers Home Administration.

My thought is that it would be useful to you to have this information when Congress considers authorizations and appropriations for this program.

Sincerely,

CHARLES E. GOODELL.

TOTALS FOR NATIONAL REQUIREMENTS—RURAL WATER AND SEWER SYSTEMS (COMMUNITIES OF 5,500 POPULATION OR LESS)

	Communities	Households	Commercial establishments
I. WATER SYSTEMS			
A. With water systems	$14,267	$5,636,764	$420,641
With adequate systems		387,418	15,630
Without adequate systems		5,249,346	405,011
Cost of improvement			1,716,439,000
B. Without water systems	17,476	2,181,268	
Number of systems needed	13,517		
No water	5,801		
Water bad	4,527		
Costs excessive	2,139		
Need central treatment	1,050		
Cost of systems			2,445,074,000
II. SEWER SYSTEMS			
A. With sewer systems	6,823	3,738,463	314,140
With adequate systems		299,467	15,858
Without adequate systems		3,438,996	298,282
Cost of improvement			1,476,545,000
B. Without sewer systems	23,356	3,731,327	
Number of systems needed	16,985		
Below health regulations	13,209		
Need central treatment	3,776		
Cost of systems			5,645,222,000
Total costs to improve and/or provide adequate water and sewer systems			11,283,280,000

SUMMARY OF TOTAL NEEDS REQUIRED TO PROVIDE ADEQUATE WATER AND SEWER SYSTEMS IN COMMUNITIES WITH 5,500 POPULATION OR LESS

Households.—Over 7 million households are served by inadequate or no systems. Only a few more than 300,000 are served by adequate systems.

Commercial establishments.—Fewer than 16,000 are served with adequate systems. About 400,000 are served with inadequate systems.

Costs (to provide adequate systems):

Water systems	$4,161,513,000
Sewer systems	7,121,767,000
Total need	11,283,280,000

Ability of communities to pay for systems.—Less than 1% of households have annual incomes of more than $10,000; 42% of households have annual incomes of less than $5,000; 69% of households have annual incomes of less than $7,000.

Water systems

Total number of communities	31,743
With systems	14,267
Without systems	17,476
Households within the communities	7,818,032
With adequate systems	387,418
With inadequate systems	4,291,946
Cost to extend and/or improve 11,028 existing systems	$1,716,439,000
Without systems	3,138,668
Cost to provide 13,517 systems (to serve one or more communities)	$2,445,074,000
Total cost	$4,161,513,000

Income categories of above households:

$3,000 or less	1,594,697
$3,001 to $5,000	1,809,393
$5,001 to $7,000	2,105,063
$7,001 to $10,000	1,368,664
$10,001 and over	656,905
Unknown	283,310
Total	7,818,032

Commercial establishments in communities with water systems: [1]

Number served with adequate systems	15,630
Number served with inadequate systems	368,626
Number not served	36,385
Total	420,641

[1] There are no figures on commercial establishments in communities that have no water systems.

Sewer systems

With systems	6,823
Without systems	23,356
Total number of communities	30,179
Households within the above communities	7,469,790
With adequate systems	299,467
With inadequate systems	2,616,943
Cost to extend and/or improve 4,950 existing systems	$1,476,545,000
Without systems	4,553,380
Cost to provide 16,986 systems (to serve 1 or more communities)	$5,645,222,000
Total cost	$7,121,767,000

Income categories of above households:

$3,000 or less	1,448,366
$3,001 to $5,000	1,627,445
$5,001 to $7,000	1,948,230
$7,001 to $10,000	1,282,262
$10,000 and over	619,474
Unknown	544,013
Total	7,469,790

Commercial establishments with sewer systems: [1]

Number served with adequate systems	15,858
Number served with inadequate systems	262,001
Number not served	36,281
Total	314,140

[1] There are no figures on commercial establishments in communities that have no sewer systems.

Total needs by State to improve or provide adequate water and sewer systems in communities of 5,500 population or less

Alabama	$148,333,000
Alaska	94,750,000
Arizona	41,705,000
Arkansas	203,619,000
California	259,459,000
Colorado	113,851,000
Connecticut	153,464,000
Delaware	61,630,000
Florida	331,787,000
Georgia	326,410,000
Hawaii	44,280,000
Idaho	52,097,000
Illinois	270,825,000
Indiana	446,953,000
Iowa	184,707,000
Kansas	78,028,000
Kentucky	506,086,000
Louisiana	293,788,000
Maine	111,501,000
Maryland	281,128,000
Massachusetts	225,213,000
Michigan	412,148,000
Minnesota	108,044,000
Mississippi	675,468,000
Missouri	290,011,000
Montana	25,385,000
Nebraska	48,112,000
Nevada	9,384,000
New Hampshire	95,636,000
New Jersey	335,060,000
New Mexico	31,318,000
New York	606,741,000
North Carolina	285,870,000
North Dakota	32,968,000
Ohio	354,667,000
Oklahoma	70,468,000
Oregon	135,998,000
Pennsylvania	526,374,000
Rhode Island	22,800,000
South Carolina	212,799,000
South Dakota	28,815,000
Tennessee	244,113,000
Texas	857,277,000
Utah	62,860,000
Vermont	60,453,000
Virginia	289,101,000
Washington	222,614,000
West Virginia	460,372,000
Wisconsin	232,446,000
Wyoming	10,898,000
Puerto Rico	301,177,000
Virgin Islands	4,289,000
National total	11,283,280,000

IN ORDER OF NEED BY STATE

1. Texas	857,277,000
2. Mississippi	675,468,000
3. New York	606,741,000
4. Pennsylvania	526,374,000
5. Kentucky	506,086,000
6. West Virginia	460,372,000
7. Indiana	446,953,000
8. Michigan	412,148,000
9. Ohio	354,667,000
10. New Jersey	335,060,000
11. Florida	331,787,000
12. Georgia	326,410,000
13. Puerto Rico	301,177,000
14. Louisiana	293,788,000
15. Missouri	290,011,000
16. Virginia	289,101,000
17. North Carolina	285,870,000
18. Maryland	281,128,000
19. Illinois	270,825,000
20. California	259,459,000
21. Tennessee	244,113,000
22. Wisconsin	232,446,000
23. Massachusetts	225,213,000
24. Washington	222,614,000
25. South Carolina	212,799,000
26. Arkansas	203,619,000
27. Iowa	184,707,000
28. Connecticut	153,464,000
29. Alabama	148,333,000
30. Oregon	135,998,000
31. Colorado	$113,851,000
32. Maine	111,501,000
33. Minnesota	108,044,000
34. Alaska	94,750,000
35. New Hampshire	95,636,000
36. Kansas	78,028,000
37. Oklahoma	70,468,000
38. Utah	62,860,000
39. Delaware	61,630,000
40. Vermont	60,453,000
41. Idaho	52,097,000
42. Nebraska	48,112,000
43. Hawaii	44,280,000
44. Arizona	41,705,000
45. North Dakota	32,968,000
46. New Mexico	31,318,000
47. South Dakota	28,815,000
48. Montana	25,385,000
49. Rhode Island	22,800,000
50. Wyoming	10,898,000
51. Nevada	9,384,000
52. Virgin Islands	4,289,000
National need	11,283,280,000

Mr. GOODELL. In my home State of New York, 692 rural communities need water systems and 1,048 need sewer systems. These are communities without any systems at all. Inadequate water systems serve 225,000 households and 14,000 commercial establishments. Inadequate sewer systems are all that 122,000 households and 6,500 commercial establishments can depend upon.

In relation to the needs of other States, Texas ranks first, followed by Mississippi and New York. The FHA survey reveals that the State of Texas requires roughly $857 million, Mississippi, $675.5 million and New York $607 million to meet rural water and sewer needs.

The FHA has faced extremely severe financing problems under its rural water and sewer program. In the last fiscal year Congress appropriated $46 million for development and planning grants and $74 million for direct loans. Even at this low level of funding the Bureau of the Budget froze $18 million of the development grants, $10 million in direct loans, $30 million in insured loan authority. In a March 16 letter, I appealed to the President to release the additional grant funds and on April 23, Secretary of Agriculture Clifford Hardin announced the use of the full $46 million in fiscal 1970. Many of my colleagues joined me in this effort and we were able to assist approximately 250 rural communities move another step closer to the construction of adequate water and sewer facilities. A similar appeal was made on May 20 for the release of $40 million—$10 million in direct water and sewer loans—$30 million in insured loan authority. Unfortunately, the administration denied this request.

At this point, I ask that my first and second letter to the President and the Bureau of the Budget response be included in the RECORD. I also ask that a letter, sent to my colleagues, urging them to support my attempt to release funds be included along with a State-by-State breakdown of backlogged FHA applications for rural water and sewer construction.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., March 16, 1970.

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

DEAR MR. PRESIDENT: I am taking the liberty of bringing to your personal attention a matter of great concern to many small villages in rural areas of our Nation.

In your State of the Union Message you stated that sewage treatment plants would be built "in every place in America where they are needed." In this regard I am writing to appeal to you to release the additional $18 million appropriated by Congress for the current fiscal year for rural water and waste disposal by small communities. These funds, along with the $24 million which you have already released to the Farmers Home Administration (FHA) will enable the FHA to assist small rural communities in developing these water or sewer systems.

Many village sewer systems are being constructed with the aid of other Federal programs, administered by the Appalachian Regional Commission and the Departments of Interior and Agriculture. Unless the additional $18 million in grant funds is released, these villages may be unable to use the systems they have constructed or have had approved for construction.

Small villages are simply unable to finance the construction of the sewage trunk lines from their homes to the main trunk lines. Without these collection lines, their entire sewage systems will lie unused. A number of small villages have received assurances (some as long as two and three years ago) from the Farmers Home Administration that their collection systems had been approved for funding; however, because of the shortage of Federal funds, actual disbursements to the villages have not been made. Therefore, a community that is prepared to begin construction now cannot do so until these additional funds have been released.

There are approximately 375 communities in New York State that have a population of 5500 or less. Nearly 300 of these communities cannot construct their sewage systems until they receive grant assistance from the Farmers Home Administration.

In addition, a recent House Appropriations Committee report indicates that as of two years ago about 1500 rural counties in the Nation will require Farmers Home Administration grant assistance to finance the preparation of comprehensive water and sewer plans. These plans must be completed prior to October 1, 1971, pursuant to Public Law 89–240, for the area to be eligible for development grant assistance. The communities need an average of eighteen months to complete a plan; therefore, if they are to meet the October 1, 1971 deadline, a substantial number of the plans must be started in the current fiscal year.

I was very pleased with the recent news that you would release the additional $586 million appropriated by the Congress for construction of sewage treatment plants to the Department of Interior, for a total of $800 million in Fiscal Year 1970. The $18 million additional which I am requesting you to release today to the Farmers Home Administration will provide our small rural areas with trunk lines—a vital link without which their systems cannot function.

Respectfully yours,

CHARLES E. GOODELL.

U.S. SENATE,
Washington, D.C., May 20, 1970.

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

DEAR MR. PRESIDENT: On March 16 I addressed an appeal to you for the release of additional grant funds appropriated by Congress for Fiscal Year 1970 for development of rural water and waste disposal facilities by small communities with populations of 5500 or less. As a result of this appeal, Secretary of Agriculture Clifford M. Hardin announced on April 23 that funds available for this program had been increased and that the Bureau of the Budget had authorized the use of the full $42 million for development and $4 million for planning that had been appropriated by Congress for Fiscal Year 1970.

I was very gratified by this action. By enabling the Farmers Home Administration to approve prior to June 30 an additional 250 rural community water and sewer system projects, we have moved another important step forward in reversing the dangerous deterioration of our environment.

However helpful the release of these grant funds has been, the effectiveness of the program cannot be fully realized until the Bureau of the Budget releases $40 million authorized for sewer and water loans. These loans are an essential component of the ability of the communities to fulfill their own financial obligations and to move ahead rapidly with their anti-pollution programs. With very few exceptions, they cannot do so without loans directly from or insured by the Federal Government.

On April 15, 1969, in House Document 91–100, you recommended the following with respect to the rural water and waste disposal program of the Farmers Home Administration for Fiscal Year 1970:

1. *Grants for planning and development:* Reduce to $28 million.

(Congress appropriated $42 million for development and $4 million for planning, and these funds have been made available.)

2. *Loans (direct and insured) for sewer and water:*

Direct Loans: Decrease the amount available for loans to public bodies from $74 million to $64 million.

(Congress appropriated $74 million; however, $10 million is presently held in budgetary reserve.)

Insured Loans: The above proposal to decrease direct loans contemplated "enactment of pending legislation which would increase insured sewer and water loans to public bodies from $110,000,000 to $355,000,000 for fiscal year 1970."

(The legislation was not enacted. Also, it was implicit in your April 15, 1969 communication that there would continue to be authority to insure at least $110 million in loans. However, the budget which you submitted early this year reflects that loan insurance authority has been reduced by $30 million.)

Your budget for Fiscal Year 1970 indicated that a proper ratio between grants and loans should be approximately 1 to 6; i.e., $24 million for development grants vis $144 million in loans ($64 million direct and $80 million insured.)

However, the increased allocation of $18 million for development grants had changed the grant/loan ratio for Fiscal Year 1970 to approximately 1 to 3.43; i.e., $42 million for development grants vis $144 million for loans.

To provide an additional $40 million in loans would bring the ratio to only 1 to 4.38; i.e., $42 million for development grants vis $184 million for loans ($74 million direct and $110 million insured.)

Indeed, the ratio you have proposed for Fiscal Year 1971 is 1 to 5.3; i.e., $20 million for development grants vis $126 million for loans ($40 million direct and $86 million insured.)

Mr. President, I strongly urge that the $10 million appropriated for direct loans be released from budgetary reserve, and that the Farmers Home Administration authority to insure sewer and water loans be restored to $110 million. Such action will permit 250 small communities throughout the Nation to proceed with fully financed programs before the end of Fiscal Year 1970.

The need for a favorable decision is most urgent. The Farmers Home Administration has on hand at this time more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition the Agency has returned more than 3,500 requests and 2,400 grant requests because of insufficient funds. The communities are still in need of assistance; the applications returned would require approximately $700 million in loan funds and $300 million in grant funds.

I am assured that the Farmers Home Administration could easily administer a $400 million program annually to assist approximately 2,000 water and waste disposal projects. At this level of funding, approximately four years would be required to fund the applications now on hand and those that have been returned because of insufficient funds.

Respectfully yours,

CHARLES E. GOODELL.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 16, 1970.

Hon. CHARLES E. GOODELL,
Washington, D.C.

DEAR SENATOR GOODELL: This is in response to your letter of May 20, 1970, to the President concerning the sewer and water program of the Farmers Home Administration.

As you are aware, I am sure, President Nixon's budgets for fiscal years 1970 and 1971 were prepared in an economic atmosphere which demanded an antiflationary fiscal policy. Consequently, it was necessary to reduce this loan program from the levels proposed over a year ago in the FY 1970 column of the 1970 budget to the levels shown in the FY 1970 column of the 1971 budget.

Stringency for FY 1970 was also caused by the total budget outlay limitation established by the Revenue and Expenditure Control Act of 1970. You will recall that the amount specified in the overall limitation on outlays was less than the sum of outlays which stem from individually enacted appropriations and other legislation for FY 1970. Therefore, the President had no alternative but to direct that sufficient reductions be made in 1970 controllable programs to bring our then-current estimate of total spending within the outlay limitation. The reduction in the 1970 sewer and water loan program from the level authorized by the Congress was effected as part of this effort.

The proposed revised limitation on fiscal year 1970 outlays currently pending in the Congress, if enacted will still require that the President exercise stringent budgetary controls for the remainder of the current fiscal year. A similar budget outlay limitation for FY 1971 is also being considered by the Congress which, if enacted, would cause equally difficult administrative problems and require firm control of funds being obligated in 1970 as well as 1971.

We were advised by staff of the Department of Agriculture at the time of release of the additional $18 million of sewer and water grant funds that the added grant funds could be effectively utilized with the present sewer and water loan levels for FY 1970. Consequently, for the reasons cited above, we do not believe that it is possible at this time to relase additional loan funds for this purpose during FY 1970.

The administration is quite hopeful of receiving favorable consideration of legislation currently pending before the Congress which would enable FHA to make insured loans to tax exempt public bodies and subsequently sell such loans to private investors as taxable securities. Enactment of this legislation could permit a significant increase in the sewer and water insured loan level for FY 1971 because of the reduced budget impact

of such loans as compared with direct loans to public bodies for this purpose.

Thank you for your views on this matter. I regret that I am unable to give a more favorable response at this time.

Sincerely,

ROBERT P. MAYO,
Director.

U.S. SENATE,
Washington, D.C., May 20, 1970.

DEAR COLLEAGUE: Many of you recently joined me in an appeal to the President that he release additional grant funds for water and waste disposal systems in small villages with populations of 5500 or less.

Your support of this appeal was most gratifying. On April 23 the Secretary of Agriculture announced that the Bureau of the Budget had authorized the use of the full $42 million for development and $4 million for planning that had been appropriated by Congress for Fiscal Year 1970. 250 additional communities in the nation will be assisted because of this action.

However, release of these grant funds was not accompanied by a provision for additional loan funds for these communities. Direct or insured loans are an essential component of their programs.

I have therefore written again to the President to request that authority for $40 million in direct and insured loans be released from budgetary reserve. A copy of my letter is attached.

I urge you to join me in this new appeal to the President.

Sincerely,

CHARLES E. GOODELL.

APPLICATIONS RETURNED BECAUSE OF INSUFFICIENT FUNDS (THROUGH DEC. 31, 1969)

State	Loans						Grants					
	Water		Sewer		Total		Water		Sewer		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Alabama	67	$13,369,500	9	$1,964,000	76	$15,333,500	46	$3,503,840	8	$776,100	54	$4,297,940
Arizona												
Arkansas	121	19,446,940	66	9,830,850	187	29,277,790	79	6,599,940	52	3,978,800	131	10,578,740
California	24	5,817,200	11	2,692,211	35	8,509,411	9	1,742,200	6	1,136,311	15	2,878,511
Colorado	38	5,937,000	37	4,342,000	75	10,279,000	18	747,000	26	1,395,000	44	2,142,000
Florida	8	1,500,000	5	1,250,000	13	2,750,000	9	1,060,000	6	1,100,000	15	2,160,000
Georgia	56	9,750,000	20	4,424,200	76	14,174,500	48	2,395,350	19	2,473,000	67	4,868,350
Idaho	7	2,151,350	8	676,290	15	2,827,640	2	210,550	5	370,860	7	581,410
Illinois	95	13,132,000	100	18,502,000	195	31,634,000	57	5,134,000	79	10,059,000	136	15,193,000
Indiana	44	7,815,247	89	18,107,938	133	25,923,185	10	1,083,000	43	4,023,000	53	5,106,000
Iowa	93	11,270,775	128	18,759,036	221	30,029,811	74	4,039,700	121	8,294,389	195	12,334,089
Kansas	126	24,987,745	129	5,039,110	155	30,026,855	52	5,241,570	27	2,088,590	79	7,330,160
Kentucky	86	24,410,300	11	2,834,500	97	27,244,800	15	2,388,000	9	1,545,600	24	3,933,600
Louisiana	84	13,323,182	17	3,402,182	101	16,725,364	10	1,372,560	21	2,637,300	31	4,009,800
Michigan	34	8,775,000	103	35,771,300	137	44,546,300	28	5,066,000	96	17,213,000	124	22,279,000
Minnesota	16	825,000	38	5,695,000	54	6,520,000	12	650,000	30	3,457,060	42	4,107,000
Mississippi	299	59,282,230	26	5,590,500	325	64,872,730	93	9,709,564	21	2,677,384	114	12,386,948
Missouri	152	32,465,990	85	13,415,356	237	45,881,346	81	7,259,375	64	5,449,465	145	12,708,840
Montana	1	150,000	8	1,138,041	9	1,288,041	2	230,000	5	402,211	7	632,211
Nebraska	5	506,060	11	442,305	16	948,305	4	134,130	11	259,330	15	393,460
New England	8	756,500	11	2,171,750	19	2,928,250	10	1,021,500	21	3,782,470	31	4,803,970
New Jersey	12	2,168,500	18	7,347,000	30	9,515,500	9	824,448	21	9,649,000	30	10,473,448
New Mexico												
New York	96	14,632,515	102	35,612,656	198	50,245,171	96	11,980,295	103	26,370,832	199	38,351,127
North Carolina	28	6,772,435	15	1,984,470	43	8,756,905	17	1,789,255	15	1,331,830	32	3,121,085
North Dakota	13	2,135,000	25	3,978,440	38	6,113,440	7	398,000	24	1,504,820	31	1,902,820
Ohio	25	4,215,710	31	6,171,702	56	10,387,412	14	2,203,360	20	3,814,302	34	6,017,662
Oklahoma	12	1,773,275	5	603,650	17	2,376,925	4	348,000	3	328,850	7	676,850
Oregon	20	4,336,500	12	1,942,500	32	6,279,000	9	820,250	7	592,250	16	1,412,500
Pennsylvania	92	20,758,675	143	35,253,055	235	56,011,730	60	8,946,975	125	19,106,540	185	28,053,515
Puerto Rico	6	1,200,000	1	200,000	7	1,400,000	6	480,000	1	80,000	7	560,000
South Carolina	16	4,776,231	10	2,915,201	26	7,691,432	8	1,091,904	6	1,002,186	14	2,094,090
South Dakota	5	2,891,640	14	1,211,880	19	4,103,520	6	480,000	16	720,080	22	1,200,080
Tennessee	82	17,074,165	15	2,650,683	97	19,724,848	44	4,530,922	16	2,384,731	60	6,915,653
Texas	152	29,358,760	63	7,370,210	215	36,728,970	82	7,670,040	63	3,882,480	145	11,552,520
Utah	2	400,000	4	800,000	6	1,200,000	2	1,600,000	2	160,000	4	320,000
Virginia	53	8,977,030	46	10,914,060	99	19,891,090	50	5,129,500	41	5,649,030	91	10,778,530
Washington	18	2,857,900	17	2,511,700	35	5,369,600	9	600,700	13	937,400	22	1,538,100
West Virginia	78	12,012,032	26	6,255,700	104	18,267,732	70	6,940,944	24	3,300,394	94	10,241,338
Wisconsin	39	4,506,000	49	6,999,300	88	11,505,300	35	2,964,600	49	5,050,950	84	8,015,550
Wyoming	2	284,200	2	209,200	4	493,400	2	164,200	1	9,200	3	173,400
Total	2,115	396,802,827	1,411	291,179,976	3,526	687,982,803	1,189	117,111,612	1,220	158,993,685	2,409	276,105,297

WATER AND WASTE DISPOSAL GRANTS IN PROCESS (BACKLOG OF APPLICATIONS ON HAND)

State	Applications on hand	Amount required to fund
Alabama	46	$3,189,370
Arizona	5	265,000
Arkansas	24	1,920,000
California [1]	14	1,120,000
Hawaii		
Nevada	5	400,000
Colorado	5	400,000
Florida	15	1,226,700
Georgia	14	1,552,000
Idaho	4	280,000
Illinois	14	1,016,000
Indiana	7	830,000
Iowa	13	598,000
Kansas	9	424,680
Kentucky	8	1,211,000
Louisiana	7	670,000
Maine [1]	8	1,344,000
Connecticut	1	168,000
Massachusetts	5	840,000
New Hampshire	5	840,000
Rhode Island		
Vermont	6	1,080,000
Michigan	20	2,740,000
Minnesota	14	898,700
Mississippi	32	970,400
Missouri	9	910,000
Montana	6	404,550
Nebraska	11	524,400
New Jersey [1]	13	2,544,000
Delaware		
Maryland	8	923,000
New Mexico	8	411,000
New York	12	2,015,000
North Carolina	33	970,600
North Dakota	10	$376,050
Ohio	13	2,192,000
Oklahoma	25	2,563,795
Oregon [1]	14	1,117,270
Alaska	1	425,000
Pennsylvania	11	1,069,000
Puerto Rico [1]	21	956,900
Virgin Islands		
South Carolina	5	480,000
South Dakota	8	270,000
Tennessee	11	880,000
Texas	20	1,253,100
Utah	5	601,500
Virginia	12	1,483,600
Washington	11	813,900
West Virginia	18	1,738,000
Wisconsin	8	565,800
Wyoming	6	237,950
Total	580	49,710,715

[1] State offices serving more than 1 State are authorized to transfer funds between States under their jurisdiction.

DIRECT AND INSURED WATER AND SEWER LOANS—(BACKLOG OF APPLICATIONS ON HAND)

[Dollars in thousands]

State	Applications on hand	Amount required to fund
Alabama	74	$17,760
Arizona	12	2,880
Arkansas	76	18,240
California [1]	39	9,360
Hawaii		
Nevada	4	960
Colorado	47	11,280
Florida	30	$7,200
Georgia	43	10,320
Idaho	27	6,480
Illinois	56	13,440
Indiana	32	7,680
Iowa	110	26,400
Kansas	32	7,680
Kentucky	60	14,400
Louisiana	50	12,000
Maine [1]	9	2,160
Connecticut	1	240
Massachusetts	2	480
New Hampshire	2	480
Rhode Island		
Vermont	9	2,160
Michigan	34	8,160
Minnesota	37	8,880
Mississippi	123	29,520
Missouri	102	24,480
Montana	14	3,360
Nebraska	23	5,520
New Jersey [1]	16	3,840
Delaware	1	240
Maryland	22	5,280
New Mexico	22	5,280
New York	61	14,640
North Carolina	75	18,000
North Dakota	20	4,800
Ohio	78	18,720
Oklahoma	112	26,880
Oregon [1]	20	4,800
Alaska	5	1,200
Pennsylvania	36	8,640
Puerto Rico [1]	40	7,600
Virgin Islands		
South Carolina	37	9,680

State	Applications on hand	Amount required to fund
South Dakota	25	$6,000
Tennessee	50	12,000
Texas	139	33,360
Utah	28	6,720
Virginia	40	9,600
Washington	19	4,560
West Virginia	35	8,400
Wisconsin	65	15,600
Wyoming	13	4,120
Total	2,007	481,480

[1] State offices serving more than 1 State are authorized to transfer funds between States under their jurisdiction.

Mr. GOODELL. Mr. President, in the fiscal 1971 budget, the administration requested only $20 million in grants and $40 million in direct loans for the development of these systems.

The House passed an appropriation of $100 million for development/planning grants and $74 million for direct loans to communities for their water and sewer facilities. The Senate committee has recommended $60 million for the grant program and $78 million for direct loans.

At present, the FHA has on hand more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition, the agency has returned more than 3,500 loan requests and 2,400 grant requests to communities because of insufficient funds.

The FHA has informed me that, while it is not making a recommendation for a budget request, it can effectively administer at least $400 million a year to assist approximately 2,000 water and waste disposal projects.

In view of this desperate need for funds, I have offered the amendment to provide the House-passed level of $100 million for development grants under the FHA rural water and sewer facilities program and $350 million for the direct loan program.

On July 1, I wrote to the distinguished chairman of the subcommittee, the Senator from Florida (Mr. HOLLAND), and expressed my intent to introduce this amendment. I ask unanimous consent that the text of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., July 1, 1970.

HON. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to you about the severe need for adequate water and sewer facilities in the small villages of our Nation.

A survey conducted last December by the Farmers Home Administration shows that over $11 billion is required to improve and/or provide adequate water and sewer systems in communities of 5500 population or less. The estimate is based upon 1969 prices; however, experience in New York State over the past four years has shown that costs for construction of sewage treatment plants alone has risen at the rate of one percent a month, or 12 percent a year, and this rise is continuing.

Despite this overwhelming need, however, the Administration has budgeted for fiscal year 1971 only $24 million for development and planning grants, $40 million for direct loans, and $86 million for insured loan authority.

When the House acted upon the Department of Agriculture appropriation bill for fiscal year 1971 (H.R. 17923), $100 million was approved for development and planning grants for this program.

At the same time, however, the House approved only $74 million for direct loans to communities for their water and sewer facilities, which is the same amount appropriated by Congress for fiscal year 1970. It is my understanding that Congressional approval is not required for additional insured loan authority at this time.

I would like to bring to your attention information I have recently obtained with regard to the need for a much larger appropriation for direct loans than was approved by the House of Representatives. Enclosed is a letter dated June 24, 1970 from the Farmers Home Administration stating that, in order to maintain the historic ratio of 16 percent between grant and loan funds, approximately $600 million in total loan authority would be required to match the $100 million in grants approved by the House.

However, both direct and insured loans are included in this FHA estimate. It should be noted that since fiscal year 1968 the FHA has been restricted in insuring loans to public bodies. This restriction was lifted once when the Administration authorized $50 million in fiscal year 1969 to insure loans to public bodies.

This policy was the result of studies by the Treasury Department which showed that it is not in the national interest for the Government to insure loans to public bodies if the interest income paid to lenders will be tax exempt.

Several bills have been introduced in Congress to require purchasers of insured bonds from the Farmers Home Administration to pay Federal income taxes on the interest earned on such bonds. This would overcome the policy ban against the sale to private investors by the Agricultural Credit Insurance Fund of tax-exempt obligations of public bodies.

However, there are uncertainties with regard to enactment of such legislation before the adjournment of Congress. The House Ways and Means Committee has reported a bill to this effect (H.R. 15979), but to date there has been no floor action on the bill.

About 70 percent of the applications received by the Farmers Home Administration for financial assistance for water and waste disposal systems come from municipalities, districts, public authorities, and other types of public bodies. Because the Farmers Home Administration is no longer permitted to use insured funds for these applicants, the FHA estimates that, in order to maintain the ratio of 3¼ to 1 between grant and direct loan funds during recent years, $325 million in direct loans for communities would be required to match $100 million in grant funds. The estimate for $325 million is based upon past experience, as noted in the table in the attached letter from the Farmers Home Administration.

The FHA states that this ratio does not indicate the actual need, but merely reveals the level of funds available. For example, the FHA states, during the 1969 fiscal year, out of 726 initial loans made, only 328 of the same projects included grant funds. Inasmuch as grant funds have been limited, the FHA has adopted a policy of using only the amount of grant funds necessary to reduce user charges to a level the communities reasonably can be expected to pay.

I would like to comment on the figures for 1970 listed in the table in the attached FHA letter, which shows $42 million for grants, $64 million for direct loans, and $80 million for insured loans.

The Bureau of the Budget had allocated only $24 million in development grants for this program, although Congress had appropriated $42 million for fiscal year for this purpose. However, in response to an appeal I made to the President in March of this year, the Bureau released the remaining $18 million that had been held in budgetary reserve.

Congress also appropriated $74 million for direct loans for rural water and sewer facilities, and the fiscal year 1970 budget request indicated that $10 million in insured loan authority would be available. However, the Bureau of the Budget has released only $64 million in direct loans and $80 million in insured loan authority. Consequently, I wrote the President again on May 20 to request that these loan funds be released, and many of my colleagues in Congress joined me in this appeal. It was not until June 16 that the Bureau of the Budget wrote to deny the request.

Mr. Chairman, there are no loan funds presently available to supplement the $18 million in development grants released in April by the Bureau of the Budget. Nearly 250 communities are awaiting approval of loans so that they can sign contracts to begin construction of their systems. Since the Administration has prohibited the use of insured loan authority, the Farmers Home Administration has advised me that at least $25 million in direct loans is required, and that these loans could be used as soon as they are appropriated.

The need is urgent. The Farmers Home Administration has on hand at this time more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition, the Agency has returned more than 3,500 loan requests and 2,400 grant requests because of insufficient funds. These communities are still in need of assistance; the applications returned would require approximately $700 million in loan funds and $300 million in grant funds.

The Farmers Home Administration has informed me that, while it is not making a recommendation for a budget increase, it can effectively administer at least $400 million a year to assist approximately 2,000 water and waste disposal projects. At this level of funding, approximately four years would be required to fund the applications now on hand and those that have been returned because of insufficient funds. Even at this level of funding, it would take more than 27 years to satisfy the present need of $11 billion for these systems.

To postpone taking action pending the uncertain enactment of legislation to deal with tax exemption of insured loan authority would only delay meaningful progress on this most urgent need.

In view of the above information, I have offered amendments to the fiscal year 1971 appropriation bill for the Department of Agriculture to appropriate $100 million for grants and to provide $350 million from the direct loan account for the rural water and sewer program.

Sincerely,

CHARLES E. GOODELL.

Mr. GOODELL. Mr. President, in that letter I stated that the need for direct loans had increased significantly especially since the Department of the Treasury had placed barriers around the use of the FHA insured loan program in the financing of rural water and sewer systems for communities that issue tax exempt bonds.

For the benefit of my colleagues, I will explain the Department's position. The Internal Revenue Service has ruled that a tax-exempt bond sold by a local government remains tax exempt even if it is resold as a loan insured by the Federal Government.

Due to this "carry-over" exemption, the Treasury Department and the Bureau of the Budget both feel that the federally insured tax-exempt obligation is a costly and inequitable method of financing while the tax exemption makes the insured loans more attractive to resell, the Department concluded the loss of tax revenue resulting from the exemption more than offsets the benefits.

Additionally, that the sale of bonds which are both tax exempt and insured by the Federal Government would give these bonds a competitive advantage over both State and local securities which are tax exempt but not federally insured, and also Federal securities which are subject to Federal income tax. As a result, the sale of such bonds could well have increased interest rates on other bonds, particularly those issued by States and localities and hampered their ability to finance other vital public needs.

Because more than 70 percent of the communities applying for FHA assistance issue tax-exempt obligations for the purpose of financing their projects.

Several bills have been introduced in Congress to require purchasers of insured bonds from the Farmers Home Administration to pay Federal income taxes on the interest earned on such bonds. This would terminate the carry-over exemption and the Treasury-Budget objection to the financing method.

The House Ways and Means Committee has reported a bill to this effect, H.R. 15979, which I understand was passed by the House on Monday, July 6.

I understand the administration, in cutting back to $40 million in its fiscal 1971 request for direct loans, was counting on enactment of H.R. 15979 which would allow FHA to move ahead with insured loans to the communities for construction of their sewer and water systems.

Even if this legislation is passed by the Senate, there is no assurance the administration will provide the sufficient loan authority. In my May 20 letter to the President, I requested a $30 million increase in the insured loan authority along with the release of $10 million in direct loans. As I stated before, this request was denied.

If the President would not release $30 million in insured loan authority to 30 percent of the applicants who did not issue tax-exempt obligations and did not provide a carry-over exemption, there is certainly no assurance that because of the House bill, he will provide additional insured loan authority to all communities.

My amendment providing $350 million in direct loans, would assist communities regardless of subsequent action on the insured loan program.

I urge my colleagues to support the amendment so that adequate water and sewer facilities will be constructed to protect the well-being of our people and the quality of our environment.

Mr. DOMINICK. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. DOMINICK. Just to get the figures in mind, do I correctly understand that the original budget request for the direct loan program was $45,500,000, so that we are already some $40 million or $38 million over the budget request?

Mr. GOODELL. For the fiscal 1971 budget, the administration requested $24 million in development grants and $40 million in direct loans.

Mr. DOMINICK. $24 million in rural water and waste disposal?

Mr. GOODELL. Yes, that is correct.

Mr. DOMINICK. $40 million or $45 million, does the Senator remember?

Mr. GOODELL. $40 million.

Mr. DOMINICK. Fine. So that the committee bill is already substantially in excess of what the proposal was under the budget estimate.

Mr. GOODELL. The committee bill is $60 million for development planning grants and actually $78 million in direct loans.

Mr. DOMINICK. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. MILLER. Does the Senator have the yeas and nays on his amendment?

Mr. GOODELL. No, I do not.

Mr. MILLER. Would the Senator have any objection to dividing his amendment for consideration?

Mr. GOODELL. Dividing it into two parts? I have no objection.

Mr. MILLER. I take it, for example, if the first part of the amendment should be defeated, that would not necessarily mean one would have to vote against the second part of the amendment. If the Senator thinks they could be separated without too much difficulty, I should like to propose that we do so.

Mr. GOODELL. I have no objection. I think the two go together. I was trying to save the time of the Senate and my colleagues. I am not aware that individual Senators would be that divided between the two parts, but if my colleague from Iowa believes that to be the case, I would be glad to consider them separately.

Mr. MILLER. Looking at it from my standpoint, I believe that the rural water and waste disposal grants represent a somewhat different program than the loan program affected by the first part of the Senator's amendment. I think that could be separated. It might mean it would strengthen the opportunity for the Senator from New York to obtain favorable action on at least one part of his amendment.

May I say that I do not think I can support the amendment as it is now, if it is voted on up or down; but if it would be divided, I might be able to see my way to support the second part of it. I ask this question only as a matter of trying to be helpful. So that if the Senator from New York could do so, I would hope there would be no objection.

Mr. President, I ask unanimous consent that we vote on this amendment in two parts.

The PRESIDING OFFICER (Mr. GOLDWATER). Is there objection?

Mr. HOLLAND. Mr. President, is the Senator requesting a division?

The PRESIDING OFFICER. The Senator from Iowa requests a division of the vote. Is there objection?

Mr. GOODELL. Mr. President, reserving the right to object, I regard very highly the support of the Senator from Iowa on any portion of the amendment. If the Senator from Iowa does believe that a separate vote might succeed in one instance, while it might not in another, I would withhold any objection.

The PRESIDING OFFICER (Mr. GOLDWATER). Is there objection to dividing the question of agreeing to the amendment of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. GOODELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair would inquire of the Senator from New York, which part?

Mr. GOODELL. The yeas and nays on both, Mr. President.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it may be in order to order the yeas and nays on both questions.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the first part of the amendment of the Senator from New York.

Mr. HOLLAND. Mr. President, I send to the desk a substitute amendment on behalf of the Senator from Nebraska and myself, to be subject to the same provisions.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The substitute amendment offered by Senator Holland to the first part of the Goodell amendment is as follows:

On page 32, line 11, strike out $83,000,000" and insert the following $123,000,000".

Mr. HOLLAND. Mr. President, before we proceed to vote, I should like to say that what we are offering by way of a substitute is to reduce the $355 million figure, which is on the first part of the Senator's amendment, to $123 million, which is an increase of $40 million over the $83 million that is in the bill, and an increase of about $80 million, as I recall it, over the budgeted amount.

Insofar as the second part of the amendment is concerned, we are offering the same increase as suggested by the Senator from New York.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Chair raises the question as to the first part of the substitute offered by the Senator from Florida to the amendment of the Senator from New York.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOODELL. As I understand the substitute offered by the Senator from Florida, it is to the first part of my amendment, but there is no substitute for the second part. Is that correct?

The PRESIDING OFFICER. The

Chair is informed that we have not gotten to the second part yet.

Mr. GOODELL. I thank the Chair.

Mr. HOLLAND. Mr. President, we offered the substitute not knowing, of course, that there would be a division here. There will be no difference in the two amendments. I simply want to call the attention of the Senate to the fact that the $355 million suggested by the Senator from New York in the division of the first part of his amendment is such a tremendous increase over former amounts and budgeted amounts that I think it simply would create havoc if we tried to include such a large increase.

The amount of the 1970 appropriation was $78 million. The amount of the budget request for this year was $40½ million. Both House and Senate put in $78 million. That is for soil and water loans. For the farm ownership loan, the $5 million figure is also the same in both Senate and House, making a total of $83 million, which is the figure in the pending bill.

The Senator from New York suggests it be raised from $83 million to $355 million, which is an increase of $272 million over the House bill and Senate bill and an increase of $314½ million over the budget, which seems to the Senators from Nebraska and Florida to be completely unreasonable.

So we have suggested that instead of having the amendment for the first part of the Senator's bill read $355 million, it will read, instead, $123 million, which itself would be $40 million more than the Senate bill, $40 million more than the House bill, and about $80 million over the budget. I think that is as far as we can reasonably go.

I suggest also to the Senator from New York, and I think he has already mentioned the fact, that a bill is pending under which a different ratio between loans and grants would be permitted. If that bill passes both Houses, and it is pending in both Houses, there could then be a reexamination of the whole subject in the supplemental bill.

As it stands now, however, the existing law would have to prevail as the Senator from Florida understands it. I would like to read an excerpt from a memorandum from the Department of Agriculture.

> On the basis of past experience, about 45 percent of the total loans would have to be direct loans, because they would be made by public bodies which issue tax-exempt bonds. The department has recommended legislation, S. 144, which is pending before the Finance Committee which would make the interest income to an investor for insured loans by the FHA subject to taxation.
>
> Similar legislation, H.R. 15979, was reported by the House Ways and Means Committee and passed by the House on Monday, July 6, 1970.

The situation is simply this, and we might as well recognize it. There is strong objection from the Treasury Department, from the Department of Agriculture, and from the administration to providing large additional sums for direct loans to municipalities that issue tax-exempt securities when the Federal Government has to pay the high interest rates that they must pay under existing conditions for its money.

It does not make sense to borrow at high rates of interest and then to lend to municipalities on a tax-exempt basis.

The Government itself is recommending a change in that law relating to these tax-exempt loans. When that legislation is passed, as I assume it will be, it seems to me that would be an appropriate time to consider a large increase such as suggested in the amendment of the Senator from New York.

If we increase the amount, as the Senator from New York now proposes, by such a huge amount on the direct loans, which would not be made because of the tax-exempt feature, it would be both a futile act and would be an act which would greatly increase the amount of the bill. I think it would make the bill even more difficult of proper consideration both before the Senate and the conference committee.

The first part of our suggested modification would reduce the $355 million in the Senator's amendment to $123 million and would itself mean a $40 million increase in the Senate and House bills and about an $80 million increase in the budget amount.

It seems to me that that is just as far as we can go.

Mr. GOODELL. Mr. President, I appreciate what the Senator from Florida has said. We are in a tight budget situation. We are attempting to cope with inflation and to hold spending down.

Mr. President, it seems to me that this is a self-defeating way to try to hold down expenses. Last year the appropriations for development and planning grants or direct loans were higher than the budget figure for this year. The figure we are dealing with in the committee bill is $78 million for direct loans. I am proposing to increase it to $350 million.

The Senator from Florida mentioned that local communities can float tax-exempt bonds. We are talking about little communities, communities with less than 5,500 people. They do not have very many assets. They do not have, in many cases, the ability to float bonds, tax exempt or otherwise.

In many instances, they are within the debt ceiling provided by State law. They are striving to provide water and sewage facilities to attract or to hold industry. Many of them have no sewage facilities at all.

We are dealing here with a critical matter. If they cannot provide adequate water and sewage facilities, they will lose more people. They will lose more of their tax base. And those people will pour into the cities that are inadequately prepared to deal with migrants.

The direct loan program is a way to assist these communities. It supplements the grants that are made available. It is an intelligent way to reinforce the resources of a small community so that it can help itself increase its tax base, attract new industry, increase its population, and thereby increase the revenue available to meet its other problems.

$350 million may sound like a huge increase over the $78 million direct loan authority in the committee bill. But the $350 million is about half of the needs of the State of Mississippi alone for rural water and sewerage projects. It is a very small sum. I think it is regrettable that the budget proposed by the administration actually cut in half the amount of money available for direct loans.

Both the House and the Senate appeared to be moving to correct that figure and to increase it at least to the level of last year.

It seems to me that it is indefensible, when we are talking about cleaning up the water in this country, to cut the budget in half. The figure I have proposed is inadequate. I proposed it because I think it at least would begin to move this country forward so that we could make some progress in constructing these projects rather than falling farther backward.

What I propose will be of direct consequence to every State in the Union. It will permit the small community of less than 5,500 to have a combination of direct grants and direct loans together with the money provided by both State and local money to make good on these projects.

As I mentioned, the cost for the construction of these facilities in New York State has been going up at the rate of 12 percent a year.

It may not be going up quite that fast in some of the other States. But we all know that construction costs are increasing at a fantastic rate.

If we defer action on this matter now, costs will be significantly higher. More importantly, however, than talking about this in terms of dollars and cents, we must address ourselves to the total impact program delay will have upon the small communities.

They are frequently the forgotten people. We are all deeply concerned about the urban problems. We see people mashed together with inadequate housing and with environmental problems and transportation problems and poverty problems. In the rural areas the same problems exist but they are less visible. The people are inured in many cases. They carry on with sacrifice and suffering and try to earn enough to get along They organize through their chambers of commerce or other groups and try to attract industry. They try to save the communities in which many of them are born and raised so that they can cope with the problems of 1970. They cannot do it alone. They need the extra help That was the original basis for the special program to provide direct grants and loans for communities of less than 5,500 population.

I would urge Senators to agree to the $350 million level I have proposed and reject the substitute of $123 million. We all know this is going to conference and we all know that in the normal course of events the figures quite likely will be reduced to the Senate committee level. I think we should start at a figure that is somewhere at least adequate in the Senate. Hopefully, the conferees can prevail in maintaining a high figure in both the development and planning grant section, and in the direct loan section.

Mr. President, I ask for the yeas and nays on the substitute.

The PRESIDING OFFICER (Mr. GOLDWATER). The yeas and nays are requested.

Mr. HRUSKA. On which one?

Mr. GOODELL. The only one pending.

The PRESIDING OFFICER. The yeas and nays are ordered.

Mr. HOLLAND. Mr. President, I want to make very clear for the RECORD what this committee has done. This goes to the second part of the amendment. Last year the budget recommended $24 million for the grants for the small rural communities to plan their water and waste disposal activities. We raised that amount to $46 million, although that was only recently released for use as the Senator from New York stated. That does not sound like we were trying to be niggardly in helping the small communities. This year they came forward with a budget estimate of $24 million. The House raised that to $100 million, and we included $60 million in the Senate bill.

But we are suggesting in the second part of our substitute amendment to follow the exact course laid down by the Senator from New York in his amendment because we think these planning grants are ready to move ahead and are very appropriate and we are willing to go that far.

Now, let us look at the other part. When it comes to the direct loan account, this year the budget request was $40.5 million. The House provided $78 million and in the Senate bill there was the same amount of $78 million for these soil and water loans. The budget request for farm ownership loans was $5 million, the same amount was in the House and the Senate bills, making a total of $83 million. This is the figure sought to be changed both in the substitute amendment now pending and in the first part of the amendment of the Senator from New York.

We are adding to that $83 million an additional $40 million, making a total of $123 million for these direct loans.

I must say this is against the recommendation of the administration and against the recommendation of the Treasury and against the recommendation of the Department. But in the meantime the Department has approved new legislation which would permit these loans under more favorable conditions to the small communities. If that legislation passes they will come back for larger amounts in the supplemental bill, if that seems desirable.

However, the law being as it is now and the Department of the Treasury having the same attitude it now has, to raise the total now by $309.5 million over the budget, or by $272 million over the Senate figure, I think would be very improper and I do not think it would get us anywhere because of the attitude of both the Treasury and the Department of Agriculture.

I think we are more apt to get loans made in most distress cases if we raised it to $123 million rather than $355 million. It is for that reason the Senator from Nebraska and I have offered the substitute for the first part of the Senator's amendment.

Mr. GOODELL. Mr. President, everything the Senator from Florida said in terms of the figures is obviously accurate. I respect what he has said. In effect he is saying the administration has frozen funds in the past year for direct loans, and frozen funds for grants; those funds for grants were ultimately unfrozen. The administration and the Bureau of the Budget requested this year we cut direct loan funds in half. This committee has responded responsibly by refusing to do so and by keeping it at the level of last year.

But, Mr. President, we cannot control what the Executive does. If we appropriate the money and the executive branch freezes the money, all we can do is put pressure on them and urge them to release the funds that are so desperately needed. This pressure was applied recently with the fiscal 1970 development grants—direct loans. My colleagues and I were successful in urging the President to release $18 million in grants.

But, I think it is time that Congress made it unmistakably clear that we recognize the proportions of the problem and that we are willing to provide the money necessary to solve the problem. As I said in my opening remarks, the Farmers Home Administration has estimated the need in this area at $11.283 billion. This is for the construction of sewer and water facilities in communities with less than 5,500 population, the rural communities. With a need of $11.283 billion, if we spend today at the rate of $400 million a year it will take us 28 years to meet this need. If we approved $20 million in grants and $40 million in direct loans, as proposed in the budget, a total of $60 million a year, it would take us 188 years to clear up our water. These projections are just for the communities with a population of 5,500 or less.

Mr. President, that would give us the opportunity to celebrate "America the Beautiful," on July 4 in the year 2176—our 400th anniversary

I am proposing a significant increase. It is not enough. But certainly it is justified to move to this level now and let the administration know that we understand this need; and those in the Bureau of the Budget who keep cutting this program back should take heed of the will of Congress.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me.

I am largely with him on virtually everything he said. I commend him for the frank and effective way he has handled himself with reference to these kinds of loans.

As a member of the subcommittee from which this bill came, I have shown an interest in the program reflected in this amendment for several years. I have been disappointed with the Bureau of the Budget that they have not given more attention to realizing the need. I think the logjam has already broken. The Senator from New York had much to do with it. As a practical matter I favor the program. It has been very helpful to my State and other States similarly situated.

But we are up against the proposition in conference where we will be opposed by the Bureau of the Budget and by the Treasury, and with the innumerable items in the bill there has to be some give and take; and I, with reluctance, offer this suggestion or observation to the Senator.

I really believe that if the Senator will take this $123 million now and nail it down by the Senate having passed on it and agreed to it, and the committee sponsoring it, and also this $60 million up to $100 million, as a practical matter—I believe the end result will be better and it will leave those of us who wish to help our constituents meet their needs. There will be a better possibility of getting the money released.

That is what counts. We have to get the money used. I think it would be a victory for the cause the Senator so ably represents if he could, with reluctance, and unhappily, agree here with what the Senator representing the committee has proposed.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. HRUSKA. Mr. President——

The PRESIDING OFFICER. Will the Senator yield? The Senator from New York has the floor.

Mr. GOODELL. Mr. President, I yielded to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, the position of the Senate in conference will be infinitely improved if we follow the route the Senator has suggested. If we are looking, not to the figure named, but to the figure which will be utilized in good time, it will be much better. Meanwhile, if we have any excess energies, we could devote them to passage of the legislation which would reduce the number of direct loans and increase the number of insured loans. I fear the outcome of the conference if we walked into the conference room with a figure such as that which the Senator from New York advocates. I know he has a sense of urgency in this matter. I know there is an unfulfilled need and that the need is vital. However, to make progress toward fulfilling the need, we ought to be practical and get what we can, rather than name some figure which will have very little meaning when we approach the final stages of the legislation.

Mr. GOODELL. Mr. President, I appreciate very much what the Senator from Mississippi has said and what the Senator from Nebraska has suggested. I recognize that we face a realistic situation here and that the administration and the Bureau of the Budget pass directly on such funds and insured loan funds. I recognize that we are dealing with a large amount of money, but it is a small amount of money compared with the need.

Nobody has denied the needs I have outlined or the amount of money needed to clean up the waters for places with a population of 55,000 or less. It is incredible that we are talking about $40 million or $75 million a year. As I indicated, if the appropriated figure remains at the level of $60 million, it will be 188 years before we clean up the waters.

I want us to be just as responsible as we possibly can in this body and in the Congress about spending money. The Farmers Home Administration has made it abundantly clear that it can spend more in the next fiscal year than the amount I am proposing. The agency is spending it to help small communities that are going down hill, that are losing their population and their industry. One of the major reasons why they are losing them in many cases is that they cannot build the facilities to take care of industry and people. So we have a downward spiral in the economy, the fiscal resources, and the human resources in those communities.

I cannot understand why we should go to a figure of $123 million here in the Senate when the House figure is $74 million. That means we will probably round the figure out at about $100 million, when the absolute minimum is $400 million a year. If the Senate conferees go to conference with a figure of $350 million, they will be in a position to negotiate a higher figure in conference.

I recognize that the Senate conferees will have to yield to the will of the House and the House conferees to a degree, but I think if they go into conference with a figure of $350 million, it will allow us to get a little closer to the amount that is needed.

I do not think we should make a decision in this body based on what the other body will do or has done. I do not think we should make a decision here just on the basis of the administration's budget figures. We know this administration faces a desperate budget situation. We know the administration is trying to hold down its expenditures in a responsible way. But we know the Bureau of the Budget makes many decisions at the lower level, which do not come to the attention of the President, or even the Secretary, in many cases. We have an independent responsibility, when there is a sincere striving to cut down on expenditures, and when they are cut down to the bone or into the bone, to increase those expenditures. I hope we will exercise that independent responsibility here today and move to provide funds which everybody concedes are barely minimal to the needs involved.

Mr. HOLLAND. Mr. President, the substitute amendment would change the amount of $355 million to $123 million, which is $40 million more than the committee amount and $82.5 million more than the budget amount. We think it will get us more practical results by way of actual willingness to make loans on tax exempt securities than if we put in this huge amount which would have such heavy opposition from both the Treasury and the administration.

Mr. AIKEN. Mr. President, it seems to me in the present instance we have a good example of the need for greater cooperation between the executive and legislative branches of Government.

I was somewhat distressed when Congress directed the President to spend all the money appropriated for the hospital building program for the coming year within a specified time. I did not think we had any right to do that, although supporting the less damaging course, I voted to override the President's veto. On the other hand, I do not believe the executive branch is treating the country quite fairly when it withholds funds appropriated by the Congress for certain worthwhile purposes and programs in effect sets aside an act of Congress. This, of course, is done through the budget. In this present instance the proposal of the Senator from New York will have two hurdles to run, one the meeting of the conference committee and the other the hurdle of having the budget refuse to release the money even if it is appropriated.

So I say, with the national economy as it is today, it is time for a much better understanding and more cooperation between the legislative and executive branches of the Government. Otherwise, both branches are headed, I fear, for rather distressing times.

Homebuilding has been off something like 30 percent in my State from what it was a year ago. All prices and costs are higher. So, Mr. President, when we speak of unifying the country—and there are many people who insist that we unify the country even with a broadaxe, if necessary—we had better think of unifying all the three branches of Government to a better basis than they are on today.

I realize that the amendment of the Senator from New York would be a very popular one, and would probably pass; but that is no assurance that the money would ever be spent. And if we do not start having better cooperation between the legislative and executive branches of the Government, I fear that we are in for very serious trouble, not only to our economy and our security but to our social life as well.

Mr. HATFIELD. Mr. President, I rise to support the Senator from New York in his efforts to increase funding for the Farmers Home Administration water and waste disposal facilities program. He has expressed himself well as to the needs for this increase nationwide. We must remember that in communities with fewer than 5,500 people, less than 1 percent of the households have incomes above $10,000. Even more revealing is the fact that 42 percent of the households have incomes under $5,000.

I would like to concentrate my remarks, Mr. President, on the current situation in Oregon. In my State $135,000,000 is needed to finance rural water and sewer facilities. Unfortunately, estimates indicate this figure may increase by 12 percent each year as a result of inflation unless steps are taken to correct it.

At this point in the RECORD, Mr. President, I ask unanimous consent that a publication be reprinted in the RECORD from Oregon's Department of Environmental Quality entitled "An Estimate of Major Sewage Needs in Oregon," March 1970, which details sewage treatment needs for 89 Oregon projects. Examination of this list indicates many projects located in small communities.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF ENVIRONMENTAL QUALITY—AN ESTIMATE OF MAJOR SEWERAGE NEEDS IN OREGON, MAR. 1, 1970

Project	Sewage treatment works	Collection sewers	Estimated total cost
Adrian	$30,000	$50,000	$80,000
Albany		2,150,000	2,150,000
Arch Cape	138,000	182,000	320,000
Arlington	200,000		200,000
Astoria	4,908,000		4,908,000
Aumsville	80,000	220,000	300,000
Aurora	50,000	75,000	125,000
Barlow	85,000	32,000	117,000
Bay City	262,000	338,000	600,000
Bend		8,500,000	8,500,000
Bridal Veil	50,000	75,000	125,000
Brookings	300,000		300,000
Bunker Hill, S.D	200,000		200,000
Cannon Beach	337,000	338,000	675,000
Canyon City-John Day	250,000	200,000	450,000
Central Multnomah County Ser. District No. 5		9,000,000	9,000,000
Clackamas County Ser. District No. 1	6,685,000	5,000,000	11,685,000
Clatskanie	200,000		200,000
Cloverdale	127,000	41,000	168,000
Columbia City	100,000	260,000	360,000
Coos Bay-Empire	700,000	500,000	1,200,000
Coquille	250,000		250,000
Eastside	150,000		150,000
Echo	150,000	200,000	350,000
Eugene-Springfield-Lane Counties	10,000,000	15,000,000	25,000,000
Florence	220,000		220,000
Gardiner	80,000	50,000	130,000
Garibaldi	350,000		350,000
Gilchrist	150,000		150,000
Gladstone		400,000	400,000
Gleneden	$230,000	$590,000	$820,000
Gold Beach	300,000		300,000
Grande Ronde	60,000		60,000
Grants Pass	1,850,000	200,000	2,050,000
Gresham	750,000		750,000
Hammond	250,000	240,000	490,000
Hood River	1,000,000		1,000,000
Ione	50,000	90,000	140,000
Island City	40,000	80,000	120,000
Josephine County (Redwood)	914,000	1,650,000	2,564,000
Lexington	100,000	86,000	186,000
Long Creek	50,000	55,000	105,000
Lane County	1,300,000	300,000	1,600,000
Madras	206,000	926,000	1,132,000
Manzanita	90,000	180,000	270,000
Mapleton	50,000	50,000	100,000
McNary	150,000		150,000
Mitchell	50,000	75,000	125,000
Mosier	47,000	165,000	212,000
Mount Vernon	148,000	250,000	398,000
Multnomah County Cent. Ser. District		9,000,000	9,000,000
Myrtle Point	350,000		350,000
Netarts-Oceanside S.D	350,000	590,000	940,000
North Bend	750,000	665,000	1,415,000
Nyssa	250,000		250,000
Pacific City	125,000	150,000	275,000
Pendleton (Mount Hebron)	75,000	100,000	175,000
Philomath	507,000		507,000
Portland (S.T.P.)	14,609,000		14,609,000
Portland (Tryon Exp.)	1,000,000		1,000,000

Project	Sewage treatment works	Collection sewers	Estimated total cost
Port of Portland (airport)	$50,000		$50,000
Prairie City		$35,000	35,000
Rainier	300,000		300,000
Redmond	500,000	1,000,000	1,500,000
Richland	50,000	50,000	100,000
Rockaway	125,000		125,000
Rogue River	120,000	135,000	255,000
St. Helens	2,500,000		2,500,000
Salem	8,000,000	3,000,000	11,000,000
Sandy	350,000	50,000	400,000
Scotts Mills	52,000	118,000	170,000
Seaside	75,000		75,000
Seneca	50,000	60,000	110,000
Siletz	90,000	50,000	140,000
The Dalles S.T.P.	910,000		910,000
The Dalles (Chenowith)		830,000	830,000
Tri-City S.D.	$407,000	$1,274,000	$1,681,000
Turner	65,000	125,000	190,000
Umatilla	200,000		200,000
Union	110,000	130,000	240,000
Unified Sewerage Agency	4,315,000		41,315,000
Veneta		100,000	100,000
Waldport	200,000	50,000	250,000
Wasco	75,000		75,000
Wheeler	170,000		170,000
Wilsonville	400,000	100,000	500,000
Yachats	218,000	530,000	748,000
Scappoose	637,000	633,000	1,270,000
Vernonia	160,000	160,000	320,000
Total	108,832,000	66,483,000	175,315,000

The following projects, listed in order of priority, are either under construction or soon will be and 30% federal grant funds totaling $8,134,100 are available for them. This exhausts the federal funds for the fiscal year ending June 30, 1970. An additional $7 million of 30% federal grant funds were requested.

Halsey, Oakland, Odell S.D., Ontario, Warrenton, Bandon, Moro, Nehalem, Troutdale, Oak Lodge S.D., Wallowa, N. Roseburg S.D., Paisley, Parkdale S.D.

Brookings, Merrill, White City S.D., Tillamook, Lebanon, North Powder, Wheeler, Dundee, Lake Oswego, Veneta, Gresham, Medford, (West) Salem, Cannon Beach.

McMinnville, Bend, Eugene, Clackamas County, Troutdale (Beaver Cr.), Pendleton, Portland Rivergate, Klamath Falls, Creswell, Newberg, West Linn, Hines, Portland Front, *Bear Creek Valley S.A.

Mr. HATFIELD. Mr. President, in May 1970, Oregon voters went to the polls and approved a constitutional amendment to help fight air and water pollution. The day after the election, I issued a statement commending my fellow Oregonians for digging into their pockets to finance this project during a period of severe economic straits. I will not repeat what my colleagues today have heard me say so often regarding the stagnation in Oregon's lumber and forest products industry caused by high interest rates and war-swollen inflationary pressures. In my statement I told Oregonians I would fight to see that the Federal Government increased its spending in this area.

Mr. President, I would like to have reprinted at this point in the RECORD excerpts from an article written before the election entitled "Financing Pollution Control Facilities—Oregon Constitutional Amendment," which gives an idea why my State felt this action was necessary:

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FINANCING POLLUTION CONTROL FACILITIES
OREGON'S CONSTITUTIONAL AMENDMENT

(By Kathleen Beaufait, Member, Oregon State Bar, Salem, Oreg., and Jack G. Collins, Member, Oregon State Bar, Portland, Oreg.[1])

The people of Oregon will be presented at the May 26, 1970, primary election with a proposed constitutional amendment which is intended to significantly improve local government efforts to control pollution.[2] This amendment will be Measure No. 4 on the primary ballot. The amendment authorizes sale of general obligation bonds by the State of Oregon up to 1 percent of the true cash value of all taxable property in the State—approximately 180 million dollars at present. The State may then advance the funds obtained from sale of these bonds to certain local government units for particular pollution control purposes, or may apply the funds to purchase the bonds or obligations of these local units issued for similar purposes. The facilities for which these funds are advanced must be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, Federal grants, user charges, assessments, and other fees. Local units of government receiving money from the State must repay not less than 70 precent of such funds during a period not to exceed 30 years. The remaining 30 percent will come from the State General Fund.

Measure No. 4 was placed on the May 1970 primary ballot as a result of action by the 1969 Legislative Assembly which enacted House Joint Resolution 14 (HJR 14). House Joint Resolution 14 was introduced and sponsored by the House Committee on Natural Resources of the 1969 Legislative Assembly. This Joint Resolution was sponsored by the Committee at the request of the Citizens Committee on Pollution Legislation.[3] The 1969 Legislative Assembly also enacted enabling legislation which limits, for the present biennium, the authority of the State to sell general obligation bonds to 50 million dollars and further limits the use of such funds to construction of sewage treatment works.[4]

This constitutional amendment was designed to solve certain particular problems. The most important of these is the inability of local units of government to finance facilities for the control of pollution. The hearings held before the House Committee on Natural Resources and the Senate Committee on Air and Water Quality and the Joint Committee on Ways and Means of the 1969 Legislative Assembly all demonstrated the pressing need for the immediate construction of such facilities and the inability of local units of government to finance them. In those instances in which local units of government had been able to obtain funds for construction of pollution control facilities, the interest cost has been substantially higher than similar costs upon obligations of the State of Oregon.

There are additional considerations which shaped the form and content of this constitutional amednment At the outset it was apparent to the Citizens Committee that a decision should be made about the role of the State agency empowered to sell these State general obligation bonds. The Committee instructed its drafters to retain in local government units the initiative for obtaining and administering funds provided by this amendment. Operation, construction, and ownership of pollution control facilities were generally not to become the direct function of the State Sanitary Authority or its successor. The State Sanitary Authority or its successor was to be the agency in charge of obtaining and managing the fund created by the sale of State general obligation bonds. It is only to advance such funds to certain local government units for facilities which "conservatively appear" to be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, Federal grants, user charges, assessments, and other fees. This amendment contemplates that the initiative in obtaining such State funds remains with the local units of government. It is these local units that must satisfy the State agency of the appropriateness of particular facilities and the ability of a local unit to repay not less than 70 percent of the funds advanced by the State.

The emphasis which this constitutional amendment places upon local government units requires that these local units have a full measure of power to act and obtain State funds provided by the amendment. Accordingly, local government units, including home-rule counties, are authorized to obtain these funds notwithstanding other constitutional or charter limitations.

Mr. HATFIELD. Mr. President, as I indicated earlier, $135,000,000 is needed in Oregon today. Preliminary 1970 Federal census figures indicate that 220,826 Oregonians—10.7 percent of the population—live in communities of under 5,500 population. It is for this reason, therefore, that I give my wholehearted support to increasing these much-needed funds.

* The Bear Creek Valley project will receive a partial federal grant this year. The balance of the grant will be from federal funds available for the fiscal year commencing July 1, 1970.

[1] The authors participated in the drafting of this constitutional amendment and its enabling legislation.

[2] This proposed amendment is contained in House Joint Resolution 14, found at pages 1987–1988 of the Oregon Session Laws 1969.

[3] This Committee has been referred to as the Hardy Committee—after its Chairman, Herbert C. Hardy, Member of the Oregon State Bar, Portland, Oregon. The remaining members of this Committee are: Grace B. Angerman, Jack G. Collins, Thomas C. Donaca, Ronald A. Findlay, M.D., Irvin H. Luiten, James A. Redden.

F. F. (Monte) Montgomery, Robert Moore, Margaret Spang, Michael H. Schmeer, Glen E. Randall, Palmer S. Torvend.

This Committee was formed during the fall of 1968 at the request of John D. Mosser, then Chairman of the State Sanitary Authority. As a result of governmental re-organization, the functions of the State Sanitary Authority have been assumed by the Environmental Quality Commission and the Department of Environmental Quality of the State of Oregon.

[4] See House Bill 2060, codified as Chapter 656, Oregon Session Laws 1969, page 1622. Additional enabling legislation is found in House Bill 1174, codified as Chapter 503, Oregon Session Laws 1969, page 923.

Mr. President, I would like to comment on the experience of one small town in Oregon and its problems in this area. I quote from a letter to me from Mr. Wayne Richards, community development specialist of the Jackson County Community Action Council. That letter states in part:

Representative Don Stathos advised writing to you in regard to pollution of the Rogue River. The City of Rogue River is in the embarrassing position of being partly responsible for polluting its famous namesake. After taking a routine water sample for its swimming classes in August of 1969 for its swimming classes, The Jackson County Parks and Recreation Department decided to bus the participants into Medford, 21 miles away. Evans Creek, which empties into the Rogue River at the townsite, has been officially posted as being polluted. The entire population of Rogue River (700) now uses septic tanks. Because they are in such close proximity to each other, several of the businesses share the same tank. Engineering surveys indicate clay subsoil which is very poor for proper drainage of septic tanks.

I call attention to the following paragraph; for it goes to the heart of the problem:

The City of Rogue River has repeatedly attempted to bond itself and pay for its sewer system. These bond issues have been unsuccessful because of the excessive financial burden placed on the tax payers. Two thirds of the inhabitants of Rogue River are over age 65 and living on fixed incomes. 538 social security checks were mailed to zip code 97537 of which Rogue River is the major part; these checks averaged $71.46. The last bond issue presented before the voters in November of 1966 was for $360,000.00—$30,000.00 of which was a Farmers Home Administration Grant. That is 8% federal assistance.

I ask my colleagues to pay particular attention to this section of Mr. Richard's letter:

Inability to pay is clearly as much of a problem here as is the pollution of the river. The City of Rogue River is once again preparing an application to federal funding sources for grants to help pay for a sewer system. Is the national concern about pollution genuine? What kind of support need we solicit to obtain 50% to 80% federal grant participation?

In closing, Mr. President, I would note that the problems of Rogue River, Oreg., are not unique. Similar statements could be expressed by many mayors and county commissioners in small Oregon communities. It is for this reason, Mr. President, that I urge passage of the Goodell amendment.

The PRESIDING OFFICER (Mr. GOLDWATER). The question is on agreeing to the substitute amendment offered by the Senator from Florida (Mr. HOLLAND) for the first part of the amendment (No. 759) of the Senator from New York (Mr. GOODELL). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. Is the vote on the Goodell amendment, or on the substitute amendment of the Senator from Florida and myself?

The PRESIDING OFFICER. On the Holland substitute for the first part of the Goodell amendment, as the Chair stated. The clerk will call the roll.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOODELL. There are Senators who are inquiring as to the effect of the proposal. A "yea" vote for the substitute would be a vote for the $123 million provided in the substitute; a "nay" vote would be a vote in opposition to the $123 million and in favor of the $355 million for which the substitute figure was offered; is that correct?

The PRESIDING OFFICER. As the Chair understands it, a "yea" vote for the Holland substitute would be for the $123 million; a "nay" vote would be opposed to it. If the nays prevail, the amendment of the Senator from New York would be in order.

Mr. GOODELL. My amendment providing $355 million would then be in order?

The PRESIDING OFFICER. The Senator is correct. The clerk will call the roll.

The bill clerk called the roll.

Mr. RANDOLPH (after having voted in the negative). Mr. President, on this vote I have a pair with the senior Senator from Missouri (Mr. SYMINGTON). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), the Senator from Georgia (Mr. RUSSELL) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN), the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), the Senator from Illinois (Mr. PERCY) and the Senator from Maine (Mr. SMITH) would each vote "yea."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from California would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 53, nays 24, as follows:

[No. 222 Leg.]

YEAS—53

Aiken	Fannin	Packwood
Allen	Fong	Pastore
Allott	Goldwater	Pearson
Baker	Griffin	Pell
Bellmon	Gurney	Prouty
Bennett	Hansen	Proxmire
Bible	Hart	Saxbe
Boggs	Holland	Scott
Burdick	Hollings	Smith, Ill.
Byrd, Va.	Hruska	Spong
Cannon	Jordan, Idaho	Stennis
Cotton	McClellan	Talmadge
Dole	McIntyre	Thurmond
Dominick	Miller	Tower
Eagleton	Mondale	Williams, N.J.
Eastland	Montoya	Williams, Del.
Ellender	Moss	Young, N. Dak.
Ervin	Muskie	

NAYS—24

Bayh	Goodell	Mansfield
Brooke	Hartke	Mathias
Byrd, W. Va.	Hatfield	McGovern
Case	Hughes	Metcalf
Church	Inouye	Nelson
Cooper	Jackson	Schweiker
Cranston	Kennedy	Tydings
Fulbright	Long	Yarborough

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Randolph, against.

NOT VOTING—22

Anderson	Jordan, N.C.	Russell
Cook	Magnuson	Smith, Maine
Curtis	McCarthy	Sparkman
Dodd	McGee	Stevens
Gore	Mundt	Symington
Gravel	Murphy	Young, Ohio
Harris	Percy	
Javits	Ribicoff	

So Mr. HOLLAND'S substitute amendment for the first part of the Goodell amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, at the time that the Senator from Nebraska and I drew our substitute amendment, the Senate had given consent to vote en bloc on the two original amendments. Later that was changed, and a division was ordered. It happens that the second part of our substitute is exactly identical with the second part of the amendment of the Senator from New York. I ask leave, therefore, on behalf of the Senator from Nebraska and myself, to withdraw the second part of our amendment.

Mr. STENNIS. Mr. President, reserving the right to object, as I understood, the Senator's substitute was adopted.

Mr. HOLLAND. The first part.

Mr. HRUSKA. The first part.

Mr. STENNIS. Mr. President, reserving the right to object, what is the reason now for dropping the second part?

Mr. HOLLAND. Mr. President, I do not blame the Senator for being confused, because I believe he was not in the Cham-

ber when the first part of the situation arose.

The Senator from New York offered an amendment in two parts and asked that the vote be en bloc, and consent was given. The Senator from Nebraska and I drew a substitute amendment, thinking that we were offering it to one that was en bloc. Later division was made. It happened that the second part of the substitute amendment was identical with the second part of the original amendment of the Senator from New York, and there is no point in our continuing. It amounted to an acceptance of the House amount of $100 million. I will be glad to withdraw our part of that.

Mr. STENNIS. I thank the Senator. I was not in the Chamber at the time.

The PRESIDING OFFICER. The second amendment has never been formally offered, so the discussion is irrelevant.

Mr. GOODELL. Mr. President, if I understand the situation correctly, the Goodell amendment, as amended, is still pending, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. GOODELL. The yeas and nays have been ordered on the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. GOODELL. As amended, it provides for $123 million.

Mr. HOLLAND. No; $100 million.

Mr. GOODELL. The Senator's substitute to my $350 million was $123 million, and that prevailed, and my amendment, as amended, is now pending. After the completion of the rollcall vote on that amendment, I shall offer the second amendment for the $100 million in the development planning grants, a section which I understand the chairman and the ranking minority member will accept.

Mr. HOLLAND. I am perfectly willing to accept that, and I am perfectly willing to defer either or both rollcall votes. If the Senator would rather have a rollcall vote on the second part of his amendment, I am willing for that to be done.

Mr. GOODELL. We can proceed to a rollcall vote now to reinforce the conferees in conference.

Mr. HOLLAND. I suggest that the rollcall vote on the Holland portion of the amendment which already has been voted on by rollcall be set aside.

Mr. GOODELL. I would object to that. To clarify the record, those who voted against this also want to put it on the record that they are for the increase in the money of $123 million over the committee recommendation.

The PRESIDING OFFICER (Mr. GOLDWATER). Objection is heard.

The question is on agreeing to the first part of the Goodell amendment, as amended.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Indiana (Mr. HARTKE) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from New York (Mr. JAVITS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. PERCY) and the Senator from Maine (Mrs. SMITH) would each vote "yea."

The result was announced—yeas 70, nays 7, as follows:

[No. 223 Leg.]

YEAS—70

Aiken	Fulbright	Muskie
Allen	Goodell	Nelson
Allott	Griffin	Packwood
Baker	Hart	Pastore
Bayh	Hatfield	Pearson
Bellmon	Holland	Pell
Bible	Hollings	Prouty
Boggs	Hruska	Proxmire
Brooke	Hughes	Randolph
Burdick	Inouye	Saxbe
Byrd, Va.	Jackson	Schweiker
Byrd, W. Va.	Jordan, Idaho	Scott
Cannon	Kennedy	Smith, Ill.
Case	Long	Spong
Church	Mansfield	Stennis
Cooper	Mathias	Talmadge
Cranston	McClellan	Thurmond
Dole	McGovern	Tower
Eagleton	McIntyre	Tydings
Eastland	Metcalf	Williams, N.J.
Ellender	Miller	Yarborough
Ervin	Mondale	Young, N. Dak.
Fannin	Montoya	
Fong	Moss	

NAYS—7

Bennett	Goldwater	Williams, Del.
Cotton	Gurney	
Dominick	Hansen	

NOT VOTING—23

Anderson	Javits	Ribicoff
Cook	Jordan, N.C.	Russell
Curtis	Magnuson	Smith, Maine
Dodd	McCarthy	Sparkman
Gore	McGee	Stevens
Gravel	Mundt	Symington
Harris	Murphy	Young, Ohio
Hartke	Percy	

So Mr. GOODELL's amendment, as amended, was agreed to.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. GOLDWATER). The question now recurs on the second part of the amendment of the Senator from New York. On this question the yeas and nays have been ordered.

Mr. GOODELL. Mr. President, the amendment would increase the appropriation of $60 million recommended by the committee for development and planning grants to $100 million.

The chairman of the committee and the ranking minority member have indicated that they are agreeable to accepting the amendment.

I ask unanimous consent to vacate the previous order for the yeas and nays.

Mr. MILLER. Objection.

The PRESIDING OFFICER (Mr. GOLDWATER). Objection is heard.

Mr. HOLLAND. Mr. President, I think the point was probably not made completely clear. The fact is that the action would make the amounts identical in the House and the Senate bills. If the second part of the amendment were agreed to, there would be nothing to take to conference. There would really be no reason to have a yea and nay vote that I can see. I appreciate the fact that the Senator from New York asked to vacate the order.

Mr. MILLER. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMINICK. Mr. President, I am in favor of the second part of the amendment of the Senator from New York and the Senator from Florida. I was against the first one because it involved an $80-million increase in the budget for direct loans which does not seem to me to make much sense.

If we can get into an insured loan program, we would do far better than with direct loans under which we would be loaning money and waiting 20 years to get it back.

I am very much in favor of the second part of the amendment to provide an additional $40 million for the rural water and waste disposal grants.

Mr. HANSEN. Mr. President, as one of the seven Senators who voted against the first part of the Goodell amendment as amended by the Senator from Florida, I am not at all averse to the important work being done by the FHA in my State of Wyoming.

We have a very able administrator who has succeeded in financing all of the requests that have been made upon his agency for help by selling bonds within the State of Wyoming.

I think the distinguished Senator from Colorado put his finger precisely on the situation that obtains in Wyoming when he says that we can better use Federal funds for other purposes. By running a good operation it has been possible to sell bonds adequate to finance the FHA program in Wyoming. It is a good program.

It was in recognition of that fact that

I joined him in voting against the first part of the Goodell amendment as amended by the substitute of the Senator from Florida.

The PRESIDING OFFICER (Mr. GOLDWATER). The question recurs on the second part of the Goodell amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN), the Senator from Washington (Mr. MAGNUSON), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Missouri (Mr. SYMINGTON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from New York (Mr. JAVITS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. PERCY), and the Senator from Maine (Mrs. SMITH) would each vote "yea."

The result was announced—yeas 77, nays 0, as follows:

[No. 224 Leg.]

YEAS—77

Aiken	Cranston	Hollings
Allen	Dole	Hruska
Allott	Dominick	Hughes
Baker	Eagleton	Inouye
Bayh	Eastland	Jackson
Bellmon	Ellender	Jordan, Idaho
Bennett	Ervin	Kennedy
Bible	Fannin	Long
Boggs	Fong	Mansfield
Brooke	Fulbright	Mathias
Burdick	Goldwater	McClellan
Byrd, Va.	Goodell	McGovern
Byrd, W. Va.	Griffin	McIntyre
Cannon	Gurney	Metcalf
Case	Hansen	Miller
Church	Hart	Mondale
Cooper	Hatfield	Montoya
Cotton	Holland	Moss
Muskie	Randolph	Thurmond
Nelson	Saxbe	Tower
Packwood	Schweiker	Tydings
Pastore	Scott	Williams, N.J.
Pearson	Smith, Ill.	Williams, Del.
Pell	Spong	Yarborough
Prouty	Stennis	Young, N. Dak.
Proxmire	Talmadge	

NAYS—0

NOT VOTING—23

Anderson	Javits	Ribicoff
Cook	Jordan, N.C.	Russell
Curtis	Magnuson	Smith, Maine
Dodd	McCarthy	Sparkman
Gore	McGee	Stevens
Gravel	Mundt	Symington
Harris	Murphy	Young, Ohio
Hartke	Percy	

So the second part of Mr. GOODELL'S amendment No. 759 was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. EVINS of Tennessee, Mr. BOLAND, Mr. SHIPLEY, Mr. GIAIMO, Mr. MARSH, Mr. PRYOR of Arkansas, Mr. MAHON, Mr. JONAS, Mr. TALCOTT, Mr. MCDADE, Mr. DEL CLAWSON, and Mr. Bow were appointed managers on the part of the House at the conference.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

NEED FOR ADEQUATE FUNDING OF AGRICULTURE PROGRAMS

Mr. MONTOYA. Mr. President, there are a number of items in the Agriculture and related agencies appropriation bill for fiscal 1971 on which I wish to comment and urge favorable action. Agriculture is very important in my State of New Mexico, and I am convinced that a healthy agricultural sector of the economy is directly linked to the prosperity and well-being of the Nation as a whole. We must be sure that we provide adequate levels of financing for farm programs.

The ACP, or agricultural conservation program, should be given increasing priority as the Nation mobilizes its resources to improve the quality of our physical environment. The funds expended for ACP practices return to the Nation the greatest possible conservation and pollution-abatement benefits. While this program provides a proven means of meeting local conservation needs as determined locally, it has proven to be far more comprehensive and effective than other approaches adopted in recent years.

In New Mexico, $2.1 million was spent for agricultural conservation programs in 1969, and it is estimated that $2.26 million will be spent in 1970.

It is ironical that, just as the importance of preserving our natural resources and environment is becoming fully recognized, the President proposed the elimination of all funds for 1970 and 1971 for the agricultural conservation program. The Congress, however, has had the wisdom to retain an adequate level of funding for the ACP. For fiscal 1971, the House appropriated $195.5 million, and your Senate committee recommended $190 million. I would hope that the Senate will approve a level of funding essentially consistent with these amounts in the pending bill.

Amounts due under the agricultural conservation program are legal commitments, and funds must be provided. Contracts between individual farmers and the Government are entered into under the program announced the previous year. Nevertheless, $10.5 million of the amount provided by the Congress for the fiscal 1970 program was held in reserve by the Bureau of the Budget. I would like to state for the record at this time that the President must allocate the full amount appropriated by Congress for this worthwhile program. There should be no impounding of funds as occurred this past year, particularly for a program such as this that conserves our precious land and water resources.

Earlier this year, I urged the Subcommittee on Agricultural Appropriations to provide adequate funding and personnel for the Soil Conservation Service, the operations of which are closely related to the ACP. The SCS provides technical advice to the agricultural conservation program—thus contributing in an essential way to the practices and programs that are so vital to the improvement of our natural environment.

I am concerned that the SCS staff is far below what is needed to adequately serve the workload with which it is faced. In fact recent estimates by the conservation district officials indicate that 2,325 additional man-years are needed annually to meet present needs. Instead, we have in recent years reduced the SCS work force. In the 1969 fiscal year, a total of 10,424 man-years were available to provide technical assistance under the conservation operations program. This represents a reduction of more than 1,000 man-years during the past 10 years.

New Mexico has shared in this loss of staff. In 1959, we had 291 budget positions in SCS. The personnel ceiling for SCS in New Mexico for June 30, 1970, is set at 257. And this is on top of the fact that during this period new and important programs and responsibilities have been added placing additional demands on fewer people. We must reverse this trend. Our SCS personnel are dedicated and efficient workers, but there are limits to what they can do. It is time we recognized that it takes people to get a job done.

The work of the SCS is essential to New Mexico and vital to the future of the

Nation. Let us continue to provide the funds and personnel to allow this work to go forward.

Watershed planning is another area that concerns me. In New Mexico more than 40 communities have applied and are waiting for assistance to prepare watershed work plans. They recognize in many cases a plan to eliminate serious flood hazards and restore their upstream watersheds is essential to their economic growth and welfare. Nationally there were 2,866 watershed applications on hand on February 1, 1970. A total of 1,551 had been authorized for planning. That left 1,315 still waiting for Federal help in planning. This gap is too wide and it is increasing. We must provide the funds necessary for steady progress in the Nation's watershed planning.

Another area of concern—lending authorization for the Rural Electrification Administration—will directly benefit all of rural America and indirectly benefit our urban people.

The Senate Appropriations Committee, after a most careful scrutiny saw fit to provide $352 million in REA's obligational authority during the 1971 fiscal year. This is $30 million more than was requested by the administration in its budget request. The additional along with the $23 million in carryover funds—$20 million of which we made available last year but the Budget Bureau withheld from use—makes possible a $375 million electric loan program for the 1971 fiscal year.

As you recall, the House this year approved a $322 million electric loan program. What the Senate Appropriations Committee recommends, and what I sincerely hope we will approve, is a small additional amount which will help alleviate the very real need for low-cost capital in the thinly populated portions of our Nation. The committee's report points out that—

> In view of the large backlog of unserviced loan applications . . . a modest increase of $30 million is the additional amount that should be made available during the coming fiscal year.

We all know of the increasing demands for electrical power. REA has on hand the largest unserviced backlog of loan applications in its history. The backlog of applications was recently estimated at just under $433 million, of which $4 million is for New Mexico. Total applications to be considered by REA during the 1971 fiscal year are forecast at close to $900 million, of which over $12 million is for New Mexico. The State of New Mexico has 17 rural electric cooperatives.

I do not need to catalog for you the amazing success story that we have in rural electrification. We all know its blessings. Moreover, we have an encouraging prospect in the efforts of the rural electric systems to provide supplementary financing of their own to fill some of the gap which results from increasing rural power needs and the increasing cost of power facilities due to inflation in the Nation's economy. The committee has taken into account the formation of the National Rural Utilities Cooperative Finance Corporation—a new credit institution in the private sector wholly owned by the rural electric systems, which are in turn locally owned by some 6 million rural consumers served by these systems. A vote by the Senate in support of the committee's recommendations will also be a vote of encouragement to the rural electric effort to seek supplementary financing outside the Government. In light of current inflation, there is no better time than now to encourage this effort.

There is a follow-up concern that we should call to the attention of the administration—and that is the release to REA of the funds we authorize. The $20 million approved for use in fiscal 1970 were held back by the Budget Bureau despite REA's demonstration of a critical need. I would hope that the Senate's decisions this year will not be disregarded and negated by the Bureau of the Budget.

Rural telephone systems, too, have been attempting for some time to establish a financial institution to create supplementary capital for that program and thus relieve some of the pressure on REA. The Senate committee recommends an additional $15 million for telephone loans beyond the administration's budget estimate, and I hope that the Senate will support the committee by also improving these badly needed funds.

I have mentioned only a few of many programs funded by this bill that are vital to the prosperity of rural America and the farming industry, and eventually to the health of the American economy as a whole. Although some urban residents apparently do not realize it, agriculture is still the Nation's No. 1 industry. It employs over 5 million workers, and its assets total $298 billion—equal to about two-thirds of the current assets of all corporations of the United States.

Although our farm population today comprises only slightly over 5 percent of our total population, farmers buy about $37 billion in production goods and services per year. The commercial farmer buys about 5 percent of our total steel production, about $1.6 billion of our petroleum products or 11 percent of the total sold. He buys enough rubber for his cars and tractors to put tires on 7.5 million cars, and it has been estimated that his purchases are the basis for about 6 million jobs in machinery, chemical and other supply industries. And his products, in turn, are the basis for processing and marketing industries which provide an estimated 14 to 16 million jobs.

Unfortunately, the Department of Agriculture is identified in many minds only with 5.1 percent of our people who are on the farm. In reality, it represents the 94.9 percent of the nonfarmers more closely than does any other department, for it represents the source of food, clothing, and shelter for all Americans—and also represents the largest individual market for labor and industry. For the sake of all Americans, we cannot shortchange the programs of the Department of Agriculture and related agencies. Instead, we must make the investment to sustain a strong agricultural sector, and thus help to maintain a strong and viable America.

THE GROWING THREAT OF FOWL CHOLERA—AGRICULTURAL APPROPRIATION BEGINS RESEARCH FOR PROTECTION

Mr. YARBOROUGH. Mr. President, in our consideration of the agricultural appropriations bill, it is important for us to recognize the tremendous benefits provided to all the citizens of our Nation by the funds we appropriate in this area. When we appropriate funds for research to improve our agricultural production, the benefit is often enjoyed in terms of more healthful food and lower costs to consumers. I commend the distinguished Senator from Florida (Mr. HOLLAND) for his action in committee in accepting the $100,000 amendment.

One item contained in the bill under consideration today provides an example of how we can act to benefit consumers.

The Appropriations Committee, on which it is my honor to serve, included $100,000 in the appropriation for the Agricultural Research Service in order to commence a program of research into fowl cholera in turkeys.

Over the past few years there has been a sudden increase in the incidence of this disease in turkeys, and it is having a very serious impact on the producers throughout the Nation.

From 1951 to 1964, it is estimated that the loss to the turkey industry due to cholera was less than $2 million annually. Since 1964, the incidence of cholera has increased rapidly, and in 1968 and 1969 the loss has risen to over $14 million annually. Without prompt remedial action, the losses are expected to continue to grow more serious.

The disease of fowl cholera in turkeys is a very serious problem in Texas. It is estimated that of the approximately 8 million turkeys in Texas, over 50 percent were affected by this disease in 1969. This is a much higher percentage of birds affected than in any of the other top-producing States. However, the disease is on the increase in these other States.

In order to launch a full-scale attack against this rapidly spreading disease, the appropriation should be $500,000 rather than the modest $100,000 we have included in the bill. However, the $100,000 will provide us a beginning on the program to control fowl cholera in turkeys.

In view of the tremendous impact that this disease is having on the turkey producers in my State of Texas as well as many other States, it is my strong recommendation that the Agricultural Research Service consider the magnitude of this problem very carefully, and that as they commence this research program, they should be prepared to use up to $100,000 of the contingency funds made available to them to supplement the $100,000 appropriated for this purpose. The point I wish to make is that the problem is so great that the search for a solution should not be delayed.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 763

Mr. McGOVERN. Mr. President, I call up my amendment No. 763, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read amendment No. 763, as follows:

On page 20, line 24, strike out "$1,250,000,000" and insert in lieu thereof "$2,000,000,000".

Mr. McGOVERN. Mr. President, this amendment would have had the effect of increasing the food stamp appropriation from $1.250 billion to $2 billion, as previously authorized by the Senate; but, after consultation with the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Louisiana (Mr. ELLENDER) and with Members on the other side of the aisle, especially the Senator from Massachusetts (Mr. BROOKE), it has seemed more prudent to reduce the proposed increase to the figure of $1.750 billion. In other words, we would be increasing the amount in the bill as reported by the committee from $1.250 billion to $1.750 billion.

I ask that the amendment be so changed so that it reflects the figure $1.750 billion.

The PRESIDING OFFICER. Does the Senator so wish to modify his amendment?

Mr. McGOVERN. Yes; I ask that it be modified so that the figure $2 billion is changed to $1.750 billion.

The PRESIDING OFFICER. The amendment is so modified.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HOLLAND. The Senator does not wish to indicate at all, does he, that the Senator from Louisiana and the Senator from Florida have agreed to the figure?

Mr. McGOVERN. No; I was going to comment on that. I understand that the Senator from Florida as well as the Senator from Louisiana are opposed to any increase at all in the amount recommended by the committee.

I simply wanted to make clear to the Senate that one of my reasons in reducing the amount in the proposed amendment is the concern expressed by the Senator from Florida and the Senator from Louisiana about the attitude in the House of Representatives toward a substantial increase above the $1.250 billion that was approved in the other body by the Appropriations Committee.

Mr. President, it was over 3 years ago that the shameful phenomenon of hunger and malnutrition first came to light here in America, the richest nation in the world.

For many years, Americans had been aware of hungry millions around the world but ignorant of hungry fellow citizens in their own country, their own States, their own cities—indeed their own neighborhoods.

As a director of the overseas food for peace program at the beginning of the last decade, I was as unaware as most Americans of the hunger in our own land.

The discovery of hunger and malnutrition here at home was so shocking—and so surprising—that its existence was immediately met with incredulity by some of the highest officials of the Government and by Members of Congress.

It is not so, they said. There is no widespread hunger in America. Perhaps there are isolated areas where Americans are not getting enough to eat. But hunger affecting millions of Americans? No, it just cannot be. America is too rich, her abundance too great, for such a serious problem to exist on a national scale.

This incredulity, this shock and surprise, sprang from a basic sense of decency. For no American wants any other American to go hungry if it can be helped. The questions raised about just how widespread hunger is in America deserved an honest and dispassionate answer. And the Senate established a select committee to seek that answer.

For the past 18 months, I have had the honor of chairing that select committee, and I have had the privilege of working with other Members of the Senate who have been unsparing in their efforts to bring an answer back to the Senate.

Let me mention just a few of them. Senator HOLLAND and Senator ELLENDER, who for many years before I joined this body, were sponsoring legislation to feed our people. Senator MONDALE, Senator KENNEDY, Senator HART, Senator PELL, Senator YARBOROUGH and Senator TALMADGE who played such an important role in the enactment of a new and comprehensive School Lunch Act this year.

On the Republican side, Senator JAVITS, Senator PERCY, and Senator COOK have from the very beginning been among the hardest driving members of the committee. I am particularly appreciative of their efforts because they have been a living demonstration that when it comes to the issue of hunger, bipartisanship is the order of the day.

I also want to express my appreciation to Senator BROOKE and Senator HOLLINGS for their efforts to gather support for the amendment we are voting on today.

The cooperation of the Democratic and Republican members of the select committee proves that hunger is not a political issue but a human issue to which we all respond equally.

The select committee has worked hard. It has held countless hearings, in Washington and around the country, and heard hundreds of witnesses. It has searched for the answer to whether hunger and malnutrition affect millions of our people. It has heard and it has seen for itself, and it has brought back an answer.

Hunger and malnutrition does exist in this rich Nation. It exists in every section of this Nation. It is not an isolated circumstance. It is a national tragedy.

Hunger and malnutrition in America according to the National Nutrition Survey conducted by the Public Health Service, is as widespread among our poor as it is in some of the world's most underdeveloped countries.

The cost of this hunger and malnutrition in economic terms alone, the Bureau of the Budget reports, is staggering. For every dollar not spent providing the hungry with food, the Government ends up spending $3 providing the poor with care the remainder of their lives.

For hunger and malnutrition are not a fleeting thing. They hurt for a lifetime. The malnourished child is weak and vulnerable to disease—disease that stunts his mental and physical ability. A mother who is malnourished cannot care properly for her children. A father cannot work effectively on an empty stomach and a weakened body.

There is no longer any argument about this tragedy. The President himself put the argument to rest when he sent his historic hunger message to Congress last April, saying:

There can be no doubt that hunger and malnutrition exist in America and some millions may be affected. That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.

There is no longer any disagreement about what needs to be done to meet this problem. We need to reform and expand the food stamp program until it puts food on the table of every hungry family.

There is some disagreement over how fast we must do what needs to be done. The Senate thoroughly debated this issue last September. Then it decided. It decided to enact a fully adequate food stamp program and to authorize the funds necessary to expand that program. That amount for fiscal year 1971 was $2 billion.

The question before us today is simple. The question is, Will we honor that pledge, or will we ask the hungry to wait yet another year to obtain food for their children?

During the past 5 months we have taken the first step toward meeting last year's promise. Participation in the food stamp program has jumped from about 3½ million to nearly 6 million. This expansion has been made possible by the additional funding provided for the program last year.

But, if we are to continue that expansion, we must act now to raise the budget request for the food stamp program in fiscal year 1971.

The Appropriations Committee has recommended that we appropriate $1.25 billion for food stamps this year. But that recommendation was made before it became apparent that the $1.25 billion figure would not permit any further expansion of the program.

Testifying before the Select Committee on Nutrition just 3 weeks ago, Assistant Secretary of Agriculture Lyng said:

The acceptance of the food stamp program has been such that we may have some very real problems in the coming fiscal year 1971. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure ($1.25 billion) will be insufficient.

The arithmetic on which he based this statement is elementary. USDA estimates that the per person cost of the food stamp program will run at about $200 for the coming year. Present participation is about 6 million. Multiplying 6 million by $200 we see that it will cost us $1.2 billion just to maintain the program at its present level.

Mr. President, this present level is not adequate. There are 25 million poor people in the country today; 15 million of these people receive no food assistance of any kind. Unless we appropriate enough money to continue the expansion of the

food stamp program, these same 15 million people will remain without assistance throughout 1971.

In the legislation which passed the Senate last fall we authorized the expenditure of $2 billion on food stamps during fiscal year 1971. Having already gone on record for a $2 billion authorization, and knowing that anything a great deal less than this figure will leave millions of Americans without assistance, I cannot see how we can justify appropriation of any amount other than the $1.75 billion that we are seeking today.

To fail to appropriate the full $2 billion is even less justifiable when we consider that Assistant Secretary of Agriculture Lyng told my committee on June 19 that, and I quote directly:

> The best figure that we can come up with is that there are probably something like 14 million people in the United States who are in need of food assistance this year.

Mr. Lyng did not say that these people needed help sometime in the misty future, he said that they require food assistance now, this year.

Simple multiplication will tell you that an appropriation of $1.25 billion for food stamps can never provide assistance to 14 million people. In fact, it will serve only 6 million people. When the 4 million commodity recipients are added in, this means that we will fall 4 million short of the extremely modest goal which USDA itself set less than 1 month ago.

On the other hand, if we raise the appropriation for food stamps to $1.75 billion, we will permit continued expansion of the food stamp program up to 8 million persons, for a total of 12 million persons. While this is still 2 million short of the goal of 14 million, it is continued improvement.

Mr. President, I am at a loss to understand how USDA can tell us one week that we must feed 14 million people next year, then turn around the next week and oppose an appropriation specifically tailored to feed 12 of those 14 million.

I am even further at a loss to see how the testimony of Assistant Secretary Lyng could be construed, as it apparently has been by some Members, to constitute a firm defense of the $1.25 billion administration request.

Yesterday, in this Chamber, we decided that we as a nation could afford to spend $3.3 billion exploring space in the coming year. It will be a sorry spectacle for the poor of this Nation if, in the face of all the fine promises and rhetoric of the past year, we now turn around when the crunch is on and tell these people that we can afford $3.3 billion to explore outer space, but that we cannot afford 60 percent of that amount to end hunger in America.

There is one more reason why I believe that it is imperative that the Senate provide $1.75 billion funding of the food stamp program. As we all know so well, the Senate is not a complete legislative system in itself. The House also has duties and responsibilities on these matters. In this instance, the House has already appropriated just $1.25 billion. Knowing the determined Members of the other body, I suspect that the $1.75 billion which the Senate should appropriate will be trimmed somewhat in conference. While I feel that any trimming will be at the expense of the poor and must be opposed vigorously, we must be realistic. If we are to have anything like an adequate appropriation for the food stamp program in the coming year, we must stand firm for at least $1.75 billion, which is still $250 million short of the $2 billion which we authorized last year.

I know that it will be said that the $1.25 billion recommended by the distinguished members of the Appropriations Committee is double the amount spent during the past year. The trouble with this argument is that it fails to note that 75 percent of the money spent last year was spent during the last 5 months of the year. As of May, USDA was spending on food stamps at an annualized rate of over $1 billion. Thus the actual effect of a $1.25 billion appropriation for the coming year will be to freeze the program at its present level.

It may also be said that the House has failed to provide a new authorization for the food stamp program, and that we should wait for the House. This argument is irrelevant. Both the $1.25 billion figure and the $2 billion figure for which I argue exceed the House authorization. Both figures would require the needed House authorization before they could actually be spent. What I am saying today is that $2 billion is the amount that is needed to permit the operation of an effective, expanding program. The Senate should go on record again today in favor of what is needed to do the job.

I am familiar with the arguments against full funding of the food stamp program. I know that some people feel that the country cannot afford to do the job properly so long as the war continues. I know that other people argue that added expenditures at this time would be inflationary.

Mr. President, I must take exception with these arguments. For over a year now we have had in our possession a Bureau of the Budget study which shows that it actually costs more to permit malnutrition to continue than it would to end it. Providing people with a few extra dollars to spend on food commodities with which we are oversupplied is not inflationary.

As another example of the tragic cost of permitting malnutrition to continue, I would cite the cost of caring for a person who is mentally retarded. That cost, for a lifetime, is in the neighborhood of $250,000. And there is strong evidence that malnutrition in childhood does indeed result in mental and physical impairment.

Further delay is inexcusable. If we are really committed to ending hunger in America let us vote our committment, and let us do so today by providing increased funding for our first line of defense against hunger, the food stamp program.

I ask unanimous consent to have printed in the RECORD an excerpt from the hearing of the Select Committee on Nutrition and Human Needs on June 19, 1970.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM HEARING OF THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Senator MCGOVERN. They are now up to 5.9 million participants. How many people do you think still need this program that we haven't yet reached?

Mr. LYNG. I asked the staff, Mr. Chairman, anticipating that question, to try to give me some information on the size of the target group. As you can well imagine, these are estimates. First of all, in defining the poor, the levels and all the rest of this, we work on all kinds of assumptions and estimates. The best figure that we can come up with is that there are probably something like 14 million people in the United States who are in need of food assistance this year.

This is a figure that can be debated and argued. I think if we had some of the experts here from the economic research service they can build a case for this 14 million figure.

Senator MCGOVERN. Can you tell us what criteria you used in arriving at that figure?

Mr. LYNG. Well, I think it is based upon the number of families with incomes below the poverty threshold in the last published figures of the Bureau of the Census, and then applying some figures obtained in the 1965 household food consumption survey made by the Department of Agriculture among these groups—this was a sampling—it indicated the percentage that were not receiving nutritious meals, and then putting those together. Also, then taking in some recognition of the public assistance welfare load, Federal assistance, we are now providing food programs for more people than are receiving Federal assistance for aid to families with dependent children. This is not necessarily a valid relationship, but it is one figure. This could be off several million.

Senator MCGOVERN. When you use the figure 14 million as the target figure, that would be the total number of people that you would feel at this point should be participating, or is that figure above and beyond what we are now reaching?

In other words, you are talking about an approximately additional 8 million people that you would like to see reached?

Mr. LYNG. Inasmuch as we now have 10 million people participating in commodities or food stamps, we would think that it would be something like four million, or perhaps five million more.

Senator MCGOVERN. Your judgment is that at the present time you are doing a fairly good job on 10 million people in terms of getting food assistance to them?

Mr. LYNG. Well, we are getting some food assistance to them. We think we are doing a fairly good job, particularly in the food stamp area, those who are participating there. I think it might be an exaggeration to say that we are doing a fairly good job in commodities. I suspect that commodities are only an augmentation and probably don't go as far as they should in this area. I wouldn't really want to say that that is a fairly good job.

Senator MCGOVERN. But the Department's goal, as I understand it, would be to move all of these fourteen million people into the Food Stamp Program as quickly as it can be done?

Mr. LYNG. That is correct, or however many it is. If it is 15 or 16 or 17 million that would be our goal.

Senator MCGOVERN. The committee was using the poverty figure which comes out to about 25 million that are below the poverty line. But even if we were to accept the figure that you cite of 14 million, that still means that there are some eight million of those people outside of the Food Stamp Program and of that amount four million that are not even in the Commodity Program. Even accepting that, and I think those estimates are very, very conservative, how do you plan

to carry on an expansion to reach those people within the requested authorization that the Administration has sent to the Congress? I believe it is $1.25 billion. That really doesn't do much more than hold you at the present level, does it, Mr. Secretary?

Mr. LYNG. This may be correct, Senator, as we move along. The acceptance of these programs has been such that we may have some real problems in the coming fiscal year. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure will at this point be insufficient.

As you know, this figure was submitted last fall, before we moved into these new programs, and it was our best estimate of as fast as we could move at that time. The request from counties for food stamps will depend a lot upon that. At this point we have now notified all counties that have applied for food stamps that they have been certified for food stamps. Unless they have come in in the last two or three days, we have no pending applications. But I suspect we may have. Depending upon the case load or the participants we may run into some difficulties.

Senator MCGOVERN. I noticed from your figures, Mr. Secretary, that the bonus cost, that is, the outlay of the Department, comes to just under $200 a year for the average participant. We did a little extrapolation on that. If you had the $2 billion that was authorized in the Senate bill, you could reach 10 million people with the Food Stamp Program which would lift that nearly 6 million that you now have up to 10 million.

If you had your way, would you advocate that we fund this program at the level in the Senate bill, $2 billion?

Mr. LYNG. We have no disagreement, Mr. Chairman, with the need for approximately this much. As a matter of fact, we estimate that in time this program perhaps will cost the $2.5 billion to move to the universe.

Senator MCGOVERN. I think it would, if you moved along

Mr. LYNG. But I think we have felt, and I am not ready to say that we want to amend our budget request, that during this fiscal year this was about as fast as we could move in converting the program. Maybe, as I said, that the thing could be moved along quicker. In the following fiscal year we anticipate that it is going to.

What I am trying to say is we have no disagreement with the $2 billion figure. We might have some disagreement as to the time frame.

Senator MCGOVERN. I appreciate the competing budget pressures, but you don't deny that the figure you have requested, the Administration figure, at $1.25 billion, really does little more than hold you at your present operating level. You brought it up to 5.9 million participation. You are not going to go much beyond that in the Administration figure you have requested for fiscal 71, are you?

Mr. LYNG. I mentioned that we will be taking New York, and I think the additional participants there are nearly a half million alone, in New York City. So we will have sufficient money in the budget for that.

I think we can project that this can go up to approaching 7 million within our appropriation.

The PRESIDING OFFICER (Mr. FANNING). The question is on agreeing to the amendment.

Mr. HOLLAND. Mr. President, it is not a very popular task to have to object, and object very vigorously, to the amendment offered by the distinguished Senator from South Dakota.

The fact is that the Senator from Louisiana and I have probably worked about as hard as anybody could work to try to get the situation into a better picture prior to the time this appropriation bill came up. The Senate passed a food stamp bill last year. I have forgotten the date.

Mr. MCGOVERN. In September.

Mr. HOLLAND. In September of last year, and it went to the other body. We mildly contacted the chairman and other members of the House Committee on Agriculture last year. We have contacted them more frequently and more vigorously this year. We have contacted the chairman of the Appropriations Committee on the House side. We have contacted many others we thought were having a portion of the responsibility in the other body of deciding what kind of food stamp legislation they would report.

The facts are simply these, Mr. President: For a long time, the Agriculture Committee in the other body announced a plan to hold together in one bill the new food stamp program and the new farm bill which is also in the making. A couple of months ago, as I remember the date—some little while ago—however, they decided that the two bills would be reported separately, and the statement was made to me by the able chairman of the House Agriculture Committee that the two bills would be reported separately, for which I was very thankful. I did not learn at that time which one would be reported first. Yesterday, or the day before yesterday, in contacting members of the committee, in the absence of the chairman, who was in Texas, I learned that it is their definite plan to report first the farm bill and later the food stamp bill.

Mr. President, we all know that hearings on the food stamp bill and the farm bill have been going on in the other body since last fall or earlier, and we all know the situation that exists over there, I think, more fully than I have been able to state it in these few words.

The fact remains that until we pass an authorization bill we are without authorization for 1971 in the food stamp field. The pleasant fact to report, however, is that the House placed in the bill the budget amount of $1.250 billion with the understanding stated that it could not be effective until the authorization had been agreed upon and had become law in that amount or more. That, of course, would have to be the case because we could not pass a heavy appropriation of this kind in this field without an authorization.

When the Senate committee considered this matter, we were happy to see that the House had included this amount, subject to the passage of the authorization, and we included the same amount, which had been included by the House; and, of course, subject to the same condition, that an authorization would have to be passed.

We are in the fortunate position now of having in the Senate bill the identical amount that is already in the House bill and the identical amount that is in the budget, and that is a situation which we think may mean a great deal in the negotiations that go forward from here on out in conference and otherwise, but particularly in conference.

Mr. President, we feel that the situation is so good that if we had to do so a little later, we very likely would be able to follow the same course followed by the Senator from Louisiana last year, when there was no new authorization for 1970, at that time the Senator came in and got an emergency appropriation. He followed the same course when the supplemental bill was up a few weeks ago, and he stated very frankly to the Senate that we had no authorization for 1971, but he was requesting an appropriation of $300 million to be available during the first 4 months in 1971. The House was good enough to accept that amount, and we are operating now on a hand-to-mouth basis with that $300 million available for not to exceed 4 months. The understanding, as stated in that legislation, was that when an appropriation bill was passed for 1971, that amount, $300 million, would be subtracted from the amount for food stamps in the appropriation bill for 1971.

We very much want to have undisturbed the good relation that now exists between the Appropriations Committee in the House and the Appropriations Committee in the Senate and which is in accord with the budgeted figures.

I must say that, in my opinion, based on many, many contacts in this field, if the course now indicated by the House, is followed and the food stamp bill is reported after the farm bill has been reported and passed in the House, the chances are that the conference on the food stamp bill will be the very last item of business within the last day or the last week of this session of Congress. I do not want that situation to exist, not only because of the food stamp situation, but also because there are many items in the pending bill which are very important and which are needed to be made available as quickly as we can do so; and I think they can be made available quickly, because there are few differences between the Senate and the House measures.

The principal item that occurs to me now is the item which we adopted this morning covering the supplemental request for an amended amount for the school lunch program for $216,500,000. A goodly portion of that will be spent in the States in implementing the recently expanded child nutrition program. Some of that amount has to be available during the summer and, of course, before school starts in September. I would dislike very greatly to see this bill held up in conference because of any unwise action we took on this food stamp measure in such a way as to handicap the full operation of the new school lunch program, which we are all so interested in, and which we passed almost unanimously. That program requires this additional amount of $216 million, some of which is in the bill under the amendments adopted today.

So, Mr. President, I realize there are few Senators in the Chamber at this moment to listen to the argument, but I want the record to show that regardless

of the outcome we are warning the Senate that any action to raise the food stamp item substantially—and the $500 million raise is certainly substantial—is apt to, and in my opinion almost certainly will, bring about a long delay in conference because it will have to await passage of the authorization bill on food stamps which will itself require a heavy conference.

I shall have to serve on both conferences. I do not look forward with pleasure to either experience but I want the record to show, in the first instance, that we strongly object to this large increase in the food stamp item from $1,250 million, the budgeted amount and the amount in the House bill, to $1,750 million.

Mr. HRUSKA. Was there a comparable situation last year in connection with the same postponement on the food stamp bill and the consequent handicapping of the administrative features of the program?

Mr. HOLLAND. Indeed, such a situation did occur. Remember, we rushed through a $750 million emergency appropriation, and we did not get it back from the House, and then we reduced the amount to $610 million, and for a period of months, as the Senator will recall, it held us up on the agricultural conference.

Mr. HRUSKA. The bill was passed in full and did not become law until November as a result of that long delay.

Mr. HOLLAND. I foresee the same delay in this matter, except I think this is apt to be a much more serious delay because it involves so much more money and the question has become such a grave question between the philosophy that seems to prevail over in the other body and the philosophy which prevails in the Senate. I cannot see any answer, except that we would be exceedingly unwise to place in the bill this added one-half billion dollars for the food stamp program.

Now, Mr. President, the Senator from South Dakota has been frank in talking to me, and in talking to the Senator from Louisiana (Mr. ELLENDER), chairman of the agricultural legislative committee. We appreciate his frankness. Following his discussion with me, I called Mr. Lyng, Assistant Secretary in the Department of Agriculture, to get him to give us the benefit of his thinking on this matter. I also asked for a copy of his testimony which the Senator from South Dakota had told me he had given before a meeting of the Select Committee on Nutrition and Human Needs, which is chaired by the Senator from South Dakota.

I understand that the hearing was on June 19, a copy of which I hold in my hand, and was furnished me by Mr. Lyng as a copy of his testimony given at that time, which I shall be happy to make available to the Senator from South Dakota. I have no reason to suspect in any way that this is anything but an accurate copy of what was said by Mr. Lyng before the Senator's able select committee. The letter from Mr. Lyng to me was sent at the same time he sent one to the Senator from Louisiana (Mr. ELLENDER). The letters are almost identical. There is no contradiction between them. Apparently the Senator from Louisiana asked his question in a little different way and the replies are, therefore, slightly different, as will appear from the two letters.

I shall not at this time ask for the introduction of the letter to the Senator from Louisiana into the RECORD because he is not in the Chamber and I take it he may wish to introduce it later.

The Senator from Louisiana (Mr. ELLENDER) is presiding now over a full meeting of the Appropriations Committee, less the Senator from Florida, and he is marking up one of the appropriation bills downstairs.

The letter which Mr. Lyng, Assistant Secretary of the Department of Agriculture, wrote to me reads as follows:

JULY 7, 1970.

HON. SPESSARD L. HOLLAND,
U.S. Senate.

DEAR SENATOR HOLLAND: Thank you for your phone call this morning regarding the amount the Administration has requested for food stamp expenditures in the 1971 budget.

We have requested $1,250,000,000 for the food stamp program in fiscal 1971. These funds will allow us to operate the program in the 1747 counties where it is presently operating, and in 307 counties or independent cities, including New York City that are now in the process of initiating a food stamp program or changing over from commodity distribution to food stamps. The $312 million which we have requested for commodity distribution—

That is a separate appropriation in the bill, Mr. President. I continue to read—

will allow us to provide family food assistance in all those counties which have not requested the food stamp program.

At the present time, 5.9 million persons are participating in the food stamp program. An additional 4.1 million are taking part in the commodity distribution program. The total of 10 million individuals receiving family food assistance is far greater than the 7.9 million beneficiaries of the federally supported AFDC program and on a level with the total participation of 10.8 million in all federally assisted welfare programs. We anticipate that the funds requested for the food stamp program will allow us to increase participation in that program by the end of fiscal '71 to more than 7.5 million individuals, a substantial increase above present levels.

I repeat that sentence because it seems to me it makes it clearer than ever how unwise and unnecessary it will be greatly to enlarge the present amount for food stamps in the bill. That sentence reads:

We anticipate that the funds requested for the food stamp program will allow us to increase participation in that program by the end of Fiscal '71 to more than 7.5 million individuals, a substantial increase above present levels.

Continuing reading from the letter:

On June 18 of this year, we designated 77 counties that had applied to change from food stamps to commodity distribution for participation in the stamp program. This means that every county that had made an official request for the food stamp program as of June 12 of this year is now either operating such a program or gearing up to do so.

The Administration's request for food stamps in fiscal '71 represents a five fold expansion over the $251 million that was spent on this program in fiscal '69, and a doubling of the fiscal '70 level. This $1.250 billion request is a major part of the more than $2.5 billion that the Administration has requested for programs to deal with hunger and malnutrition in the coming year. In addition to the large increase requested for the food stamp program more than $900 million has been requested for child nutrition, a $320 million increase over fiscal '70 funding. We are moving to expand both the food stamp and child nutrition programs to effectively utilize the increased funds that we have requested.

Sincerely,

RICHARD LYNG,
Assistant Secretary.

Now, Mr. President, I realize that people can be mistaken in their estimate of what they can do, but I think that this letter and the letter to the Senator from Louisiana, which I shall not place in the RECORD at this time or until he can come into the Chamber, make it quite clear that the administration thinks the $1,250,000,000 will do the job for 1971.

Mr. President, it is true that mistakes may be made in that there may be a time when the amount we supply now will seem to be inadequate. All I am saying is that we do not even know what the amount to be authorized is going to be until an authorization bill is passed. It is quite possible that the authorization bill will be larger than $1,250 million, in which case we will have plenty of latitude to go into a supplemental bill if it is needed. If it is not larger than $1,250 million, we can always in that case follow the expeditious way followed by the Senator from Louisiana twice in the recent past. As I have already pointed out, we almost by unanimous consent met the needs in this field by the passage of emergency legislation which caused no trouble at all.

I think it would be a major mistake—and I speak from having sat in conferences on this subject and other subjects in the Committee on Agriculture and Forestry for about 18 years, I believe, or something like that—for us to put this amount in the bill. It is for that reason that I oppose it so strongly. I can foresee what I think is the most probable result that would follow. The full school lunch program increase would be held up until the conference report can be passed on the bill, which would be very unfortunate. The conference report may be the very last thing we ever get around to before we leave at the end of this Congress. I think that is very likely to be the case since the House committee has now announced that they are dividing the farm bill and the food stamp bill. They are reporting the farm bill first and the food stamp bill later, having in mind the strong feeling that exists on the part of some of our colleagues in the Senate and at the other end of the Capitol and the troubles that we have run into in the past in this field, as mentioned by the distinguished Senator from Nebraska.

I think the Senator from Nebraska almost understates the trouble that we had last year, because we were trying to get a conference for 3 or 4 months before we ever got a conference. And the conference could not be held until certain authorization had been passed.

I think we would make a very great mistake in putting this increase in the bill. I cannot state my position any more strongly than I have. I think it would be a complete mistake. I am pleading with my distinguished friend, the Senator from South Dakota, who I know has heartfelt interest in this program, along the line I have already stated.

I do not believe I have withheld anything from him, as I said earlier, except that I had not received the letter from Secretary Lyng when I discussed the matter with him.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, in order to make this point clear, earlier today amendments were agreed to which resulted in additions of $216 million to implement the new school lunch program.

Mr. HOLLAND. The Senator is correct. That was done without opposition. They were agreed to by unanimous vote of the Senate.

Mr. HRUSKA. It is very likely that the House will concur, in that the House also approved the substantive legislation which is the basis of that action.

Mr. HOLLAND. My feeling is that both Houses are rather proud of the substantial increases in the school lunch program passed recently by joint action of the two Houses and with the approval of the President.

Mr. HRUSKA. Mr. President, it is a dramatic improvement which I am confident will receive nationwide approval.

If no agricultural appropriation bill is approved into law sooner than was the case last year, which was the latter part of November, does that mean that this improved and expanded school lunch program will not go into effect in September?

Mr. HOLLAND. It certainly means that the various plans which will take place this summer cannot be completed. It certainly means that the actual beginning of the feeding part of the program cannot begin until a few weeks after the legislation has passed.

Mr. HRUSKA. Mr. President, if the experience of last year is repeated, that would mean after the first of January 1971.

Mr. HOLLAND. Mr. President, in my judgment it is quite possible that would be the result. I think it is more than possible. I think it is probable.

Mr. HRUSKA. Even a slight probability would certainly be a weighty factor in considering the several courses so that it would move forward and not prevent the programs from proceeding, either the food stamp, the commodity distribution, or the school lunch program.

Mr. HOLLAND. The Senator is correct. And the conclusion the Senator from Nebraska draws is exactly what I have been trying to say. He states it better than I did.

Mr. HRUSKA. Mr. President, I would consider it a very serious responsibility that anyone would undertake action which would result in that consequence.

Mr. HOLLAND. Mr. President, I cannot think that Senators would vote to take that action if they thought this would be the result, because they are too interested in the food stamp and the school lunch programs and the family assistance program. The food stamp program dovetails with the commodity program, although they are provided for by different appropriations. And the appropriations for the commodity program is not at issue here. There is no issue between the two Houses. The amount is $212 million.

I cannot believe that if Senators were here to hear the debate, there would be any very great division on this point.

I think that more Senators would feel that we should not take the chance of proceeding in this fashion. There would be a very great chance of defeating an early start on the standard school lunch program and defeating the authorization not only for 1971, but also for the following food stamp programs by putting this kind of provision in the bill.

I think I stated this to the Senator from South Dakota heretofore. The House repeatedly acted more vigorously than expected when it put the $1.25 billion in the House agricultural appropriation bill. I am very grateful to them for having done so, considering the troubles we had last year and up to now this year.

I was greatly pleased and I think that my friend, the Senator from Nebraska, was greatly pleased that the item of $1.25 billion for food stamps is in the bill.

Mr. HRUSKA. The Senator is correct. Our pleasure was, I think, of commensurable degree.

Mr. HOLLAND. Mr. President, as far as I am concerned, I will do everything in my power to get a quick authorization bill. However, we cannot move until the House passes an authorization bill. And they cannot move until a bill comes out of the committee.

All I know is that here is a subject that has been very argumentative in conferences heretofore and is apt to be so again. And here is a subject which will almost surely hold up the school lunch program and its very beneficial enlargement.

I do not want to be a party to it, and I will not be a party to it. But I do not want any other Senator to be a party to bringing about that result. That is why I am making these statements clearly so that everyone can hear them if he comes to the floor. Just as surely as we put this provision in here, in my judgment, we will delay the beneficial effects in an expanded school lunch program and, indeed, the funds in the bill. And we would delay effective authorization of a real food stamp program. We would delay any action on the agricultural appropriations bill.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. McGOVERN. Mr. President, I do not want to delay the matter. First, let me add my name to the list of Senators paying tribute to the long and dedicated service of the distinguished Senator from Florida. I have the greatest admiration and respect for my good friend from Florida. Does the Senator from Florida recognize the fact that even if we accept the House proposal of $1.25 billion, that would have no relevance until the House authorizes an equal amount of money. In either case, whether $1.25 billion or $1.75 billion, we have to wait until the House authorizes it.

Mr. HOLLAND. The Senator is correct. However, he has not taken into consideration some of the factors that I want to mention. The first factor is that the pending food stamp legislation is not only for 1971, but is also for a period of years.

Second, the pending food stamp legislation has many substantial changes in it. My feeling is, as I have already said, that the Senator from Louisiana, who has a peculiar influence in this field in both bodies, would have little difficulty if we get a conference report on the appropriation bill based on $1.25 billion, and if we came to the end of the fiscal year and spent the $300 million provided by the supplemental bill, in getting a temporary measure through, just as he was successful in doing last year and just as he was successful in doing when we were debating the supplemental bill. In both cases his actions were approved in the House. We had no trouble in the House. We should not rock the boat, but go ahead and get the conference report approved.

Mr. McGOVERN. Mr. President, the Senator's argument would carry more weight if the House voted any figure at all. Over there it could depend entirely on the authorizing process catching up with it.

Mr. HOLLAND. That is the case, but that is the case which existed last year. It will be remembered we rushed through a $750 million emergency measure here. It was some time before they took it up. They passed it at $610 million and the Senator from South Dakota was gracious enough to realize the personalities of the matter and accept that rather than $750 million.

The Senator would have preferred the $750 million just as he would now prefer the $1.75 billion. I am not asking him to change his views on the modification of the ceiling for the new food stamp legislation. I am asking him to look at these practical facts as related by one who has been through these conferences for years, both on the agriculture appropriation and agriculture legislation providing for food stamps. My feeling is we are playing with fire if we put $1.75 billion in this bill at this time.

I cannot desist from making that statement in being fair to the distinguished Senator.

Mr. McGOVERN. I appreciate that.

Mr. HOLLAND. I state that based on the possibilities. I would say they are more than possibilities. I think they are such strongly probably events that we can almost surely count on seeing them develop as we go along.

Mr. President, that concludes my original statement. If the Senator from

Louisiana does not come in before we conclude, I will take the liberty to place in the RECORD the letter to him from Secretary Lyng.

Mr. HOLLINGS. Mr. President, I have listened very closely to our distinguished senior colleague from Florida. Only earlier this morning I joined in the colloquy in praise of the distinguished Senator because I find no one more logical and no one more assiduous in his duties both on the floor of the Senate and in committee. I have worked with the distinguished Senator on the Committee on Agriculture and Forestry.

We have a difference with respect to the problem of hunger. Mr. President, when you hear the Senator from Nebraska and the Senator from Florida using such expressions as "grave mission," "grievous error," "impossible to pass," "do not rock the boat, and all those other things, they belie one single fact, and that is the fact that we have a policy on a particular problem in America known as hunger.

We have debated here for 7 weeks about a policy on limiting the battlefield when there is a war, but no one—all the best people—ever suggested that we really should fight a $5 billion war, a $7 billion war, or a $1 billion war, or a $28 billion war which we are fighting. You just cannot measure the war in the action of the enemy, and the same is true with respect to hunger.

How, in the Lord's name, can we expect to say forthrightly we have a policy in this Government—the President has said so—with which we are confronting the problem of hunger? The Vice President and everyone comes forward and they say, "Yes, we are meeting the needs," and then they measure the needs, not by those who are hungry but by some legislative action on the other side of the Capitol.

My distinguished friend started off by saying he knew he was taking an unpopular position to oppose vigorously the proposed increase. I believe just the opposite. I know what is popular. Over in the House of Representatives they have 174 committees, I say to the Senator from Nebraska. They have 174 committees—ad hoc committees, special committees, subcommittees, study committees, staff committees, committees to find the Congressman from New York down in Bimini; they have all kinds of committees, but no Committee on Hunger, and those Representatives are pretty astute politicians.

If Representatives from the Senator's State or from my State thought for a second that the hunger cause in America was popular they long since would have formed a special committee, such as we have, headed by the Senator from South Dakota (Mr. MCGOVERN).

It is not popular to go ahead. They say everything is impossible. You cannot get them to agree. The reason for its unpopularity is the failure to appreciate the problem because hunger is always identified politically. How can anyone really say how many people are in the hard-core hungry or in that middle area of suffering from malnutrition, totaling some 25 million? Habitually in Congress we have fallen into the income measure trap.

We go to the Department of Agriculture and they say for an economy diet the figure is $3,720 a year for a family of four, and those below that figure are poverty stricken.

Nobody believes it because in many cases it is not true. The Select Committee on Nutrition and Human Needs places the figure up to $4,500; the President's White House Conference has asked for a minimum income of $5,500; someone else suggested $6,500. The voters in Nebraska and in Florida are saying, "All you people in Congress are doing is to develop two classes—taxpayers and tax eaters. We are not going to stand for it, and we oppose the food stamps." That is why it is unpopular.

Back in July 1967, when the Surgeon General came to testify in Congress, he said—and I am quoting from the best of my memory—"This great United States has studied malnutrition in over a dozen countries of the world, but never in America." According to the Surgeon General, "I cannot tell you how many are hungry in the United States."

So Congress then directed the Department of Health, Education, and Welfare to institute this study and under Dr. Arnold Schaeffer they launched the survey in 10 States.

Unfortunately, it is not conclusive yet, but in my State we have enough to talk facts. I have to talk facts when I oppose my distinguished friend, the Senator from Florida.

We found the political facts and figures heretofore rendered were on the minimal side. Let me digress just one second about the survey made by the Department of Public Health in my State of South Carolina looking specifically for those who would be eligible under the emergency feeding program where the poor are medically diagnosed as suffering from malnutrition. This program serves lactating and pregnant mothers and children under six.

In Beaufort County and Jasper County under this administration—with credit to Secretary Hardin—for the first time free food stamps were made available to the poorest of the poor.

Under the companion program—emergency feeding, operating in several counties, individuals came in and they were diagnosed by State health officer Dr. Kenneth Aycock; Dr. Parker Jones, of Beaufort, the county health officer; and other county health officers.

They found 1,700 children and 300 mothers, making a total of 2,000 people, who could be medically diagnosed as hungry.

Dr. Aycock is a conservative. His father is chairman of the South Carolina House Ways and Means Committee. He is not a "peacenik"; he is as conservative as any red-blooded American ever has been. Dr. Jones is also a conservative. Dr. Aycock asked all of my State's health officers for an estimate of how many persons were eligible for this program medically projecting and determining that 170,000 were hungry and needed food and were suffering from malnutrition. I then asked the good doctor to project that to include minors over 6. What about those over 6?

The distinguished Senator from Florida reached the idea that, somehow, the school lunch might be a help for them. Where are these hungry? Many do not even get to school. Of the 15 million who compose the hard-core hungry, half of them, 8 million, are children. Many do not get to school. They need food now, and they are not being fed.

Dr. Aycock projected his estimate to the other age groups and the elderly, both male and female, and found 300,000; that is, medically. That is not difficult to fathom when we realize that in the 1960 census 75,000 families in my home State had an income of less than $1,000 a year. That is less than $100 a month. They comprise some 413,472 people. That was in 1960. That is between one-fifth and one-sixth of all our families at that time.

There is the target. There is the measure. The measure is not the House. They cannot see them. They will not understand it. They will not go into their own backyards. Hunger is within a mile's circumference of anyone, I do not care where you go in America. It has been found officially in South Carolina by HEW, under the survey of Congress.

Mr. President, I shall limit my remarks, because other Senators want to speak, but I ask unanimous consent to have included in the RECORD a statement headed "Present Status of the South Carolina Nutrition Survey," by Dr. Malcolm U. Dantzler, assistant State health officer, State board of health, a comparison of biochemical test results to date in South Carolina with other State results by percentages in deficient, low, and acceptable categories, and other pertinent data, as well as an article which appeared in the Charlotte, N.C., Observer of July 2, 1970, written by James K. Batten.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESENT STATUS OF THE SOUTH CAROLINA NUTRITION SURVEY

The South Carolina Nutrition Survey is a part of a national survey of the incidence and location of serious hunger and malnutrition and health problems incident thereto which was directed by the Congress in December 1967. The national survey was begun in 10 States which were selected because of their representation of larger geographic areas, their mixture of rural and urban population, and their economic, ethnic, and socio-cultural patterns. Also considered were such factors as the concentration of migrant labor, infant and maternal mortality rates, and food distribution and welfare programs. The States selected were Louisiana, Texas, New York, Michigan, Kentucky, California, Washington, West Virginia, Massachusetts, and South Carolina.

In each State, a contract was made with the State Health Department and/or one or more medical schools to conduct the survey. I was responsible for the development and general supervision of the work in South Carolina for the State Board of Health.

Because there were not enough funds or

manpower available to survey all population groups of the 10 States selected, it was decided to concentrate in the quarter of Census enumeration districts which had the lowest median income in 1960. Care was taken to insure that urban and rural areas were appropriately represented and then around a hundred Census enumeration districts were selected at random in each State for the survey. In each of the districts selected, a segment of about 75 houses were located on a sketch map by the survey staff. Then a trained interviewer visited every third house to explain the purpose of the survey, secure participation by the household members, fill out a preliminary questionnaire about the home and its inhabitants and invite the household members to come to a nearby center to complete the survey work in a day or two. Meanwhile another staff member made arrangements for use of a building, usually a school, convenient for the residents of the surveyed segment. We provided transportation to and from the center for those needing it. We paid $3.00 for each household member who completed the entire survey procedure in recompense for their time and trouble. This is another factor which weighted our sample on the low income side. Our field team found that fewer middle and upper income people were willing to give 90 minutes or more for the work at the center. Still another factor which added a bias to our findings was the requirement that no discrimination be permitted in the employment of our staff. I believe that racial prejudice was a factor in the refusal of some people to participate in the survey.

All in all, though, we did relatively well in citizen participation. We had 4,850 who completed the survey procedures out of a maximum potential of 9,200 people so we surveyed a little over 50% of those eligible. Participation in the 16 counties in which enumeration districts were selected for the survey ranged from 15 per district in Pickens to 89 per district in Lee County.

Another factor affecting the pure scientific accuracy of our survey is the change in the socio-economic characteristics of Census districts between 1960 and 1970. Some areas which were mostly inhabited by poor people in 1960 are now the home of people in better financial circumstances as a result of urban renewal and subdivision development during the past decade.

The techniques for the National Nutrition Survey in the United States were built on the results of similar studies which our government has sponsored in 33 undeveloped nations of the world. Assessment of the nutritional state of a large population is complicated because of the number of nutrients involved and the existence of subclinical deficiencies which are not readily recognized. The five avenues of approach used in our survey were medical, biochemical, dietary, dental and socio-economic.

The purpose of medical assessment in a nutrition survey is to detect recognizable physical signs and symptoms of deviation from health due to malnutrition. It included a medical history and examination by a doctor, anthropometric measurements, and wrist X-rays. The physical examination was designed to reveal outward signs providing clues to the individual's nutritional past. The medical history included diseases such as infections or parasitic infestations which influence absorption and metabolism of nutrients independent of dietary intake.

Biochemical measurements of the levels of nutrients in body tissues and fluids indicate current or recent nutritional status. Depletion of body stores of nutrients is the first downward step in the development of nutritional deficiency disease. As the deficiency progresses, functional impairment occurs and, finally, the physical changes characteristic of a clinically manifest deficiency disease appear. Biochemical measurements, therefore, enable us to identify people in danger of nutritional disease as well as those with frank malnutrition.

In our study, the levels of the following were determined in the blood: hemoglobin, hematocrit, total protein, albumin, Vitamin A, carotene, Vitamin C, folic acid, iron and iron binding capacity; and, in the urine, we tested for glucose, protein, creatinine, thiamine, riboflavin, urea nitrogen and iodine.

All of these tests have not yet been completed. However, our preliminary findings are favorable compared to available findings from other States. The following figures compare the percentage found below acceptable levels in the overall preliminary data from Texas and South Carolina, grouped without regard to age, sex, or other characteristics:

	Texas	South Carolina
Hemoglobin	8	10
Hematocrit	22	11
Plasma carotene	1	0
Plasma vitamin A	18	8
Serum vitamin C	12	5
Total serum protein	16	1
Total serum albumin	19	1
Urinary thiamine	9	1
Urinary riboflavin	19	7

I don't know how the food enrichment laws of Texas compare with those of South Carolina. However, anyone who has traveled in West Texas could easily imagine that variations in agricultural productivity might well be a factor in the more favorable nutrition status of the poor in South Carolina.

When our data is further analyzed it will undoubtedly reveal higher deficiency percentages in the more susceptible population groups than the overall averages just quoted.

In the dietary assessment, our team obtained data on levels of nutrient intake, source of nutrients, food habits, preparation practices, and attitudes about food. These facts will be highly significant in interpretation of our medical and biochemical findings. They will also be basic to planning dietary changes and modifying or initiating new programs which influence food habits and consumption. The solution to problems uncovered by medical and biochemical assessments demands knowledge of the eating habits and the available foods in an area, as well as the people's purchasing power.

The dental exam included an evaluation of dental health and the condition of periodontal tissues. While all dental pathology is not caused by inadequate nutrition, it is often closely associated with diet. Caries may be associated with a low fluoride intake and spongy, bleeding gums with vitamin C deficiency. Inability to bite and chew due to decayed or missing teeth leads to selection of soft and easily swallowed foods which often are deficient in some essential nutrients. Periodontal disease is seriously aggravated by poor nutrition.

Socio-economic data collected by the field team included economic status of those examined, ethnic background, the interest in nutrition by local authorities, educational opportunities, kinds of food available and the food distribution programs in effect.

All in all, our survey team recorded approximately 200 items of information about each family and about 300 additional items about each individual participating in the survey. As we saw 4,800 people in 1,100 households this adds up to some 1,660,000 facts. In addition, we have 50 to 100 supplementary items pertaining to special groups subject to nutritional risk such as children under 3, adolescents, pregnant and lactating women, and the aging over 60 years old.

Our field survey work began last October and was completed on March 24. We are now in the process of coding and editing the data and placing it on punch cards. Our contract with the Federal Government provides for us to deliver a complete set of edited punch cards. We are relying on the Federal agency for computer analysis and interpretation of this data. We hope to end up with a second set of punch cards from which we can extract supplementary information.

Our survey staff has consisted of a small administrative group and a central laboratory unit in Columbia and the field unit which visited the 101 enumeration districts selected in 16 counties. Since the examination centers were usually in schools, their clinic work usually began about 3:30 P.M. and at times lasted as long as 2 A.M. The field team included around 28 persons.

When I first learned about the plans for this survey, I felt it was an impossible job because I didn't think it was possible to find qualified people who would accept temporary work for six months traveling all over the State and working long and unusual hours. I am pleased to have with me today two key people who were very instrumental in making the survey possible—Dr. Harry Ridgley who was Field Director and Miss Eleanor Moore who was Director of the Dietary Interviewers. Both Dr. Ridgley and Miss Moore have had survey experience in other States as did a number of our field team. This is one of several ways in which we have benefitted by being the last of the 10 States to complete the field work.

I regret that the complete findings of the South Carolina Nutrition Survey are not available at this time. However, I hope that this summary of the who, what, when, where, how, and why of the survey will be helpful background for your understanding when the final survey results are presented to you.

Presented to: South Carolina Dietetic Association.

By: Malcolm U. Dantzler, M.D., Assistant State Health Officer, State Board of Health, April 3, 1970.

COMPARISON OF BIOCHEMICAL TEST RESULTS TO DATE IN SOUTH CAROLINA WITH TEXAS RESULTS BY PERCENTAGES IN DEFICIENT, LOW, AND ACCEPTABLE CATEGORIES

	Deficient		Low		Acceptable	
	South Carolina	Texas	South Carolina	Texas	South Carolina	Texas
Hemoglobin	9	3	31	5	60	92
Hematocrit	7	4	35	18	58	78
Serum protein	0	7	2	9	98	84
Serum albumin	1	3	11	16	88	81
Vitamin C	1	4	3	8	96	88
Riboflavin	6	6	21	13	73	81
Thiamine	2	1	8	8	90	91
Vitamin A	8	2	24	16	68	82
Carotene	0	0	3	1	97	99
Average (percent)	4	3	15	10	81	87

COMPARISON OF PERCENTAGE OF TEST RESULTS LESS THAN ACCEPTABLE STANDARDS

	South Carolina 1970	Texas 1968	Montana 1961	Guatemala 1965	Honduras 1966	Costa Rica 1966	Panama 1967
Hemoglobin	40	8	9	3	5	4	5
Carotene	3	1	4				
Vitamin A	32	18	62	11	22	17	6
Vitamin C	4	12	1	4	2	2	6
Serum protein	2	16	2		10	8	7
Serum albumin	12	19	3				
Thiamine	10	9	7	25	11	49	48
Riboflavin	27	19	16	33	11	4	24
Average (percent)	+16	13	13	15	10	14	16

Source: South Carolina State Board of Health, April 10, 1970.

LABORATORY TEST RESULTS OF BLOOD AND URINE SAMPLES FROM 10 COUNTIES SURVEYED I N THE SOUTH CAROLINA NUTRITION SURVEY 1969-70

Type of test	Number of samples	Deficient		Low		Total not acceptable	
		Number	Percent	Number	Percent	Number	Percent
Hemoglobin	2,120	185	8.7	663	31.3	848	40.0
Hematocrit	2,304	153	6.6	817	35.4	970	42.0
Serum protein	1,201	2	.16	26	2.1	28	2.26
Serum albumin	1,201	12	1.0	126	10.5	138	11.5
Vitamin C	1,141	13	1.1	29	2.5	42	3.6
Riboflavin	1,251	72	5.7	268	21.4	240	27.1
Thiamine	661	12	1.8	51	7.7	63	9.5
Vitamin A	1,348	106	7.8	323	24.0	429	31.8
Plasma carotene	1,350	1	.07	38	2.8	39	2.87

PERCENT ACCEPTABLE LABORATORY TEST RESULTS OF BLOOD AND URINE SAMPLES FROM 10 COUNTIES SURVEYED IN THE SOUTH CAROLINA NUTRITION SURVEY, 1969–70

County	HBG.	HCT.	Serum protein	Serum albumin	Vitamin C	Riboflavin	Thiamine	Vitamin A	B Carotene
Chester	78	60	98	88	93	82	84	75	95
Lancaster	67	55	100	67	100	93	93	78	100
Pickens	82	67	100	88	88	100	100	100	100
Greenville	81	74	96	72	93	77	87	80	95
Spartanburg	71	60	93	76	100	80	94	69	96
Lee	45	54	100	86	98	63	89	72	95
Florence	56	60	100	96	91	70	92	72	98
Williamsburg	52	50	95	84	97	74		63	96
Georgetown	59	59	100	97	99	69		65	99
Aiken	74	64	96	96	96	82		61	99

SUMMARY: PERCENTAGE UNACCEPTABLE BIOCHEMICAL VALUES[1]

	States					
	New York	Michigan	Kentucky	Texas	Louisiana	South Carolina
Hemoglobin	10.0	19.0	16	20	41	37.6
Hemocrit	18.0	26.0	21	24	28	42.0
Vitamin A	4.0	22.0	24	41	15	33.9
Vitamin C	3.0	.4	8	12	14	2.5
Riboflavin	3.6	13.0	9	21	16	27.6
Thiamine	3.5	6.0	6	10	10	7.8
Serum albumin	4.0	4.0	3	16		7.9

[1] Preliminary except Texas and Louisiana.

NUMBER OF PARTICIPANTS BY COUNTY—SOUTH CAROLINA NUTRITION SURVEY, 1969–70

County	Number of enumeration district's surveyed	Number of participants
Chester	4	128
Lancaster	2	77
Pickens	1	21
Greenville	5	138
Spartanburg	7	276
Lee	6	539
Florence	9	433
Williamsburg	9	460
Georgetown	6	426
Charleston	13	550
Aiken	7	251
Bamberg	4	183
Calhoun	4	220
Colleton	7	387
Beaufort	5	394
Richland	10	312
Total	99	4,795

[From the Charlotte (N.C.) Observer, July 2, 1970]

FEDERAL STUDY—"ALARMING" MALNUTRITION REPORTED AMONG S.C. POOR

(By James K. Batten)

WASHINGTON.—Federal nutritionists, in a landmark study still under tight wraps, have documented for the first time the prevalence of serious and widespread malnutrition in South Carolina.

Of the 4,900 persons examined—a sample said to be heavily weighted with low-income Negroes—38 per cent were anemic enough to need medical attention. And 34 per cent had serious Vitamin A deficiencies.

"The situation in South Carolina is alarming," declared one federal scientist who is familiar with the still-confidential findings.

The study, now in the final stages of tabulation and analysis, was part of the 10-state National Nutrition Survey, authorized by Congress in 1967 to determine the dimensions of malnutrition in the United States.

So far, the Department of Health, Education and Welfare has publicly disclosed the results from only two states—Louisiana and Texas. Data from the other eight will be made public in the next few months.

Anti-hunger forces in Congress and HEW have hoped that the survey's results would dramatize the nation's malnutrition problem in a scientific and indisputable manner, silencing skeptics who insist that the problem is not really serious.

The other states included in the survey are Michigan, Kentucky, New York, West Virginia, Washington, California and Massachusetts.

Information obtained by Knight Newspapers indicates that malnutrition in South Carolina is among the most serious in any of the 10 states.

One HEW official, recalling similar U.S.-sponsored nutrition surveys in underdeveloped countries, declared this week that the recent findings in South Carolina are "very similar to what we found in Central America."

In South Carolina, Dr. Malcolm Dantzler, the assistant state health officer and project director for his state's portion of the survey, said Wednesday that he had received no official tabulations from Washington.

But when told of the federal findings, Dantzler said he was not surprised.

"It's an indication that action needs to be taken," he declared. "This is something that should be remedied in a civilized world."

In each of the 10 states, families were chosen at random within the poorest 25 per cent of the states' census enumeration districts.

But in South Carolina, Dantzler said he doubted that random selection was achieved—primarily because many whites refused to cooperate with the well-integrated nutrition survey team.

"Our results," Dantzler insisted, "are only representative of the poor, non-white population of the state."

In Washington, HEW officials have confirmed that the presence of Negro staffers on

the survey team generated local white opposition to the project in some communities.

In one unidentified county, a white sheriff raised questions when he saw a Negro staff member entering the home of a white family. The sheriff later maintained that he had not been informed of the survey.

The survey included Beaufort County, a coastal area whose hunger problems have attracted national attention, plus Columbia, Florence, Charleston, Greenville and Walterboro.

The most stark indicator of malnutrition disclosed by the S.C. survey was widespread anemia. Preliminary results showed that 38 per cent of those surveyed had hemoglobin (red blood cell) levels in the "unacceptable range."

Of the six states for which preliminary results were obtained, South Carolina's per cent was exceeded only by Louisiana, which had 41 per cent deficient hemoglobin among those surveyed.

By contrast, Texas had 20 per cent, Michigan 19 per cent, Kentucky 16 per cent and New York only 10 per cent.

South Carolina's data also showed unusually high rates of vitamin A deficiency, with 34 per cent. Only Texas—with 41 per cent—had a higher rate among the six states.

About 28 per cent of South Carolina's sample had unacceptable riboflavin levels, the highest in any of the six states.

Mr. HOLLINGS. Mr. President, the study referred to in the Charlotte Observor was not a casual survey, but a detailed survey of 4,900 persons in 16 different counties.

So, for the first time, intelligently, on the floor of the U.S. Senate, and in a legislative body, we show hunger, which is not depicted on a TV screen by politicians who like to estimate numbers at political rallies or at parades or otherwise, but on the basis or the foundation of medical hunger on the part of 38 percent of those 4,900, who were suffering anemia in South Carolina.

There are the facts. That is how we measure how much to appropriate.

Mr. President, do you build Rome in 1 day? Obviously not. Do you solve the hunger problem in one fell swoop or in one appropriation? Obviously not. But what does the Senator from South Dakota ask for? He says a year ago we were feeding 6 million with food stamps and commodities, or 25 percent of the 25 million poor. At the present time we are feeding about 40 percent, or 10 million.

Under his minimal increase—not impossible, not disastrous, or otherwise—but, rather, $1.750 billion, we would be feeding 48 percent, or approximately 12 million.

The administration comes in and, in one breath, says "fiscally impossible," but then it submits, in the next breath, $4 billion for family welfare assistance, guaranteed family income, or whatever you want to call it, but it amounts to $4 billion.

What we are trying to deal with is the beginning point of the poverty cycle—hunger in America.

It was practically put on the back burner had it not been for the Senator from South Dakota and his distinguished committee.

Mr. President, I have many other remarks I could make, but I think it would be disastrous not to support this increase. I vigorously support it.

Mr. Lyng says at the present time we are feeding 5 to 9 million with stamps and $1.250 billion would allow expansion of the food stamp program. We would jump from January of last year—and we are talking now in July, an 18-month period—from 100,000 to over 200,000 in the State of South Carolina alone. We have doubled it. As the Senator from Massachusetts knows, only 30 percent of those eligible are participating; 70 percent are still not participating. That is how to measure the appropriation. Do not measure it by what a legislative committee, which is on the other side, says is impossible. We heard that argument and voted on the Cooper-Church amendment. We do not use that measure in the Senate, the most deliberative body in the world. We look at the need, the problem, in this case medically indicated, and we begin to attack and approach this problem, which in the end is the most economic way.

If one has been on the executive level and has seen adult care at the hospitals, at the State penitentiaries, at the other institutions, he sees some of the results of not feeding children. Do not be persuaded by the argument that providing food for people is going to result in indolent and apathetic children and adults and that it is un-American. We know that the cost of keeping the same persons in penitentiaries is $10 a day. It is much more economical to feed people than to jail them. We find we have to bring in the truant officer and the psychologist and the job trainer and the jailer and the policeman. All the mechanizations described are at high prices and high cost. But let us get down to those medically proven to be in need of food in the United States of America. We have the legislative equipment to do it.

I strongly urge the adoption of the Senator's amendment.

SENATOR BROOKE URGES INCREASE IN FUNDING FOR FOOD STAMPS

Mr. BROOKE. Mr. President, poverty can be defined in many ways. It means crowded, inadequate, and often unsanitary housing conditions. It means lack of heat and hot water. It means just one pair of shoes and a thin coat in the winter. It means, sometimes, poverty of the spirit—no books, no time for travel, no change to appreciate the wondrous creations of art and music and nature. But perhaps most basic of all, particularly to the children of the poor, poverty can mean hunger.

For a child whose parents are poor, poverty can mean no milk or fresh fruit and vegetables; it can mean no meat on the table. For these youngsters, poverty appears most plainly in the single piece of bread, spread with gravy or sugar, that is breakfast or lunch or dinner—or sometimes all three. This unbalanced diet can be translated, cruelly and irrevocably, into a lifetime of poor health, into mental deficiencies, into an inability to concentrate on classroom teaching or on a job. And it can be passed on to future generations who inherit structural and mental disorders directly related to the dietary deficiencies of their mothers.

For statistical purposes, poverty has been defined as an annual income of $3,553 or less for a family of four in 1968. Regionally, of course, the real poverty level varies considerably: a family of four on an Arkansas farm might live more comfortably on $600 in cash income per year than a similar family in Chicago that earned $6,000 per year. But taking the dollar level established as most reasonable by the Social Security Administration, 25.4 million Americans are poor.

In 1939, the Congress established the first food stamp program designed to expand the purchasing power of low income families, and not incidentally to expand the market for farm products. Today, according to the administration's own estimate, the Federal Government provides food assistance to 10 million Americans. This still leaves 15.4 million Americans, who are officially classified as poor, untouched by the food distribution programs.

The Nixon administration has made great strides in expanding the food distribution programs. Approximately 330 new counties have been included in the food stamp program, and an effort is being made to expand distribution to all counties where the need exists. In addition, under President Nixon's leadership, free food stamps have been made available for the first time to those in the very lowest income brackets, and at reduced prices for other needy families.

Mr. President, last year the Senate authorized $2 billion to be spent on the food distribution program in fiscal 1971. The House has yet to act on this authorization, and consequently we are already operating the program on the basis of a continuing provision contained in the last supplemental appropriations bill. But this should not deter us from acting in a way that will demonstrate our clear and urgent concern that the program be expanded to meet existing needs.

According to the U.S. Department of Agriculture, at least 14 million persons are in need of immediate food aid. And Under Secretary of Agriculture Richard Lyng testified just last month that they anticipated some very real problems in the coming fiscal year because the present level of appropriations is insufficient to meet demand.

The budget request for fiscal 1971 was for $1.25 billion. In view of the fact that the program is presently costing $100 million per month, it is easy to see that the full $1.25 billion could easily be consumed in 1971 with no room for expansion at all. In fact, if one takes into account the impact of inflation, it is even conceivable that we could feed fewer people for $1.25 billion in fiscal 1971 than are presently being accommodated under the program.

We cannot afford to freeze the program at such a level when there is such clear need for expansion. Secretary Lyng himself has said, in regard to expanding the food stamp program:

It is beginning to be very apparent to us that counties which may want to switch to

food stamps will have to be denied because this appropriation figure will be insufficient.

In my own State of Massachusetts, the need for expansion is critical. Many communities are presently scheduled for new programs. Several Massachusetts communities where the need is clearly evident have not yet applied for funds. And even in those communities where food stamp programs are presently in operation, administration of the programs is often just getting underway, and many more families need to be brought into the process.

For all of these reasons, Mr. President, I believe that the figure of $1.25 billion requested by the administration and recommended by the Appropriations Committee is too low to meet present needs.

President Nixon, speaking just a little over a year ago in announcing an expanded antihunger campaign, stated as the goal of his administration that all poor families should be provided with enough food stamps, at prices they could afford, to purchase a nutritionally complete diet. He envisioned expanding the food distribution program to all counties in the Nation. And in order to accomplish this goal, he conceived of an expenditure in fiscal 1971 of $2.5 billion for all food distribution programs to the poor.

Mr. President, I believe that these are worthy goals. And I believe that they can only be achieved if we commit ourselves to spending what is necessary to relieve our fellow citizens of the crushing burden of hunger. As the President has said:

> Something very like the honor of American democracy is at issue—America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself for all time.

The pending amendment would increase expenditures for food stamps from $1.25 billion to $1.75 billion. It is a step in the right direction which, I believe, is in the deepest interest of our Nation and all our people. I urge its overwhelming adoption.

Mr. President, I wish to commend the distinguished Senator from South Carolina (Mr. HOLLINGS) for his most eloquent and persuasive argument in defense of expansion of the food stamp program.

I have great respect for the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Nebraska (Mr. HRUSKA), and I know they have done a great deal to promote the progress of the food stamp program in this country. I commend the President and others who have reduced the cost of food stamps.

I think the best estimates are that there are 25.4 million people in the poverty category. The distinguished Senator has eloquently said that the U.S. Government is providing food now for 10 million people. That still leaves 15.4 million people who are not getting the benefits of the food stamp or food assistance program.

As in the State of South Carolina, so also in my State of Massachusetts, many more communities are finding a need for the food stamp program.

I want to commend the distinguished Senator from South Dakota, for he had the original intent that the program be expanded to $2 billion. I think it has been well stated in testimony that the $2 billion could be adequately used and still we could not achieve our goal.

When we consider the fact that we have inflation and the fact that the present program is costing $100 million a month, actually would not be able to expand the program at all with the $1.250 billion. We might be getting less for this program, because of inflation, in fiscal 1971.

If we are able to adopt this amendment in the Senate and show some momentum in this program. The conferees will go into conference asking for $1.750 billion and be able to get some agreement.

The program ought to be going forward; there is no question about that. People are starving in this Nation. We are sending food to foreign countries, trying to feed foreign people, saying, "Well, we ought to send some food to Biafra."

That is good; we should send some food to Biafra.

They say, "We ought to send food to Latin America."

That is good; we ought to send some food to Latin America. But I think we also ought to send some food to the United States of America, where people are starving today—in South Carolina, in Massachusetts, in South Dakota, and in Florida as well.

So I think this is one of the most important programs we have going for us in this country. I cannot see that it would be conscionable for us to go into a conference with anything less than $1.75 billion.

Again I commend the distinguished Senator from South Dakota for realizing the urgency. I think he is sympathetic to the problems of the distinguished Senator from Florida and the distinguished Senator from Nebraska, who have this problem in conference. We all know what the problems are. We know we have to economize. But we say this is not the place to economize. We must move forward in this food stamp program, and I urge my colleagues to overwhelmingly adopt the amendment.

Mr. HRUSKA. Mr. President, I believe we all ought to realize that this is not a debate, not a contest, between a certain number of individuals who want to eliminate hunger and some others who oppose efforts to eliminate hunger. This is not a contest between someone who feels that there should be more money available for the purpose of doing that task and those who believe in economizing.

I know of no one who is more enthusiastic and more devoted and dedicated to the proposition of the declared objective of removing hunger from the list of ills which afflict America than the Senator from Florida, the Senator from Louisiana, or, as a matter of fact, the Senator from Nebraska. All of us want to make progress in this battle against hunger. As a matter of fact I think it could be cause for a little resentment, if there is any implication or any suggestion that there are those who, for the sake of economy, want to deny either food stamps or distribution of commodities to those who are hungry, if it could be done.

The course advocated by those who seek to raise this appropriation to $1.75 billion would likely hinder and delay the very efforts they seek to advocate, namely, to get this program into high gear, get it going, and get it moving. On the other hand, the course of the Senators from Louisiana, Mississippi, and Nebraska in the Appropriations Committee will result in a certain and early implementation of this program. There is no question about that.

If we follow the Appropriations Committee recommendations, this action will occur yet this summer, Mr. President—not in December and not in January, as it did last year, but this summer, and very likely next month, if things go according to the schedule which has been outlined by the Senator from Florida. I hope we will not make the mistake we made last year. Mr. President, the agricultural appropriation bill became law in the latter part of November—I believe right after Thanksgiving, if I remember correctly. On December 2 of last year, which would be within a week or certainly not more than 8 or 9 days after the enactment of the law, there was announced from the Department of Agriculture the general outline of the modifications of the food stamp program, which was more than doubled by the amount of $610 million that was approved in that law.

On December 18, Secretary Hardin detailed the two major features: First, to give more stamps to recipients; and second, to lower the requirements for participation. The program was expanded.

Mr. President, had there been, last summer, a following of the very procedure which the Senator from Florida outlined so clearly earlier today, those actions to expand and to improve the food stamp program would not have been taken in December of last year; they would have occurred as early as August. Speaking of those who favor the alleviation and the elimination of hunger—who are they? They are those who insist upon closing their eyes to parliamentary handicaps which are as real as life, or those who say, "Well, let us double the amount, and prove to the world that we are for eliminating hunger".

It seems to me we ought to be realistic. It seems to me that even if the course indicated by the Appropriations Committee is followed, if there be such an expenditure of funds that the funds appropriated herein will be inadequate to do the job which has been outlined, and if the authorization bill for the food stamp program be sufficiently large, recourse to the supplemental appropriation bill can always be had. Meantime we are going to gain 3 or 4 months. In my book that is a long, long time when you are dealing with the pangs of hunger in the type of situation described so well by the Senator from South Carolina.

Now, then, what is the situation with reference to what we will be able to do with this $1.25 billion which can go into effect soon?

A careful review of the food stamp pro-

gram clearly indicates that the budget request of $1.25 billion is adequate to support and enlarge the program in 1971. The Department of Agriculture has informed me that all requests for the program that were on file on June 12 have been honored. Thus the program is expanding in line with the States' eagerness to expand it. And because sources within the State must finance local operating costs, the program cannot expand any faster than the States request expansion.

The 1971 budget request already has provided for a major geographic expansion of the program. In the early months of fiscal 1971, some 300 new areas will be entering the program, including New York City. Additionally, under the liberalized program, even higher rates of participation will be achieved in 1971 compared with 1970.

The important part to remember is that all of this expansion can be funded under the budget request of $1.25 billion. That amount is over four times the amount spent in 1969, Mr. President. It is more than double the amount authorized for the fiscal year that ended last June 30.

The food programs of the department are on the move, and they do reflect President Nixons commitment to eliminate hunger for all time in America, and the dedicated leadership of the Secretary of Agriculture, Mr. Hardin, certainly indicates that.

The whole Senate has supported this effort in both the family feeding and the child nutrition programs. I concur that we should not and we cannot take any action that would slow down further progress on the food front. But I emphasize again, an appropriation of $1.25 billion for food stamps will support a substantially larger program in 1971. By fall, food stamp programs will be operating in over 2,000 areas in the country. This is an increase of some 300 areas from the 1,747 in operation on June 30.

More people will be participating in the 1,747 operating areas. Since the program was liberalized in December of last year, participation in operating areas has increased by over 60 percent, and new families are joining the program every week.

Current funding levels have permitted the Department of Agriculture to keep pace with demands for the program. Over 10 million people in needy families are now receiving food assistance under food stamps or commodity distribution. The local officials elect which of the two programs best meet their needs, and this is as it should be. We cannot force a stamp program on a State or an area. In funding the stamp program, therefore, we have to take this into account.

There are many demands upon Congress for funding a wide variety of domestic programs. We will do the Nation's needy a disservice if we overappropriate for one food program at the expense of equally critically programs to meet some of their other needs.

That is why I urge the approval of this budget request of 1.25 billion. It is double the amount for 1970, and it is adequate to meet the amount in 1971.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HRUSKA. Reference has been made to the statement by Mr. Lyng in testimony before a committee of Congress, in which he is reported to have said:

> The acceptance of the food stamp program has been such that we may have some very real problems in the coming fiscal year 1971. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure will be insufficient.

Mr. President, I do not know in what context this testimony was given. I do not know what context there is in connection with that testimony. But even on the basis of that statement, I repeat this proposition, which I believe is sound: If an effort will be made to substantially increase that figure, we can well contemplate the high likelihood of a delay of anywhere from 3 to 4 months, and it may well be 5 months, before we get to the point of having money available under that increased food stamp. That is not a pleasant prospect to face.

Let us take the alternative. Suppose we do run short, as suggested by Mr. Lyng. Suppose the time does come that we are going to meet the difficulty to which he refers as a possibility. The recourse is available to us of coming before Congress with a supplemental appropriation, and we can go forward without dropping a stitch, without missing a beat.

It seems to me that ordinary commonsense would lead us to take the course of action that is prudent, that is certain, that will enable us to go ahead without the delay and without the continuing pangs of hunger that these hungry people are going to have, just because there are some who seek a big amount which will not be available for several months, as opposed to a more modest and prudent approach to the problem, as has been carefully designed and deliberately chosen by the Appropriations Committee who are well acquainted with the parliamentary and the political practicalities of the situation. I see no reason to apologize for it. This is a political world. This is an arrangement whereby we proceed under rules and under the minds, judgments, and decisions of a composite of men, not one person or even a few persons. When we find that to be the fact, we ought to be guided by it.

I close with this note: This is not a contest between a group of people who want to eliminate hunger and those who do not want to eliminate hunger. Certainly, those from the Appropriations Committee cannot be considered in any event in a group who are not devoted as assiduously and as diligently and in as dedicated a fashion to eliminate hunger as anyone else.

It is my hope that the pending amendment will be rejected.

Mr. DOLE. Mr. President, let me associate myself with the remarks just made by the distinguished Senator from Nebraska. We are all aware of the politics of hunger and know which side is the popular one.

I emphasize what has been said by the Senator from Nebraska. This is not a contest of those who on one hand wish to prolong the problems we have in America with reference to malnutrition as opposed to those who want to do more.

Let me say, in a very positive way, that we have made great strides in the malnutrition program in the last few years. For example, in fiscal 1969, the total expenditures for the food stamp program, the commodity program, child nutrition, and other food programs was approximately $1.2 billion. In fiscal 1970, that was increased to about $1.6 billion, and budget requests for fiscal 1971 are about $2.5 billion. So it indicates the tremendous increase under the positive leadership of Secretary of Agriculture Hardin and President Nixon.

In December 1969, Secretary Hardin announced a liberalization of the food stamp program—designed to reach more people with more help. These changes were placed into effect by cooperating State welfare agencies as rapidly as possible.

I would guess that the only way we could describe the changes that have been brought about is by the use of the word "dramatic," because this is the only word that adequately describes the results. By May of this year participation in food stamps had increased by 62 percent over participation in December; the total amount of additional food purchasing power—the value of bonus coupons—was up 251 percent over December; the per person amount of assistance was up 114 percent over December.

The food stamp program was operating in 1,747 areas of the country on June 30, and another some 300 areas were planning to open programs, including New York City. Thus, there will be a significant geographic expansion of the program this fiscal year with the appropriation of $1.25 billion.

The budget request of $1¼ billion, therefore, is sufficient to fund the current program and to permit substantial geographic expansion. It may well be possible to extend the program to even more than 300 areas later on in the year. But, even now, the budget request will allow for the largest annual expansion of the program since the Food Stamp Act was passed in 1964.

I believe that the $1¼ billion is adequate to meet expansion needs. I am informed by the Department of Agriculture that, as of June 16, there were no requests—not a single request—for the program that had not been honored.

So it is not a case of applications piling up in the USDA and no money to process the applications or to meet those requests. In other words, the Department of Agriculture has been able to keep pace with requests for the program under its current funding plans for 1971.

Where local officials have elected to help needy families under the commodity

distribution program, equal stress is being placed on program improvements by USDA. A total of some 20 high-quality foods are available; Federal funds are available to help States and localities provide better services to the participating families; and food quality is being enhanced by enrichment and fortification.

In May, a total of 10 million people in needy families received food assistance as a result of food stamps or commodity donations.

Food programs are on the move, thanks to men such as the distinguished Senator from Florida (Mr. HOLLAND); the distinguished Senator from Louisiana (Mr. ELLENDER), who was perhaps the father of this program; the distinguished Senator from South Dakota (Mr. MCGOVERN), the chairman of the Select Committee on Nutrition and Human Needs; the distinguished senior Senator from New York (Mr. JAVITS), and many others who have insisted that we move ahead with reference to food programs. So food programs are on the move; and at a funding of $1.25 billion, over four times the amount will be spent in fiscal 1971 as was spent in fiscal 1969.

Concluding on a positive note, I believe that we have made great progress. We have made this progress because of the positive leadership in Congress and the positive leadership in the executive branch through Secretary Hardin and President Nixon. So I say that, notwithstanding the difficulties that might be encountered because of something that could happen in the other body, we can fund the program with a $1.250 billion appropriation. If necessary, as pointed out by the Senators from Florida and Nebraska, we can always have a supplemental appropriation later this year. But that the $1.250 billion is adequate now.

Let me say again, that this is double the request of last year. In fiscal 1970, the amount appropriated for food stamps was $610 million. This year, the amount appropriated by the Appropriations Committee is $1.250 billion. This does mean expansion. This does mean that the food stamp program is on the move. It does not mean that the Appropriations Committee or those who support the Appropriations Committee for one moment want one person in America to go without adequate food. So far as I know, no one is starving in America today, despite the comments made, despite the TV commentaries, and the documentaries. There is no starvation in America. Yes, there is malnutrition, which we are attempting to reach through efforts of the legislative branch working in concert with the executive branch.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement of Mr. Richard Lyng, Assistant Secretary, before the Select Committee on Nutrition and Human Needs, on June 19, 1970.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. RICHARD LYNG, ASSISTANT SECRETARY

Mr. Chairman, and Members of the Select Committee: Thank you for this opportunity to discuss the Department of Agriculture's accomplishments toward meeting the food needs of hungry people. I consider it a dramatic record of achievement.

Ten million people in needy families are today benefiting from either the Food Stamp Program or the Commodity Distribution Program. At the time of President Nixon's "Hunger Message" to the Congress on May 6, 1969, that figure was only 6.9 million.

Except in a handful of the nation's 3,129 counties and independent cities, one or the other of these family food assistance programs is now available or in the final planning stage. A little over a year ago, 440 counties in the nation had no program and no plans for one.

Over the past year, expanded school and non-school food service programs have enabled us to reach some 5 million needy youngsters daily with free or reduced price lunches. A year ago only 3 million children received such free or reduced price meals.

That's a capsule of the record. This morning I'd like to review how we achieved today's levels and touch upon our plans for the future.

The hard work, persistence, and cooperation of many people from Federal, State, and local governmental agencies, the Congress, and the private sector—all have made possible the progress I report to you. A key factor, too, is the new agency—the Food and Nutrition Service—organized last summer by Secretary Hardin shortly after the President's message. This agency specializes and concentrates its efforts on the administration of the Federal food programs, and has strengthened the local-State-Federal system of carrying out nutrition activities.

FOOD STAMP PROGRAM

The Food Stamp Program was dramatically expanded immediately following approval in late November of the 1970 USDA appropriations. The amount of money available to the Department for the Food Stamp Program was more than doubled. On December 2, we announced the general outline of the modifications and on December 18 Secretary Hardin detailed the two major features: (1) To give more stamps to recipients, and (2) to lower purchase requirements for participation. The level of stamp issuance is now $106 per month for a family of four. This amount varies by size of family. At the present time, no more than one-third of the recipient's total income is required to receive food stamps, and most participants need pay no more than one-fourth.

Our latest figures—for May—show an estimated 5.9 million people being served by this program. They received a total of nearly $87 million in bonus coupons during May—up from $24 million last December, prior to introduction of the new schedules. That's 3½ times as much in only 5 months.

NO PROGRAM COUNTIES

We have conducted a campaign since the President's message to make family food programs—either food stamps or donated commodities—available in all the 440 counties which on May 6 a year ago had no family food assistance program nor plans for one. By June 30 that number will, we think, be down to less than 20. We are making every effort to meet the President's goal to get a food program commitment for every one of these last few counties.

COMMODITY DISTRIBUTION PROGRAM

Our Commodity Distribution Program has been improved, too. Participation in May reached an estimated 4 million people in needy families. Participants under this program plus those receiving food stamps, add up to nearly 10 million people reached by a family food program last month.

The commodity program has been strengthened, too, in several ways. A greater variety is available in most distribution centers. New, specially enriched or fortified foods are being offered. And the help of a $15 million allocation of USDA funds has enabled the States to help start new programs and improve existing ones by setting up additional distribution points, establishing better storage facilities, eliminating restrictive distribution polices, and making food available at all seasons of the year. These improved delivery systems are making it possible for more of the needy to utilize a greater variety of the 23 foods we make available than they have in past years.

CHILD NUTRITION PROGRAMS

The focus of our child nutrition programs has been re-oriented to emphasize feeding children from poor homes—particularly those who attend old, poorly-equipped city schools without kitchens or cafeterias. The goal was set last December to reach 6.6 million poor children by Thanksgiving. Substantial progress has been made toward that goal, as I earlier indicated. Recent legislation will make possible programs which will produce further increases.

The Food and Nutrition Service is now giving top priority to the development of the required Federal Regulations under P.L. 91-248. In order that all concerned individuals and agencies can have equal opportunity to submit their views on the scope and content of these regulations, we intend to publish them, first, as proposed regulations. The final regulations will be issued after considering all comments and suggestions received.

The time for this is short—State educational agencies need to have maximum lead time in planning how best to implement the new legislation in thousands of local schools. Yet, we felt it to be in the best long range interest of children to have the benefit of the advice and counsel of all interested groups in formulating the new regulations.

QUALITY OF PROGRAMS

While we have concentrated much effort during the past year in getting family food programs into the reluctant counties, we have also devoted positive attention to making the programs more fully effective—to try to meet the needs of all of the poor in each of the nation's 3,129 counties and independent cities.

This Committee recently invited two U.S. Army Captains to testify on the study they made last summer for the President's Urban Affairs Council. Their report expressed concern about procedures for monitoring and evaluating local food stamp programs. We share this concern, and the Department is actively involved in the review of State and local operations. FNS is now monitoring program operations in several ways. These are:

Onsite evaluation by field and regional personnel.

Administrative reviews of State and local operations.

Investigations of specific complaints received, including those individual recipients.

Independent audits and investigations by the Office of the Inspector General.

Special studies and surveys.

We still have a need to strengthen the systematic review and evaluation of program effectiveness at the local level. In order to improve our field organization, a management consulting firm was employed last December and has recently completed its study. Included in the recommendations are some which emphasize the need to develop better

evaluation techniques and more effective use of our field organization. These recommendations are now under intensive review to determine how best to proceed. We are confident that the changes which will result as we implement the recommendations will be a major step forward in the improvement of our monitoring and evaluation system.

One of the great needs, in addition to providing food or food stamps to needy people, is to assist them in using these resources wisely and nutritiously. We are especially proud of our USDA-Cooperative Extension Service nutrition aides. More than 6,800 of these workers, hired from among the people they work with, have served over 500,000 needy families, throughout the land. The results in terms of improved nutrition and household food management have been a real and heartwarming success.

Secretary Hardin has said that America has "turned the corner" in its drive to eliminate hunger and malnutrition. We cannot, we will not slow that drive, for we all know that much more remains to be done.

We are grateful to this Committee for your continued interest in ending poverty caused hunger and malnutrition. We thank you for the opportunity to appear before you today.

Mr. ELLENDER. Mr. President, I regret that I was unable to be here to listen to all of the debate today. Since 2:30 p.m., I have been presiding over the Appropriations Committee as its acting chairman, considering the legislative appropriation bill.

I merely desire to reiterate what I understand has already been said on this floor today, that we should be practical in our approach to the food stamp program.

Late last spring, it will be recalled, the Senate sent to the House a resolution to increase the amount of the expenditure for fiscal 1970 from $340 million, as I recall it, to $750 million. That resolution remained in the House for several months without action. In November of last year, a resolution was finally approved by both Houses, but instead of providing the $750 million which the Senate had voted in the spring, the amount was cut back to $610 million.

The Appropriations Committee has provided in this bill $1.25 billion for the food stamp program during this fiscal year. The House approved a similar amount but yet the full program cannot be put into operation unless we have a new authorization bill enacted.

It strikes me, as was stated by my good friend from Kansas (Mr. DOLE), that the amount provided by the Appropriations Committee is a great increase over last year. Tremendous progress has been made in the program. My fear is that if the present amendment is adopted, we will have great difficulty in getting the program authorized once again. Unless the amount is authorized, the subcommittee will be unable in conference to come to a decision as to how much to provide for the program.

Under present law, the amount authorized is only $170 million. That is all the committee is authorized to provide. Yet the House approved $1,250,000,000, and our Appropriations Committee provided the same amount. All we need to make this available at present would be a resolution adopted by the Senate and House authorizing that amount and thereby providing the $1,250,000,000 for the food stamp program's operation at its current level.

This is a far cry from the amount spent last year. Mr. Richard Lyng, Assistant Secretary of the Department of Agriculture, in his testimony before the Nutrition Committee on June 19, 1970, stated that the amount of money being spent at present is $86 million per month.

The bill in its present form would provide $100 million per month—a considerable increase.

I think that shows great progress. If the House finally acts on the food stamp bill now before it, it may be that more money can be provided by way of an authorization. If the House does provide a greater sum than this, it can easily be provided through a supplemental bill.

I am hopeful that the Senate will vote realistically. It is my considered judgment that if we adopt what the Senate committee and the House provided for, the $1.250 million within the next 4 or 5 days we can get a resolution enacted by the Congress authorizing the amount approved. In that way the agricultural bill can be placed on the statute books. If we have no authorization, we will be in the same fix as last year, when the agricultural appropriation bill remained in the hands of the conferees for about 6 or 7 months before agreement could be reached. What was the reason for the delay? We had no authorization for the food stamp program.

I, therefore, hope that the Senate will sustain the work of the Appropriations Committee. Let me give assurance that as soon as that is done, I will convene the Committee on Agriculture and Forestry, of which I am chairman, and present the resolution authorizing the $1.250 million for the food stamp program for this fiscal year. I am sure that if that is done, we can persuade the House to pass such a resolution. I am sure that agreement on this approach can be obtained, because the House has already acted on the proposal to provide the $1.250 million in this bill in order to administer the food stamp program.

Now, Mr. President, I wish further to state that we will be spending $312,745,000 on commodity distribution during fiscal 1971. The committee this afternoon added $216 million more for that program. We will now be spending on child nutrition $901 million; and with the other food programs the total will be $2,540,716,000.

Mr. President, I am hopeful, I repeat, that we will be realistic here. We should forget about the politics in this issue and approve what the subcommittee has suggested; namely, the $1,250,000,000.Within 10 days, I feel confident that we can get the House to approve the authorization for that amount. The Senate, I am sure, will provide for it and we can have the agricultural appropriation bill on the desk of the President within the next 2 weeks. But if we do not do that, it may be 2 or 3 months before we are able to reach a conference agreement on the bill.

Mr. LONG. Mr. President, how much does the Senator say is the total being provided for school lunch programs and the programs for food assistance?

Mr. ELLENDER. Over $2.5 billion.

Mr. LONG. Mr. President, in that total of over $2.5 billion, is the Senator including welfare payments?

Mr. ELLENDER. I am not.

Mr. LONG. It might be well to keep in mind that in addition to the welfare programs, the administration has in committee a welfare bill in which we expect to report such amendments as the committee votes favorably on. We should realize that I think that Welfare payments would increase the amount to $4 billion, and add 15 million people to the welfare rolls. Much of that money would be spent for food if the people want to spend it on food.

Mr. ELLENDER. Mr. President, I do not want to get into any arguments over the welfare program. I am simply suggesting that the Senate act realistically and get the program continued. As I have said, the bill as it is now being presented, insofar as food stamps are concerned, would provide more than $100 million a month, whereas they are now spending about $86 million.

I think, as has been pointed out, great progress has been made. We should keep that up. We should keep the program underway, on a realistic basis that will be workable and responsive to the need, and on a basis that we are sure the House will accept. The USDA has given assurances that under the present level of funding, provided in this bill, no county or city will be left out of a family food assistance program.

Mr. President, I ask unanimous consent that a July 7, 1970, letter to me from Assistant Secretary Richard Lyng of the USDA be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF ASSISTANT SECRETARY,
Washington, D.C., July 7, 1970.

Hon. ALLEN J. ELLENDER,
U.S. Senate.

DEAR SENATOR ELLENDER: Thank you for your telephone call this morning regarding the USDA budget request for food stamps.

We believe the $1.25 billion request is sufficient at this time because:

1. The gains have been impressive:

[In millions]

	May 1969	May 1970	Gain
Participants	3.2	5.9	2.7
Cost per month	$21.0	$86.0	$6.5

2. TOTAL COSTS HAVE GONE UP VERY SHARPLY

[In thousands of dollars]

	Fiscal 1969	1970 (estimate)	1971 (budget)
Food stamps	250,982	610,000	1,250,000
Commodities	285,717	295,275	312,745
Child nutrition	519,781	581,650	901,557
Other food programs	144,852	146,887	76,416
Total	1,201,332	1,633,814	2,540,718

3. Although it may be that there will be enough counties applying for food stamp programs during fiscal 1971 to exhaust the $1.25 billion appropriation, at this time we have approved all counties which have applied as of June 12, 1970. We will be able, within the appropriation, to establish food stamp programs in the 307 cities or counties which are now changing from commodities to food stamps. This includes New York City.

4. We have sufficient funds in the requested commodity appropriation to assure that *no county or city will be left out of a family food assistance program.*

Sincerely,

RICHARD LYNG,
Assistant Secretary.

Mr. SCOTT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, had the amendment come before the Senate at a figure of $2 billion, I would not have been able to support it. We have to consider what is possible, what the other body will do, what final figure will emerge, and what the President's reaction will be.

I myself am hesitant to support any figure that exceeds the budget. On the other hand, I am aware of the likelihood that the House of Representatives will probably arrive at some conference agreement with the Senate on the final figure.

I have been urging some of the sponsors of the amendment to raise the figure to $2 billion to consider a lower sum so that what comes out finally may be more nearly the budget figure than would have been likely had the figure passed at $2 billion.

I, therefore, have to assume some responsibility for having helped to influence the sponsors of the legislation to reduce their original amendment to $1,750 million, which represents a quarter of a million dollars less than the original suggestion. Having accepted that responsibility, I would feel obligated to support the compromise amount.

I realize that there is little or no limitation on the amount which could be spent on the program except the limitations of the Federal revenue in a given year.

While I would like to have stayed with the $1,250 million, having helped to bring about an adjustment downward, which may come still further downward in conference and be, therefore, nearer the budget figure, I have decided that under all of these circumstances and in view of my own participation in the attempt to bring about a satisfactory solution that I will vote to support the amendment.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. CRANSTON). The question is on agreeing to the McGovern amendment as modified.

Mr. GOODELL. Mr. President, we are all deeply concerned about hunger and starvation and near starvation in this country. The point was made earlier in the debate that everybody is in favor of eliminating hunger. The problem is that we are not willing to pay the price to eliminate it. We have large quantities of surplus food rotting away. Yet, it is incredible that we have so many Americans who are hungry.

The reason I have taken the floor is to address myself to the parliamentary situation, particularly with reference to the other body. A great deal has been made of the difficulty we will have in dealing with the other body.

We should all realize that one of the major reasons we are facing difficulties is that we backed into the hunger program in this country. It originated from the agricutural subsidies program when the farmers felt it would be of assistance to them to be able to dispose of surpluses.

The agricultural committees therefore have been charged with the reponsibility of legislating a good portion of the food stamp program. The program is really outside of their jurisdiction, it is related to welfare programs, rather than farm programs.

The situation is particularly acute in the House. Two or three years ago while serving in that body, I was trying to get together a coalition on a bipartisan basis of committees consisting of representatives who were concerned and who wanted to do something about the hunger problem.

Our greatest problem involved the House Agriculture Committee. The members of that committee seem more concerned about the subsidy program and keeping the agriculture program in this country to support the farmers. Their chief interest in terms of food stamps and commodity programs appears to be to get some of the surpluses off the backs of the farmers. I sympathize with the farmers' problem of overproduction. But I think it is very important that we use the surplus commodities intelligently to help the less fortunate in this country. It is also imperative that we put money into the food stamp and other programs to feed those in our country who are suffering from malnutrition and serious health problems; many of whom are disabled for life because of the lack of proper nutrition at a young age.

I think the best way to deal with the problem is to agree to the amendment and for the Senate to stand firm and let the other body know that we are totally committed to providing this necessary money with which to feed our fellow Americans. We should let them know that they might even be jeopardizing some of their hallowed agricultural programs if they do not recognize the realities of the Senate majority.

If we hold up the agricultural appropriations, it will be regrettable.

I think that we need some of those programs. They are very important. I think that we do have to demonstrate to the members of the House Agriculture Committee and to other Members of the House that we do have a firm resolution on this matter. The best way to do it is to provide the funds sought in the McGovern amendment. The amendment is cosponsored by my colleague, Senator JAVITS who cannot be here today but who desperately wished that he could be present. I speak for him, I know, in saying that I hope the amendment will be agreed to.

The PRESIDING OFFICER (Mr. CRANSTON). The question is on agreeing to the McGovern amendment as modified.

Mr. HOLLAND. Mr. President, while Senators are present who were not here when I read the letter dated July 7 from Under Secretary Lyng, who handles this problem for the Secretary of the Department of Agriculture, I want to read one paragraph of the letter.

It reads:

We have requested $1,250,000,000 for the food stamp program in fiscal 1971. These funds will allow us to operate the program in the 1747 counties where it is presently operating, and in 307 counties or independent cities, including New York City that are now in the process of initiating a food stamp program or changing over from commodity distribution to food stamps.

I digress to say that the 307 counties plus the 1,747 counties make a total of 2,054 counties in which these food stamp programs are already operating or will be imminently.

That is in a different part of the bill.

The $312,000,000, which we have requested for commodity distribution will allow us to provide family food assistance in all those counties which have not requested the food stamp program.

In other words, he states in this paragraph very clearly there will be no county or independent city which will not have either a food stamp program or commodity program out of the sum which they have asked us to provide, and which is so much larger than anything ever provided before.

Not only do we have the assurance of the Department to that effect, but also we have the practical facts as stated by the Senator from Louisiana (Mr. ELLENDER). I think some Senators were not in the Chamber when he made his statement. He reminded us that last year when we came to an impasse with the House and we had no authorization bill for this program, that the Senate passed immediately and almost without a dissenting vote a $750 million emergency resolution, which after some weeks was passed by the House in the amount of $610 million, which enabled us to go ahead for the period of time, which was required until we got that bill worked out. He reminded us also that when we were debating the supplemental bill, and when it became clear we had no authorization for any months beginning July 1—and we are now in July—he offered an amendment which was both legislation and appropriation to provide $300 million to be used in the first 4 months of 1971 with the additional provision that when the authorization and appropriation bill had been passed that the amount would be charged against the total of the appropriation for 1971.

He stated, and I think he is so right on this matter I must restate it, that with the $1.25 billion which the House put in and the $1.25 billion which our committee put in, both being the amount the budget requested, he thinks we would

get a conference report without question on the agriculture appropriation bill within a period of days. I think he stated 10 days. I think he is sound in that observation.

The importance of that is that the authorization bill on the food stamp situation is in a terrible fix. We sent it over there last September. It has not been reported there and the last word I have from the committee members is a statement from the chairman of the committee a week ago that they had agreed to divide the bills, the food stamp bill from the farm bill and report them out separately.

Only yesterday one of the members told me they had decided to report the farm bill first and after action on that in the House they would report the food stamp bill. It makes clear that legislation is a long way off and it might be the last thing we do before we go home; whereas, if we come out of appropriations with $1.25 billion in the conference report, on the condition there be some authorizing in September, the Senator from Louisiana, who showed such great influence in this bill and accomplished the two things I mentioned, stated he felt he could get immediate action on a resolution to provide that amount agreed to in both Houses and in the conference report; then, once available as an authorized amount, to move ahead.

The only item I am going to mention is the increase on the school lunch program to $216 million. It is supposed to be set up between now and the beginning of the school year in September, the Senator from Louisiana said, so they will have a much sounder distribution of school lunches in all States of the Union.

I want every Senator to know that in my opinion and in the judgment of the Senator from Louisiana, and the judgment of other Senators who sat on these conferences, the Senator from Nebraska—and someone else made the same statement a while ago—we are taking too great a chance with the fortunes of other people, their lives and food, and the whole program if we were to increase this amount from $1.25 billion to $1.75 billion. I think it would be a tragedy to do it.

I will use my best efforts in conference to work the matter out but I do know what to expect there and I know we will not have anything in conference on the food stamp program, except under the plans over there for several months. I speak of the food stamp conference because, unfortunately, I will have to sit on the food stamp conference and also this appropriation bill. It is going to be difficult if this amount is put in. It will mean a loss not only to the school lunch program. Realizing the appealing nature of a program of this kind and how easy it would be to meet a shortage—I do not think there will be a shortage—but how easy it is to meet such a situation. I think we should go ahead with $1.25 billion and be prepared for speedy handling of the Agriculture Appropriations conference.

I hope the amendment is rejected.

Mr. THURMOND. Mr. President, I stand to oppose the amendment which would increase the food stamp program from $1,250,000,000 to $1,750,000,000. The amount requested by the administration is sufficient and will in fact insure that every city and county will have a family food assistance program. As of June 12, 1970, the applications of all counties which have applied have been approved and the funds necessary to operate such programs have been taken into account. The amount for the fiscal year 1970 was $610,000,000. The present request for $1,250,000,000 is an increase of $640,000,000.

Mr. President, in these days of fiscal difficulty, shall we come here and say that we want to authorize $500 million more than the Secretary of Agriculture has requested for the food stamp program? This would be an increase of 40 percent over the amount requested by the administration and 187 percent over the amount for last year. I do not think that this sizable increase in 1 year is justified or necessary.

It is a basic economic fact of life that excessive spending by the Federal Government is a major contributing factor to the inflationary activity which continues to plague our Nation. It is also basic that the cure resides largely in the exercise of sound economic policies and fiscal restraint by the Congress. If we as a nation choose to ignore these economic facts of life, the future consequences are not hard to predict.

At the end of 1970 our Nation will have a national debt of $373 billion. This is the highest fiscal year-end debt in history. This is a sizable jump over the $357 billion year-end debt for last year. The $16 billion debt increase came during a year when military spending dropped a half billion dollars from the previous year, economic aid expenditures were reduced by $80 million from last year, and space spending was cut by more than $670 million.

Mr. President, the present appropriation request is sufficient for obtaining the objectives of the bill. In my judgment, the amendment to increase the food stamp program funds by $500 million would defeat the administration's objective of curbing the high rate of inflation our Nation is experiencing. This body cannot afford to further contribute to this already serious problem.

Mr. President, I strongly urge the Senate to reject this amendment.

FULL FUNDING FOR FOOD STAMPS

Mr. YARBOROUGH. Mr. President, the distinguished Senator from South Dakota (Mr. McGOVERN) is to be commended for his outstanding and dedicated efforts to feed the hungry people of our Nation. It is with pleasure that I join him as a cosponsor of the amendment to provide full funding of the food stamp program.

The amendment is to raise the appropriation from the $1.25 billion recommended by the committee to $1.75 billion. This figure is much nearer the $2 billion figure authorized by the Senate last fall.

Adequate funding of the food stamp program will permit us to reach the 14 million people estimated to be in need of immediate food aid. This estimate of 14 million people who are not adequately fed was made by the U.S. Department of Agriculture.

Unless this amendment is accepted and the food stamp program is fully funded, some 4 million people will continue to suffer without adequate food. Our present commodities distribution program reached 4 million, the food stamp program reaches 6 million people. Together, these programs reach only 10 million people of the 14 million who are in need of immediate food aid.

Mr. President, in the last several days in our consideration of various appropriations bills, there has been frequent reference to the need to reexamine our Nation's priorities. In my view, providing needed food to the people of this Nation is unquestionably one of the most essential responsibilities of the Government.

This great Nation produces food in abundance. We constantly struggle to control the problem of overproduction in the agricultural area. Let us take action now to halt the cruel irony of letting millions of our citizens go hungry while we concern ourselves with the continuing problem of overproduction.

Mr. KENNEDY. Mr. President, I noted last fall, when we passed the food stamp reform bill that debates about the country's ability to feed the poor pointlessly end in a wrangle about money, loss of personal incentives, and concern over proving the relationship between good nutrition and desired productivity.

Yet, there is more than enough evidence that a poor diet produces an ineffective, nonproductive citizen. My support today, Mr. President, goes to Senator McGOVERN and the other Senators who seek to raise the appropriation for the food stamp program to $1.75 billion for fiscal 1971.

I am constantly concerned about the needs of our hungry poor and the faulty way our Federal assistance programs operate to meet those needs. There are more than 25 million poor people in this country who are indisputably suffering from poor diets because of their low income. An additional 15 million people with marginal incomes also require assistance to improve the quality of their diets. There is no question that because America can feed its hungry citizens, America should feed them. Sadly though, when we are asked to consider food assistance for the poor, we make probing inquiries about the usefulness of an adequate diet instead of getting on with the task of providing for ways to get food to those who need it.

Since the vigorous actions of the Nutrition Committee have spotlighted the extent of malnutrition among America's poor, some changes have begun to appear.

In 1969, there were 3 million Americans receiving food stamps. During 1970, 6 million got stamps. Today, we are here to guarantee that for 1971 there will be 8 million of the poor to get food stamps. While assistance for those 10 million is vitally important, we must not forget that three times that many people remain to be helped. While we debate here today about the cost of feeding a fraction of the poor, 30 million Americans

with inadequate incomes will continue to go hungry.

Mr. President, I will vote for the measure authorizing an increase of funds for food stamps so that 8 million hungry poor in this country can be included in that food stamp program. But I continue to be distressed by the failure of that program to include all of the people who need assistance in getting the food they need for a healthy diet.

In my home State of Massachusetts, less than one-half of 1 percent of the people with low income receive food stamps. Some of the local administrators up there hesitate to take the initiative to get the food stamp program introduced in their communities. They complain that the costs of administering the stamp program are too high. But even if every community in Massachusetts adopted the stamp program right now, there would be very few of the poor who could afford its benefits.

In Massachusetts, a four-member family with no other source of income receives $300 a month from the State welfare department. In order to receive an allotted $106 worth of food through the stamp program, that family must spend $76 of its $300 monthly income.

For the great majority of such families, that 26 percent of their income is too much to spend for what they believe is not nearly a big enough bonus. That creates a paradox. In my State, a needy family receives more in welfare payments than needy families in almost every other State. But because they receive higher welfare payments than recipients in most other States, people in Massachusetts are effectively penalized by the federally established rules for the food stamp program. Why then, should that Massachusetts family getting $300 a month pay nearly 4 times more for food than a family whose income is two-thirds smaller?

If that four-member Massachusetts family lived in some other State where assistance payments amount to only $100 a month, they could purchase $125 worth of food for about $20. Food assistance programs continue to be based, therefore, on criteria other than need.

Mr. President, I will vote here today for more money for food stamps even though I know that this alone will not improve the food stamp situation in Massachusetts. For the hungry poor who live up there, the most important thing that can be done in this Congress is to provide for an equitable food assistance program—that will make enough food available to those who need it, based on nutritional requirements and not based solely upon ability to pay.

I urge that we vote to increase the appropriation for food stamps to $1.75 billion. I also want to see a program that will adequately serve every American who needs help in providing for a nutritious diet.

In the bill we passed last September, there are provisions to raise the stamp bonus for recipients and to extend coverage to more people. Final congressional action on that bill will help to relieve the problems of the many American families suffering from malnutrition and hunger. Our action here today will determine in large measure, how close we have approached the goals set forth in the commitment made last fall to meet the serious nutritional needs of millions of Americans.

Mr. President, I fully support the efforts made here today to guarantee that the food stamp appropriation will be $1.75 billion for fiscal 1971.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota (No. 763). On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG (after having voted in the negative). On this vote I have a pair with the senior Senator from Tennessee (Mr. GORE). If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. GRIFFIN (after having voted in the negative). I have a live pair with the senior Senator from Illinois (Mr. PERCY). If he were present, he would vote "yea." I have voted "nay." I withdraw my vote and state that if I were at liberty to vote I would vote "nay."

Mr. STENNIS (after having voted in the negative). On this vote I have a pair with the Senator from Connecticut (Mr. RIBICOFF). If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. TALMADGE (after having voted in the negative). On this vote I have a pair with the senior Senator from Missouri (Mr. SYMINGTON). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Montana (Mr. METCALF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

On this vote, the Senator from Washington (Mr. MAGNUSON) is paired with the Senator from Alabama (Mr. SPARKMAN). If present and voting, the Senator from Washington would vote "yea" and the Senator from Alabama would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Tennessee (Mr. BAKER) and the Senator from Arizona (Mr. GOLDWATER) are detained on official business.

If present and voting, the Senator from Maine (Mrs. SMITH) would vote "nay."

The pair of the Senator from Illinois (Mr. PERCY) has been previously announced.

On this vote, the Senator from New York (Mr. JAVITS) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from New York would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from Arizona (Mr. GOLDWATER). If present and voting, the Senator from California would vote "yea" and the Senator from Arizona would vote "nay."

On this vote, the Senator from Kentucky (Mr. COOK) is paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from Kentucky would vote "yea" and the Senator from South Dakota would vote "nay."

The result was announced—yeas 43, nays 28, as follows:

[No. 225 Leg.]

YEAS—43

Bayh	Hollings	Pastore
Boggs	Hughes	Pell
Brooke	Inouye	Prouty
Burdick	Jackson	Proxmire
Byrd, W. Va.	Kennedy	Randolph
Case	Mansfield	Saxbe
Church	Mathias	Schweiker
Cooper	McCarthy	Scott
Cranston	McGovern	Smith, Ill.
Eagleton	McIntyre	Spong
Fong	Mondale	Tydings
Fulbright	Montoya	Williams, N.J.
Goodell	Moss	Yarborough
Hart	Muskie	
Hatfield	Nelson	

NAYS—28

Aiken	Dominick	McClellan
Allen	Eastland	Miller
Allott	Ellender	Packwood
Bellmon	Ervin	Pearson
Bennett	Fannin	Thurmond
Bible	Gurney	Tower
Byrd, Va.	Hansen	Williams, Del.
Cannon	Holland	Young, N. Dak.
Cotton	Hruska	
Dole	Jordan, Idaho	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—4

Long, against.
Griffin, against.
Stennis, against.
Talmadge, against.

NOT VOTING—25

Anderson	Hartke	Ribicoff
Baker	Javits	Russell
Cook	Jordan, N.C.	Smith, Maine
Curtis	Magnuson	Sparkman
Dodd	McGee	Stevens
Goldwater	Metcalf	Symington
Gore	Mundt	Young, Ohio
Gravel	Murphy	
Harris	Percy	

So Mr. McGOVERN's amendment was agreed to.

Mr. McGOVERN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I would like to ask unanimous consent that there be a time limitation of 30 minutes on all further amendments to be considered, with the exception of the Nelson amendment, which I think can be worked out later, the time to be equally divided between the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. COOPER. Mr. President, reserving the right to object, how many minutes? What was the debating time?

Mr. MANSFIELD. Thirty minutes, 15 minutes to a side on each amendment.

Mr. COOPER. Mr. President, I understand that the distinguished Senator from Utah (Mr. Moss) may have an amendment on which I cannot agree to that limitation.

Mr. MANSFIELD. Mr. President, I withdraw the request, and express the hope that the sponsors of amendments will be brief, because of commitments which have been made for this evening months prior to tonight.

LEGISLATIVE PROGRAM

Mr. GRIFFIN. Mr. President, will the distinguished majority leader yield to me?

Mr. MANSFIELD. Yes, indeed.

Mr. GRIFFIN. It may be a little more difficult for him to respond, in view of what has just happened, but I would like to have him give the Senate some indication of what the program will be for the remainder of today and the rest of the week, if possible.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, there is still a possibility that we could finish the pending measure tonight, but it looks doubtful. It is anticipated that if we do not finish tonight, we will finish at a relatively early time tomorrow.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. I ask unanimous consent at this time that when the Senate completes its business tonight, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR GOODELL TOMORROW

Mr. MANSFIELD. I ask unanimous consent that, following the 30 minutes already allotted to the distinguished Senator from Georgia (Mr. TALMADGE) tomorrow, the distinguished Senator from New York (Mr. GOODELL) be recognized for not to exceed 30 minutes, and that following the conclusion of his remarks the Senate proceed immediately to the consideration of the pending measure if it has not been completed.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM CONTINUED — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. If action on the pending measure has been completed, the next item will be S. 3302, a bill to amend the Defense Production Act of 1950, to which there will be a number of amendments proposed. I understand that the first amendment will very likely be offered by the distinguished Senator from Utah, the ranking member of the committee (Mr. BENNETT). It is hoped, if the Senate approves, that it will be possible also tomorrow—whether or not we complete action on the Defense Production Act—to take up the Legislative Appropriation Act, which was reported by the committee unanimously and which I hope will be cleared with the rest of the Senate so that we can move forward on these bills.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. BENNETT. Now that the Senator has announced that if we do not finish at a reasonable time tonight we may go over, can the Senator give the Senate any idea as to what his target closing hour is for tonight?

Mr. ALLOTT. In other words, what is a reasonable time?

Mr. BENNETT. Yes.

Mr. MANSFIELD. Well, about 7:15. If we are close then, I think maybe we ought to forego the pleasure of the ladies' company this evening, and try to finish the bill, and perhaps arrive late at the banquet. But we will see. And if I may repeat my request, I ask unanimous consent that there be a 30-minute time limitation on the amendment to be offered by the Senator from Maryland (Mr. MATHIAS) and the amendment offered by the Senator from New York (Mr. GOODELL), the time to be equally divided between the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NELSON. Mr. President, I wonder if it would be agreeable to set a time to vote tomorrow on my amendment. I would be perfectly happy to put everything in the RECORD and agree on a set time tomorrow morning.

Mr. MANSFIELD. Let us see how things go tonight, and I will talk with the Senator later.

Mr. GOODELL. Mr. President, the Senator did not mention the Gulf of Tonkin resolution.

Mr. MANSFIELD. The rescinding of the Gulf of Tonkin resolution will be either Friday or Monday, as of now.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

FUNDS FOR CONSERVATION RESEARCH

Mr. MUSKIE. Mr. President, I commend the action taken by the Subcommittee on Agriculture, of the Appropriations Committee, in recommending funds for the construction of a soil and water conservation research facility at the University of Maine in Orono.

Faced with tight budgetary restrictions, the full committee has recommended that $600,000 be funded for the construction of this facility which can be of valuable service to the entire New England region. The committee's action reveals an awareness of the increasing need of such research facilities to provide new approaches for the preservation of our basic natural resources.

As Senators may recall, in 1967 $45,000 was authorized for the planning of this facility. Although the planning stage was completed as of May 1969, funds added by the Senate for construction of the plant in 1970 were later deleted in conference. Moreover, since the original authorization for the facility, estimates for its construction cost have risen from $450,000 to $600,000. I offer this information about the increased cost of the facility, and of others of its kind, in further support for the need to proceed with construction now, rather than to permit delay and be forced to incorporate rising construction costs into the building of the plant.

Mr. President, every day we become increasingly aware of the damage we have done to our environment and of the difficulties we face in correcting the problem. The services which facilities of this nature can provide, in conducting research into numerous areas of soil and water conservation, are urgently needed if we are to make progress in restoring the quality of our environment.

I urge Senators to support the committee's recommendation in this matter.

Mr. MOSS. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MOSS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

SEC. 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising or otherwise promoting the sale of tobacco, (4) financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as

amended, or (5) inspecting or grading tobacco.

Mr. BYRD of West Virginia. Mr. President, will the Chair request that the Senate be in order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, will the Chair please request that Senators take their seats?

The PRESIDING OFFICER. Senators will please take their seats.

Mr. MOSS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MOSS. Mr. President, this is a relatively simple amendment, and I think I can explain it rather quickly.

It has to do with price supports for tobacco products. It would prohibit the expending of appropriated funds for carrying out a price support program for tobacco, paying an export subsidy for the export of tobacco, advertising or otherwise promoting the sale of tobacco, financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, or inspecting or grading tobacco.

Mr. President, I am submitting an amendment to cure the Federal Government's schizophrenic approach to tobacco.

As we all know, the Federal Government has over the last few years taken steps to discourage cigarette smoking. In 1964, the Surgeon General's Advisory Committee on Smoking and Health stated that—

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

Since that time the Surgeon General has repeated and strengthened his warning that cigarette smoking is harmful to public health. Congress in 1965 and again in 1969 has required that each cigarette package bear such a warning, and in the Public Health Cigarette Smoking Act of 1969, Congress has ordered that cigarette advertising on American television and radio terminate on January 2, 1971.

This is the "good" side of the Federal Government's schizophrenia. The "bad" side is the millions it spends every year to promote and subsidize the sale of raw tobacco. It is difficult to be exactly sure how the Federal Government is spending in this effort—there is no line item in the appropriation bill, but last year it was estimated to have been around $73.2 million.

This $73 million may not seem like much as part of an $8 billion agricultural appropriation's bill, but when compared to the $5-odd million spent by HEW to combat smoking, it exposes the magnitude of the Federal Government's schizophrenia.

My amendment would put a stop to this two-faced treatment of tobacco. It would prohibit the use of any funds in H.R. 17923, the agriculture appropriation bill, for the purpose of first, carrying out a price support program for tobacco; second, paying an export subsidy to any person for the export of tobacco; third, advertising or otherwise promoting the sale of tobacco; fourth, financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended; or fifth, inspecting or grading tobacco.

I have not sought to bar funds for tobacco research, although I understand a sizable portion of these funds are used in research to make cigarettes better tasting, better smelling, or better looking.

Mr. President, I realize that there are a number of tobacco farmers who might suffer should this amendment be adopted. I have said many times that I would favor economic assistance to tobacco farmers which would encourage them to switch to another crop. This is what the Government should be doing with the $70-odd million it now spends subsidizing tobacco.

We must also realize that another industry, the broadcast industry, will suffer a substantial loss of revenue—one quarter of a billion dollars—because Congress decided that cigarette smoking should not be promoted. No doubt there will be other economic dislocations as the Government seeks to protect the public health.

Simply because smoking tobacco is not illegal is no justification for subsidizing the production of tobacco. Tobacco has no harmless uses, let alone beneficial uses.

Perhaps most indefensible of all the Government's schizophrenic actions is its promotion of tobacco sales overseas. The Government has forced cigarette manufacturers and television stations to accept spot announcements telling the American people that cigarette smoking is dangerous to their health. Yet the Federal Government continues to encourage foreigners to buy American tobacco.

Last year, for example, the Government provided over $30 million in long-term and local currency credits for foreigners to purchase tobacco under the food-for-peace program. This practice defames this otherwise very worthy program. Tobacco is good for neither food nor peace.

The American tobacco industry also receives a hidden subsidy not available to other agricultural commodities except cotton. Under an obscure 1935 law, the tobacco industry is exempt from paying for voluntary grading of the tobacco leaf by the Department of Agriculture personnel. The costs for fiscal year 1971 are estimated to be about $3.2 million.

Mr. President, the time has come to cure this schizophrenia. The Government can help mitigate much of the economic hardship created by withdrawal of tobacco subsidies. It may be painful for some. But the Government should not spend the taxpayers' money to encourage the growth of a crop whose use the same Government says is harmful.

Mr. HOLLAND. Mr. President, I realize the good objectives of the Senator from Utah, and I am not here to quarrel with them at all. I just want to invite attention to the fact, however, that this amendment, if it is adopted, would apply to millions of pounds of tobacco already produced and in warehouses in all parts of the tobacco-producing areas of the Nation. It would apply to hundreds of thousands of acres of tobacco planted this year under the assurance of price support, under laws which were passed by Congress and are still on the books. Each of the activities with which this amendment deals has to do with the use of tobacco either already produced and stored or tobacco in process of being produced, which has been planted under the faith of the continuance of legislation which existed at the time it was planted.

Mr. President, I am sure that the distinguished Senator has not thought of this, and I invite his attention to the fact that we are going to be considering a new farm bill very soon. If there is to be a fight on this matter, that is the place for it to be; because it will then apply, if it be adopted—and I shall not vote to adopt it—but if it should be adopted, and a majority of the Senate and of the House might well agree to pass it regardless of my feeling in the matter, it would then apply, and it properly should in the future, to tobacco produced in the future.

I read from the amendment:

> None of the funds appropriated by this act may be expended for the purpose of (1) carrying out a price support program for tobacco.

That applies to the hundreds of thousands of acres planted already in the State of Virginia; in the State of Georgia; in the State of Kentucky; in the State of North Carolina; some in my own State, though not so much; some in Missouri, though not so much. In Maryland, they have a habit of holding everything produced in 1 year over until the sale sometime the next spring, so I suspect that this would apply to two different crops in Maryland.

Without study, there is no telling how this would apply to many areas to which it should not apply to honestly. The Government cannot change its rule in the middle of the stream, when farmers have relied on assurances given by Federal laws passed and outstanding and which have been in force for years.

Mr. TALMADGE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. TALMADGE. If the Senate were to adopt this amendment, would not the Senate be saying in effect that we cannot rely upon an act of Congress, or give full faith and credit to an act of Congress because we, the Senate, will not honor that act? Would that not be the effect of it?

Mr. HOLLAND. I am sorry to have to admit that is exactly what the effect would be. That is what I have been trying to say. It is an objective which can be properly considered and no doubt will be considered when the farm legislation comes up. I have already indicated how I feel about passage or nonpassage, but that is neither here nor there. I am only one out of 535 Members of Congress. I do not know how others may feel, but I am sure that the great majority of both Houses—I suspect that all—when they think about it, will realize that this great Federal Government cannot afford to place itself in a position of breaking contracts with literally hundreds of thousands of people, many of whom are poor.

For instance, in the State of Kentucky, and also in Tennessee, I believe, where

there are large acreages of tobacco, the average acreage worked on by the average farmer is 3 or 4 acres. This is a blow which those people least able to stand such treatment on the part of their Government do not deserve. It is their Government as well as ours.

Mr. TALMADGE. I understand that in Kentucky, the burley acreage is approximately one-half an acre per farm, on the average. In Georgia the average is about 1 acre per farmer. If the farmer is fortunate or lucky and gets the price for that particular crop, the result of a year's labor may bring him $300 to $500.

The Senate by an overwhelming vote has just passed a food stamp bill where practically all of the tobacco farmers will be the beneficiaries. The result of this amendment would be that the Government would be saying that even though we have contracts with them, to support the price of certain commodities, and that they will receive a certain price per pound for their tobacco, the Government of the United States will not honor a law which Congress passed.

Mr. COOPER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. COOPER. I note that the distinguished Senator from Utah (Mr. Moss) has introduced a bill with the same language as used in his amendment. His bill, I assume, is before the Committee on Agriculture and Forestry. We know of his oft expressed concern about the effects of smoking on health, but this amendment should be defeated.

He was successful, along with others, in securing passage of a bill concerning the advertising and labeling of cigarettes. But I should like to bring to his attention in line with the argument made by the Senator from Georgia and the Senator from Florida, that this tobacco program has been in effect now since the early 1930's.

The Senator talks about subsidies for tobacco. According to my recollection, the actual fact is that in 37 years of the program, the Government has lost no money. Although the Government makes loans on tobacco which is not sold for the support price, this tobacco is stored by the Government and sold by the Government from time to time often at a profit.

Federal, State, and local governments received in 1969 $4.4 billion in taxes from the sale of tobacco. Thousands of people in 14 or 15 States make their living from tobacco. It is still a crop which uses handwork to process. It takes a year and 1 month to raise a crop of tobacco.

A farmer with his children working one acre may receive $1,200 to $1,500. If this amendment should be passed—and it has received no study nor careful consideration—the land values in 14 or 15 States will depreciate and bring economic distress to thousands of tobacco farmers.

This is too important a matter involving the livelihood of many people to be considered as an amendment on the floor of the Senate and to ask the Senate to adopt it.

I voted for the bill of the Senator from Utah (Mr. Moss) last year and limiting the broadcasting of cigarette advertising. But in offering on the floor this amendment which concerns thousands of farm families, many of whom are poor, working a half acre of tobacco—hillside families, I think the Senator would be doing them an injustice. I say that with all due regard to the distinguished Senator from Utah if he proceeds without providing an opportunity for all the facts to be heard by the proper committee.

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ERVIN. In view of the fact that literally hundreds of thousands of people grow tobacco and many of them, as has been pointed out, live in extreme poverty, does not the Senator from Florida think that the amendment should be presented to the Committee on Agriculture and Forestry first, so that the hundreds of thousands of people who have relied upon the promise implicit in an act of Congress may be given the opportunity to be heard?

Mr. HOLLAND. Of course, they should be allowed to be heard. Of course, they are right. They have vested rights, too, which cannot be taken away from them under the law.

Mr. ERVIN. Does not the Senator from Florida know that in the tobacco-growing areas, the people who grow the tobacco in effect mortgage their futures to secure the ability to plan and grow their tobacco, and that the passage of this amendment would result in the impoverishment of hundreds of thousands of people who have relied upon the promise of their Government to sustain them with price supports until they are repealed by a legislative as distinguished from an appropriation act?

Mr. HOLLAND. They, of course, can be heard by a legislative committee and they should be heard by a legislative committee, and they will be heard by a legislative committee, if the distinguished Senator from Utah brings it before us—I do not recall that this was even brought before the Agriculture Appropriation Committee—if I am wrong, the Senator will correct me.

Mr. MOSS. Mr. President, I do not believe it was brought before the Appropriations Committee. There has been a bill pending, however, for some time, to achieve this result. It has not had any hearings yet.

I appreciate what the Senator from Florida, the Senator from North Carolina, and other Senators have said here, except that we are talking on two different wavelengths.

There, of course, is the economic problem. I said that in my statement, when I introduced the amendment, and I have said on the floor of the Senate several times that I know there is involved some economic adjustments which involve hardship, perhaps, so that I certainly would favor any sort of subsidy to help to bridge the gap to get tobacco farmers into another kind of crop that would enable them to earn a living when they no longer raise tobacco, if that is what a tobacco subsidy would do.

But what I present the amendment for is the fact that the Federal Government has already made the finding, and we have confirmed it here in the Senate, that tobacco is harmful to the health. Under the circumstances, it seems to me we are in an inconsistent position, to give money to subsidize the growing and marketing of tobacco when, at the same time, we spend money telling the people that it is harmful to smoke and that they should not do so. I just think we should get ourselves out of that dilemma.

Mr. HOLLAND. The Senator may be right. The place for him to be heard—I suggest to him in a friendly way that this is not the place for that, because it involves the changing of a promise the Government has made to hundreds of thousands of people who have already produced tobacco which is stored, hundreds of thousands who have planted this year's crop.

There may be some areas where the crop has not been planted. But certainly in the South it has been planted long ago. We are now in the month of July.

Mr. ERVIN. Mr. President, I would like to point out that the amendment has not been printed. It was not presented in sufficient time to be printed.

I have in my State hundreds of thousands of people who are dependent upon tobacco. I have in the mountain sections of my State an area where they have one-half acre devoted to burley tobacco. That is the only money crop these people have. It is the only crop through which they can buy shoes to send their children to school.

I respectfully think that, notwithstanding the great feelings of the distinguished Senator from Utah on this matter, the amendment should be withdrawn and there should be hearings upon this matter before a legislative committee instead of having it done in an appropriation bill at this late hour of the day without having had a chance to have hearings.

Mr. HOLLAND. Of course the Senator is correct, and particularly so when the distinguished Senator from Utah states that he expects to try to set up some remedial methods to take care of these people who are hurt. That would of course require legislation which cannot be provided for in this bill.

Mr. ERVIN. Mr. President, this provision would actually bankrupt hundreds of thousands of people in this country, and among them would be the poorest people in the country.

Mr. HOLLAND. Mr. President, I am ready to vote on the matter, but I do hope that my distinguished friend, the Senator from Utah, would withdraw the amendment.

Mr. MOSS. Mr. President, I do not feel that I can do that. However, I would be willing to modify the amendment somewhat to meet the complaint about the tobacco that is already planted and in process, if I would be permitted to modify my amendment by adding another sentence:

This section should not apply to tobacco planted or in process prior to the date of this Act.

That would not affect this year's crop. But it would affect any crops planted hereafter.

Mr. HOLLAND. Mr. President, the appropriation bill is for this year only. The farm legislation which we will be considering in a few days or a week does apply to the future. It does apply to the exact situation which the Senator mentioned. I hope that the Senator will allow his proposal to be handled at that time.

Mr. MOSS. Of course that situation will arise from year to year.

Mr. ERVIN. Mr. President, tobacco has already been planted. It is now in the process of being harvested and sold. These people have mortgaged their future for it.

I sincerely hope that the distinguished Senator from Utah will withdraw his amendment and allow the matter to be handled before the legislative committee.

Mr. HOLLAND. Mr. President, if the Senator does want a vote on this, I would have no objection. I wonder if he would be willing to have a time limitation of 10 minutes, 5 minutes to the side, to be followed by a yea and nay vote.

Mr. MOSS. Mr. President, I would be perfectly willing.

Mr. HOLLAND. Mr. President, I hope that the distinguished majority leader would ask for such a limitation.

Mr. ERVIN. Mr. President, before that, I would like to raise the point of order that this is legislation on an appropriation bill.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, if I could make that request, exclusive of the point of order, I ask unanimous consent that there be a time limitation of 10 minutes, the time to be equally divided between the Senator from Utah and the Senator from Florida.

Mr. ERVIN. Mr. President, I raise the point of order that this is legislation on an appropriation bill. It requires a determination to be made in addition to that provided in the bill to make it workable.

I raise the point of order that it is on an appropriation bill.

The PRESIDING OFFICER (Mr. BYRD of West Virginia). In response to the point of order made by the able Senior Senator from North Carolina (Mr. ERVIN) the Chair states that the phrases "or otherwise promoting" under No. 3 and "or indirectly" under No. 4 create contingencies to the extent that Government officials must make these determinations. Thereby additional duties would be placed on certain Government officials. Under Senate precedent, this would therefore make it subject to a point of order. The Chair sustains the point of order.

Mr. MOSS. Mr. President, I ask unanimous consent to modify the amendment by striking out the words under number three, "or otherwise promoting the sale of tobacco," and to strike in No. 4, "or indirectly."

The PRESIDING OFFICER (Mr. BYRD of West Virginia). Is there objection?

Mr. ERVIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MOSS. I send the amendment to the desk and ask that it be considered.

The PRESIDING OFFICER. The clerk will report the amendment as modified.

The legislative clerk read as follows:

On page 39, between lines 12 and 13, insert a new section as follows:

SEC. 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising, (4) financing directly the sale of tobacco in any foreign country under the Agriculture Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco.

"This section shall not apply to tobacco planted and in process prior to the date of this Act."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation on the pending amendment of 10 minutes, the time to be equally divided between the Senator from Utah (Mr. Moss) and the Senator from Florida (Mr. HOLLAND).

The PRESIDING OFFICER (Mr. BYRD of West Virginia). Is there objection? The Chair hears none, and it is so ordered.

Mr. MOSS. Mr. President, I will not take long. The amendment has already been explained. It has been modified to eliminate the inexact words that brought it under attack and caused a point of order to be raised.

I think it is now perfectly clear that it is an appropriate limitation on the appropriation bill pending before the Senate.

I can only reiterate what I said before. In order to be consistent in the Senate, we in this body who believe that we should protect the public health of this country should at least not be expending Federal funds to encourage people to grow and market tobacco which is injurious to the public health. Therefore, I think it is perfectly appropriate.

Mr. President, may I inquire of the Chair whether or not the yeas and nays which were ordered before apply to the modified amendment?

The PRESIDING OFFICER (Mr. NELSON). They are not applicable.

Mr. MOSS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, the Senate has made it a better amendment, but it is still subject to the point that it changes existing contracts into which Government has entered. I could not possibly support it.

Mr. President, I yield 2 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. BYRD of Virginia. Mr. President, it seems to me that the amendment is such a far-reaching proposal that it is very unfair for the Senate to agree to it tonight. It affects the livelihood of many thousands of individual farmers and their families.

I think it would be highly improper not to give those individuals an opportunity to appear before the Committee on Agriculture and Forestry and present their viewpoint. To adopt the proposal now would be very unfair, in my judgment.

I hope that the Senate will vote to reject the amendment of the Senator from Utah. If the Senator from Utah at a later date does present his proposal to the committee, I hope that the farmers will have an opportunity to present their case at the same time.

Mr. HOLLAND. Mr. President, does any other Senator desire time?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I yield 2 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. COOPER. Mr. President, I want to make a correction of a statement which I made previously.

I said that there had been no losses in the 37-year period. I have since been informed that the Commodity Credit Corporation has experienced losses of $58.8 million in its tobacco program for the entire 37-year period, a loss representing but one quarter of 1 percent of all agricultural losses in this same period. In 11 months of fiscal 1969, the CCC experienced losses in price supoprt programs of all commodities of $2.9 billion while the losses incurred by the tobacco program in this period amount to $4.9 million

This is of great importance to farm people. We are not dealing here with a health program. We dealt with that program under legislation presented by the Committee on Commerce. I think the tobacco people have been very fair, even in connection with the health question. We should be fair to them and give them a chance to be heard. Senators from agricultural States would want to have their farmers given an opportunity to be heard about their programs. Likewise, I think that Senators from industrial States would like to see to it that businessmen be given an opportunity to be heard if their particular industry came under attack.

I urge the Senate to defeat this amendment.

Mr. HOLLINGS. Mr. President, were the Senate to adopt this amendment, we would not only be acting unwisely but uneconomically. Mr. President, since 1933 tobacco taxes have brought $54 billion into the U.S. Treasury. Enough to finance not only the cost of price support on tobacco but the cost of all other agricultural support payments as well three times over. Additionally we hear much of this country's balance-of-payment problems. I would like to point out that one out of every six agricultural dollars earned by this country is a tobacco dollar. And our balance-of-payment difficulties would be compounded with serious results if this amendment is adopted. In view of that fact I urge the Senate to reject the amendment of my friend the Senator from Utah.

Mr. HOLLAND. Mr. President, I am prepared to yield back the remainder of my time.

Mr. MOSS. Mr. President, with regard to what has been said by the Senator from Kentucky and other Senators before him, the modified amendment does have the provision in it that it would not apply to tobacco that has been planted, so it would apply prospectively to any future planting hereafter.

Mr. ERVIN. Mr. President, if it applies prospectively, I raise the point of order that it is out of order because there is no longer a constitutional limitation upon an appropriation bill.

Mr. MOSS. Mr. President, I submit that it simply says the limitation would not apply to what is now in process.

Mr. MANSFIELD. Mr. President, has the point of order been raised?

The PRESIDING OFFICER (Mr. NELSON). Does the Senator from North Carolina raise the point of order?

Mr. ERVIN. Yes, I raise the point of order. It does not limit any expenditures under this bill in its present form.

The PRESIDING OFFICER. The second amendment would be subject to a point of order on the same grounds as the previous one.

Mr. MOSS. Mr. President, I modify my amendment to strike the last sentence. I was just trying to accommodate what certain Senators have been arguing for.

Mr. ERVIN. I object.

Mr. MOSS. Mr. President, I can modify my amendment.

Mr. BYRD of West Virginia. Not when the yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator may modify his amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The amendment, as modified, is as follows:

On page 39, between lines 12 and 13, insert a new section as follows:

"SEC 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising, (4) financing directly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco."

Mr. MANSFIELD. Mr. President, has all time expired on the amendment?

The PRESIDING OFFICER. All time has expired.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I wish to propound a unanimous-consent request which was difficult to obtain earlier.

I ask unanimous consent that there be 30 minutes on all remaining amendments, with the time to be equally divided between the sponsors of the amendment and the manager of the bill; and on the amendment of the Senator from Wisconsin (Mr. NELSON), if he offers his amendment, the time be limited to 20 minutes, the time to be divided between the Senator from Wisconsin and the Senator from Florida; with one-half hour on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS CONSENT AGREEMENT

Ordered, That, during the further consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes, debate on any amendment (except an amendment that might be offered by the Senator from Wisconsin (Mr. NELSON) on which there will be 20 minutes), motion, or appeal, except a motion to lay on the table, shall be limited to ½ hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader or his designee: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Order further, That on the question of the final passage of the said bill debate shall be limited to ½ hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. THURMOND. Mr. President, I am opposed to the Moss amendment to H.R. 17923. This amendment comes as a surprise to the Senate and with no indication whatsoever as to the possible results. As I understand it, this amendment would cut off all funds under this act for the tobacco programs. Tobacco is not an illegal commodity, and those who use it are forewarned as to the possible effects of its excessive use. This is no reason to single out tobacco for discriminatory treatment.

Mr. President, there have been no studies as to the possible consequences that might result from the passage of this amendment. Thousands of citizens of my State of South Carolina and throughout the South depend upon tobacco for their livelihood. Tobacco is also the No. 1 money crop in my State and the economic effects which would result from eliminating tobacco from the agricultural appropriations would be devastating.

There have been no committee hearings on this matter, no thorough discussion as to the advisability of adopting such an amendment; and in my judgment, it is ill conceived.

I strongly urge that this amendment be defeated.

Mr. MANSFIELD. Mr. President, in view of the fact this will be the last vote tonight, Senators should guide themselves accordingly.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CANNON (after voting in the affirmative). On this vote I have a pair with the Senator from Tennessee (Mr. GORE). If he were present and voting he would vote "nay." I have already voted "yea." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Washington (Mr. MAGNUSON). If he were present and voting he would vote "aye." If I were permitted to vote I would vote "nay." Therefore, I withdraw my vote.

Mr. HART (after having voted in the affirmative). On this vote I have a pair with the Senator from North Carolina (Mr. JORDAN). If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. GRIFFIN (after having voted in the negative). On this vote I have a live pair with the Senator from Kentucky (Mr. COOK). If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut, (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) and the Senator from Missouri (Mr. SYMINGTON), would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senators from Arizona (Mr. FAN-

NIN and Mr. GOLDWATER) and the Senator from Tennessee (Mr. BAKER) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), and the Senator from Nebraska (Mr. CURTIS) would each vote "nay."

The pair of the Senator from Kentucky (Mr. COOK) has been previously announced.

If present and voting, the Senator from Maine (Mrs. SMITH) would vote "yea."

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from Tennessee (Mr. BAKER). If present and voting, the Senator from Illinois would vote "yea" and the Senator from Tennessee would vote "nay."

The result was announced—yeas 15, nays 52, as follows:

[No. 226 Leg.]

YEAS—15

Brooke	Hatfield	Pell
Case	Jackson	Schweiker
Cranston	Moss	Smith, Ill.
Fulbright	Packwood	Williams, N.J.
Goodell	Pastore	Williams, Del.

NAYS—52

Aiken	Ellender	Muskie
Allen	Ervin	Nelson
Allott	Fong	Pearson
Bayh	Gurney	Prouty
Bellmon	Hansen	Proxmire
Bennett	Holland	Randolph
Bible	Hollings	Saxbe
Boggs	Hruska	Scott
Burdick	Hughes	Spong
Byrd, Va.	Inouye	Stennis
Byrd, W. Va.	Jordan, Idaho	Talmadge
Church	Kennedy	Thurmond
Cooper	Long	Tower
Cotton	Mathias	Tydings
Dole	McClellan	Yarborough
Dominick	McIntyre	Young, N. Dak.
Eagleton	Miller	
Eastland	Montoya	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—4

Cannon, for.
Mansfield, against.
Hart, for.
Griffin, for.

NOT VOTING—29

Anderson	Hartke	Murphy
Baker	Javits	Percy
Cook	Jordan, N.C.	Ribicoff
Curtis	Magnuson	Russell
Dodd	McCarthy	Smith, Maine
Fannin	McGee	Sparkman
Goldwater	McGovern	Stevens
Gore	Metcalf	Symington
Gravel	Mondale	Young, Ohio
Harris	Mundt	

So Mr. Moss' amendment, as modified, was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COOPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, with the indulgence of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1004 and 1005.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF CLOUD ON TITLES OF CERTAIN PROPERTY LOCATED IN MALIN, OREG.

The bill (H.R. 2036) to remove a cloud on the titles of certain property located in Malin, Oreg., was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF THE CLASSIFICATION AND MULTIPLE USE ACT AND THE PUBLIC LAND SALE ACT

The Senate proceeded to consider the bill (S. 3728) to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–19) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27) which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 7, after the figure "31,", to strike out "1972," and insert "1975,"; in line 8, after the figure "31,", to strike out "1972," and insert "1975,"; on page 2, line 7, after the figure "31,", to strike out "1972," and insert "1975,"; in line 9, after the figure "31,", to strike out "1972," and insert "1975,"; and in line 10, after the figure "31,", to strike out "1972."; and inesrt "1975."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of September 19, 1964 (78 Stat. 986, 988), as amended (43 U.S.C. 1418), is amended to read as follows:

"The authorizations and requirements of this Act shall expire December 31, 1975, except that the segregation prior to December 31, 1975, of any public lands from settlement, location, sale, selection, entry, lease, or other form of disposal under the public land laws shall continue for the period of time allowed by this Act."

Sec. 2. Section 7 of the Act of September 19, 1964 (78 Stat. 988, 989), as amended (43 U.S.C. 1427) is amended to read as follows:

"The authority granted by this Act shall expire December 31, 1975, except that sales concerning which notice has been given in accordance with section 3 hereof prior to December 31, 1975, may be consummated and patents issued in connection therewith after December 31, 1975."

The amendments were agreed to.

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

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

AMENDMENT NO. 766

Mr. NELSON. Mr. President, on behalf of Senators CRANSTON, PROXMIRE, EAGLETON, MCCARTHY, BAYH, MONTOYA, GOODELL, and myself, I call up my amendment No. 766, to provide an increase of $4.5 million for research on nonchemical methods of pest control. I ask unanimous consent that the name of the Senator from Michigan (Mr. HART) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I call attention to the fact that in the amendment, on line 1, the reference to lines 14 and 15 should be to lines 13 and 14, and so modify my amendment. I ask that the amendment be made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as modified, as follows:

On page 3, lines 13 and 14, strike out "$157,346,200" and insert in lieu thereof "$161,846,200".

INCREASED FUNDS FOR RESEARCH ON NONCHEMICAL MEANS OF PEST CONTROL

Mr. NELSON. Mr. President, in 1945, the same year that the pesticide DDT was released for civilian use in the United States, biologists working on U.S. Department of Agriculture research discovered that the chemical could kill wildlife as well as insects.

From that point on, scientific concern about the hazards of pesticides continued to mount worldwide, but, unfortunately, the debate simmered out of the public eye for almost two decades.

Meanwhile, DDT, which became known as the miracle insecticide, came into widespread international use, along with other synthetic, persistent, toxic pesticides. Today, more than a billion pounds of pesticides, including insecticides, herbicides, fungicides, rodenticides, and fumigants, are produced annually in the United States, about 5 pounds for every man, woman, and child in the country. The latest figures show the sales of pesticides increasing more than 13 percent annually, and by 1985, it is estimated that they will increase another sixfold.

In this age of often unquestioning reliance on manmade solutions, pesticides have been heralded and accepted as a panacea for a whole range of health and agricultural problems.

But in recent years, the rising voices of scientific concern and the growing evidence about the dangerous side effects of these compounds have become impossible to ignore.

We know now that DDT has spread over the entire globe, even building up in the flesh of Antarctic penguins, thousands of miles from the closest area of pesticide use. Species of fisheating birds and birds of prey over vast portions of the earth have been pushed near extinction in areas of their ranges, with compelling evidence that pesticide buildups are a major factor.

A 2-year national pesticide study recently completed by the U.S. Bureau of Sport Fisheries and Wildlife found DDT in 584 of 590 samples of fish taken from 45 rivers and lakes across the United States.

The study results showed DDT ranging up to 45 parts per million in the whole fish, a count more than nine times higher than the current U.S. Food and Drug Administration guideline level for DDT residues in fish.

And last year, the FDA seized 28,150 pounds of frozen Lake Michigan coho salmon because high DDT and dieldrin residues had made the fish unfit for human consumption. Mackeral caught in the Pacific Ocean off the California coast last year were also kept off the market for the same reason.

Off the Florida coast, in a region dependent on nature's resources for its economy, miles-long slicks containing pesticides at levels 10,000 times higher than in surrounding waters have appeared.

In addition to the documented evidence of dangers to wildlife, there are mounting indications that the hard pesticides pose threats to man himself. During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. A major study published last summer by the National Cancer Institute found that at least 11 pesticides out of 123 chemical compounds tested induced a significantly increased incidence of tumors in laboratory animals.

In her famous book, "Silent Spring," Miss Rachel Carson said of the persistent pesticides:

> As crude a weapon as the cave man's club has been hurled against the fabric of life.

In 1963, Miss Carson testified before the Senate Government Operations Committee, chaired by our colleague, Senator ABRAHAM RIBICOFF, during hearings which generated strong congressional concern about pesticides.

Also in 1963, a report by the President's Science Advisory Committee, chaired by Jerome Weisner, said a national goal should be the "elimination of the use of persistent toxic insecticides."

In the next Congress, I introduced the legislation to ban the interstate sale and shipment of DDT, and have reintroduced it in every subsequent Congress.

In no other State has DDT undergone such lengthy and official scrutiny as in my own State of Wisconsin. There, citizen groups and the Environmental Defense Fund joined forces in a petition asking the State department of natural resources to ban the pesticide's use in the State under any circumstances where it could enter world circulation patterns and further contaminate the biosphere. With EDF, the petitioning groups were the Citizens Natural Resources Association of Wisconsin and the Wisconsin division of the Izaak Walton League.

Months of testimony as to the effects of pesticides were heard, and after careful consideration the State hearing examiner ruled against DDT, labeling it an environmental pollutant. He found that DDT and its derivatives were contaminating and rendering unclean and impure the air, land, and waters of the State, and making the same injurious to public health and deleterious to fish, bird, and animal life.

Similar actions to ban or restrict the use of DDT and other hard pesticides have been taken by the States of Washington, California, Arizona, and Michigan.

In the last 2 years, pressures have increased rapidly for action at the national level. After the seizure of the coho salmon from Lake Michigan early last year, the Secretary of Health, Education, and Welfare appointed a scientific commission to review pesticides and their relationship to the environment. The commission findings, known as the Mark report, charged that DDT is a cancer-causing agent, is contaminating the world's food supply, and is causing serious harm to fish and wildlife populations. It recommended an end to all nonessential uses of DDT within 2 years as well as new, stronger restrictions on the use of other chlorinated hydrocarbon pesticides.

Using the Mark report as the basis for its action, the U.S. Department of Agriculture announced plans last fall to curtail four major uses of DDT, canceling the registration for these uses.

However, this approach never got off the ground when the major pesticide manufacturers immediately initiated a long series of complex appeals, a step which could effectively block any effective action for several years. It is unfortunate that the Department did not choose to suspend those DDT uses pending their cancellation, a move that would have immediately brought a halt to the DDT uses.

In response to these delays, the Environmental Defense Fund, the Sierra Club, West Michigan Environmental Action Council, National Audubon Society, and Izaak Walton League filed suit in the U.S. Court of Appeals for the District of Columbia to force the Agriculture Department to suspend immediately all uses of DDT. The court was strongly persuaded by the case presented by the environmental lawyers and ordered the Agriculture Department to show cause why DDT should not be suspended immediately.

The Department responded that while "scientific evidence indicates that there are some adverse effects upon certain species of fish and wildlife" caused by DDT, it does not constitute an imminent hazard to human health. The Department further stated that it will not eliminate any uses of DDT which are essential to the public health and safety.

This is an almost identical position to that the Department took earlier this year during hearings on this appropriations bill when it indicated that it would not cancel the essential use of any pesticide when no alternative is available.

While there are a growing number of effective, economic substitutes now available for hard pesticides, it has been extremely unfortunate that neither the U.S. Department of Agriculture nor the pesticide industry has appeared willing to mount an all-out effort to improve alternative means of pest control. The sooner these methods are further developed and perfected, the sooner the use of harmful, persistent pesticides can be eliminated.

It appears that a total commitment to seek nonchemical means of pest control in several key problem areas could result in a dramatic reduction in the use of chemical pesticides across the Nation. For example, the American Chemical Society has recently reported that the eradication of just three pests—the boll weevil, the bollworm, and the codling moth—could reduce the amount of insecticides applied annually in the United States by an estimated 40 percent.

While many farmers and other pesticide users resist giving up chemical means of pest control because they feel that other alternatives may be more costly, the opposite has been proven true with regard to methods of nonchemical pest control.

At this point, it would be worthwhile to briefly outline the major approaches in this area. The integrated pest control method can be best defined as an insect population management system that combines the primary use of nonchemical pest control methods, such as biological control, with a limited use of selective chemicals.

Presently there are successful integrated pest control programs in operation on the following crops: cotton, citrus fruits, apples and pears, tomatoes, potatoes, avocados, olives, grapes, corn, eggplant, lettuce, strawberries, and others.

This means of pest control is based on the principle of applied ecology. In order for success to be achieved, the fields must be placed under periodic surveillance to determine when and where specific pest infestations occur. When a problem is discovered, predators, parasites, or disease organisms specifically related to that pest are released to bring the pests back into a favorable balance. Very limited amounts of pesticide may be used, but only when absolutely necessary, and only on the infested area of the crop.

Prof. Robert VandenBosch of the College of Agricultural Sciences, University of California at Berkeley, cites this example: The cost of pest control using chemical pesticides for 4,000 acres of cotton in California was $185,000. When integrated pest control replaced the use of chemical pesticides, the cost dropped to $20,000 a year. The statistics for spotted alfalfa in California are very similar, where in 1957, the cost of pest control with chemical pesticides was at least $12 million. Today, after the introduction of integrated pest control, the cost has been reduced to only $3 million, with little or no pest problems remaining.

A recent edition of the Western Fruit Grower cites additional cases of the successful and economical application of integrated pest control in place of the use of chemical pesticides. One expert in biological control has enabled a producer of Valencia oranges to reduce the cost of pest control from $200 per acre, using chemical control, to only $60 an acre with integrated pest control. Another orange grower has been able to reduce his cost per acre for pest control to just $35 per acre, using integrated pest control, and has had higher yields than ever in the history of the grove.

Another pest control approach showing major promise is the use of hormones. The principle is to give an insect its own hormone at the wrong stage of its life, so that it upsets the insect's growth processes and causes it to destroy itself.

For instance, recent laboratory tests have shown that hormones can be successfully used to control the Mexican bean beetle which is a major pest of lima and snap beans. There are two advantages to this technique. One, it affects only the treated species of insect and does not contaminate plant and animal life. Second, it is impossible for insects to develop immunity against it, since they would have to become immune to a hormone that is an essential part of their life cycle.

The use of sex and food attractants is a pest control method showing excellent potential. Under this method, the sex attractant of the female of the insect species is synthetically produced and then used to lure the insect population into traps. Sex attractants have already been demonstrated for such major pests as the cabbage looper, pink bollworm, tobacco hornworm, and Japanese beetle.

Biological control has emerged as one of the major and most promising methods of insect control. Biological control is the use of insect parasites, predators, and diseases to prey upon damaging pests. USDA tests have shown that imported cabbage worms which destroy cabbage and cauliflower, have been parasitized and killed at a rate of 92 to 99 percent by parasitic wasps. In another major case, alfalfa weevils declined 90 percent during a 3-year survey of areas where the USDA had released wasps that parasitize on this pest. The USDA reported that use of the parasitic wasps saved farmers more than $600,000 in 1969. Further development of this means of pest control is imperative, for very often, DDT and other pesticides destroy not only the intended insect, but also its natural predators that are essential for control.

Insect sterilization has become one of the most effective ways to eliminate a total insect population. In the process, the male of the species is sterilized through radiation or chemicals and then released in the inspect population to reduce breeding. This is the technique that was used to eradicate the screwworm fly from the southeast United States. The U.S. Department of Agriculture raised millions of screwworm flies weekly, with radioactive cobalt used to make the flies reproductively sterile.

Massive numbers of sterilized flies were air dropped regularly over thousands of square miles infested by native screwworm flies. The sterile flies mated with the native females, and resulting eggs failed to hatch. Repeated releases of sterile flies reduced screw-worm numbers until the pests finally disappeared.

Presently, the Agriculture Department is maintaining a barrier zone along the United States-Mexico border to keep out new screw-worms through continuously releasing sterile flies along that area. In addition, tests of the sterilization method for the eradication of the pink bollworm are currently in process in California and Arizona.

Finally, the search is now underway for a catalyst which would cause DDT to self-destruct after it had accomplished its insect control tasks. If successful, this would be a major breakthrough in dealing with the tendency of hard pesticides to persist in the environment long after they are needed. Secretary of the Interior Walter Hickel recently announced the award of a contract to test this approach.

Research in these areas could have been greatly accelerated in recent years if the Agricultural Research Service had received the funds which it could have effectively used.

In response to direct requests from my office over the past 2 years, the Department of Agriculture has provided information on the amount of research funds that could be used for seeking improved means of nonpesticidal control.

For fiscal year 1970, the Department indicated that at least $4 million in excess of the administration budget could be effectively utilized for necessary research on nonchemical means of pest control. The areas of additional research included the following items—

U.S. Department of Agriculture, "additional research on improved means of nonpesticidal control which could be effectively undertaken in fiscal year 1970":

For establishment of a revolving research and development fund that could be used to implement field scale programs to test, develop and evaluate biological control techniques prior to their full application in the field, $2,000,000.

For accelerating research on hormonal techniques for altering the life cycle patterns of insects, that is, diapause control, altering reproductive maturity, affecting feeding cycles, and so forth, $250,000.

For accelerating research and development on physical processes and equipment and environment control for mass rearing of insects for biological control purposes, $250,000.

For accelerating basic research to determine factors affecting natural plant resistance to insect damage, $300,000.

For genetics research on breeding pest-resistant trees, $300,000.

For research on silvicultural practices to reduce susceptibility of forest stands to epidemic attack by pests, $100,000.

For research on biological control of forest insects, $500,000.

For research on biological control of white pine blister rust, root-rots, and stem rusts, $300,000.

For fiscal year 1971, the Department has reported that an increase of at least $4.5 million could be effectively utilized for research on nonchemical means of pest control as well as extra funds for the initial staffing of the pesticide research laboratories provided under Senate document 85, 88th Congress, second session. The areas of additional research include the following items—U.S. Department of Agriculture, "Additional research on improved means of nonpesticidal control which could be effectively undertaken in fiscal year 1971":

For accelerating research and development on physical processes and equipment and environmental control for mass rearing of insects for implementing pilot programs of biological control, $2,165,000.

For expanded research on biological control of cotton boll weevil, including the use of the sterile male technique, $1,500,000.

For research on biological control of citrus fruit insects, $165,000.

For research on biological control of tropical fruit flies, $165,000.

For development of nonpersistent pest control methods, including hormonal insecticides, $165,000.

For research on biological control of grain sorghum insects, $110,000.

For research on biological control of cotton insects, $110,000.

For research on biological control of arthropod vectors of equine piroplasmosis, $60,000.

For research on biological control of aquatic weeds using insects, $60,000.

I ask unanimous consent that copies of the Department's letters along with program summaries be printed in the RECORD at this point.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESEARCH SERVICE,
Washington, D.C., July 8, 1969.

Hon. GAYLORD NELSON,
U.S. Senate.

DEAR SENATOR NELSON: This is in reply to your request for additional information regarding the pesticide activities of the U.S. Department of Agriculture.

Your questions relate to page 44 of the 1968 Abstracts Report on Pesticides and Related Activities, and specifically to fiscal year 1970 funds for Improved Means of Nonpesticidal Control (Target 2).

The initial request for fiscal year 1970 submitted for Departmental consideration included increases of $2.0 million or a total of $24.2 million for this item. As you noted, our revised budget estimates now before Congress includes $22.3 million for research on improved means of nonpesticidal control.

In response to your direct request for an estimate of additional needs in this area of research which could be effectively utilized during the coming year, the attached list of research items is submitted. They amount to an estimated $4.0 million which has not had budgetary consideration in the Department or the Bureau of the Budget.

Sincerely yours,

R. J. ANDERSON,
Acting Administrator.

ADDITIONAL RESEARCH OF IMPROVED MEANS OF NONPESTICIDAL CONTROL WHICH COULD BE EFFECTIVELY UNDERTAKEN IN FISCAL YEAR 1970

For establishment of a revolving research and development fund that could be used to implement field scale programs to test, develop and evaluate biological control techniques prior to their full application in the field, $2,000,000.

For accelerating research on hormonal techniques for altering the life cycle patterns of insects, i.e., diapause control, altering reproductive maturity, affecting feeding cycles, etc., $250,000.

For accelerating research and development on physical processes and equipment and environment control for mass rearing of insects for biological control purposes, $250,000.

For accelerating basic research to determine factors affecting natural plant resistance to insect damage, $300,000.

For genetics research on breeding pest-resistant trees, $300,000.

For research on silvicultural practices to reduce susceptibility of forest stands to epidemic attack by pests, $100,000.

For research on biological control of forest insects, $500,000.

For research on biological control of white pine blister rust, root-rots, and stem rusts, $300,000.

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D.C., March 25, 1970.

Hon. GAYLORD NELSON,
U.S. Senate.

DEAR SENATOR NELSON: I am sorry that we were delayed in accumulating the data needed to respond to your letter of March 3, concerning our programs on improved means of nonpesticidal control of pests.

Funds available in fiscal year 1970 for research to reduce pesticide residue hazards amounts to $45.5 million. Our Agency request to the Department for fiscal year 1971 included proposed increases for pesticide related research totalling about $5.6 million, of which $2.3 million was for partial staffing of laboratories provided under S. Doc. 85. These increases were not included in either the Department request to the Bureau of the Budget or the 1971 Budget Estimate. In addition to the partial staffing, these proposed increases included insect control in various crops, improved equipment and methods for pesticide application to agricultural crops, physical processes, equipment and environment control for mass-rearing of insects, and reducing losses caused by insects in harvested grain.

You ask what additional funds for this research could be utilized effectively in the coming fiscal year. Our estimate would include the following Agency estimates:

(1) Research on new and imroved methods for controlling insects in crops and livestock and equipment for improved methods of pesticides application and for mass-rearing of insects for nonpesticidal control of insects—$3,270,000; and (2) Staffing new pesticides laboratories provided under S. Doc. 85—$2,620,000. Because of recently developed, promising new approaches to boll weevil control including the use of the sterile male technique, we would add another $1,500,000 to our estimate of funds that could be used effectively. These estimates total $7,390,000.

These estimates are submitted at your request and should not be construed as a request for funds. They have not been considered by the Department or the Bureau of the Budget.

Sincerely,

R. J. ANDERSON,
Associate Administrator.

PROGRAMS TO BE FUNDED

FIELD TEST PROJECTS

Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin	$2,165,000
Eradication of the cotton boll weevil against which 45% of all DDT is used	1,500,000
Total funds for field test projects	3,655,000

NEW RESEARCH PROJECTS

Research on biological control of citrus fruit insects. Orlando, Fla.	$165,000
Research on biological control of tropical fruit flies. Miami, Fla.	165,000
Research on development of hormones to disrupt insect growth. Beltsville, Md.	165,000
Research on biological control of grain sorghum insects. Stillwater, Okla.	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects. Phoenix, Ariz.	110,000
Research on the control of horse parasites by nonchemical means. Beltsville, Md.	60,000
Research on the use of harmless insects for the control of water weeds. Fort Lauderdale, Fla.	60,000
Total funds for new research projects	835,000

RESEARCH DEVELOPMENT AND PILOT TESTING OF PROMISING ALTERNATIVE METHODS FOR INSECT CONTROL

NEED FOR INCREASE

Research on insecticides has been heavily supported by private industry. Because of profit opportunities, chemical industries are willing to invest large sums of money in basic research as well as on the developmental and evaluation phases of research. Such industries see little opportunity for profit in the development and marketing of biological agents or in the production and sale of sterile insects. Before new industry, perhaps the pharmaceutical industry, will become interested in producing and distributing biological agents for insect control, the techniques must be demonstrated as effective and practical. For many of the major insects this can be accomplished through large scale pilot test programs to develop and evaluate promising alternative methods of insect population suppression and eradication. Many of the research projects on alternative methods of insect control have already reached the stage where we need to undertake pilot test programs to determine if the approaches under investigation are effective, economical, and safe for controlling important pests that now require the extensive use of insecticides.

PLAN OF WORK

An annual appropriation of $2,000,000 would be required for this work. These funds would be used to conduct pilot field tests to develop eradication or area suppression methods for various insects by the use of sterile insects, insect attractants, or mass releases of biological agents. Funds would be allocated on a nonrecurring basis only. When each project is completed, allocation of funds would be discontinued and made available to finance other high priority research development and evaluation projects. When pilot tests involve insect problems in which ARS regulatory programs are in progress or planned, the regulatory agencies would cooperate and actively participate in the projects so that if successful, the procedures could be put into immediate operation by the regulatory agencies.

Some examples of the types of pilot field tests that are to be conducted with this fund are:

Insect	Control or eradication techniques to be evaluated	Size of pilot test area	Duration of test (years)	Estimated annual cost
Japanese beetle	Sterile insect releases and attractants	5,000 acres	3	$200,000.
Cabbage looper	Light traps plus synthetic sex pheromone	2,000 square miles	3	$300,000 1st year, $100,000 2d and 3d.
Codling moth	Production and release of sterile insects	5,000 acres	2	$600,000.
Caribbean fruit fly	Integrated program of bait sprays and sterile fly releases.	100 square miles	2	$200,000.
Sugarcane borer	Production and release of parasites	5,000 acres	2	$100,000.
Pea aphids on alfalfa and field peas	Production and release of parasites	15,000 acres	3	$100,000 1st year, $50,000 next 2 years.
Greenbug (aphids) on sorghum	Production and release of parasites	20,000 acres	3	$100,000 1st year, $50,000 next 2 years.
Green peach aphid	Control of overwintered aphid forms on host pits.	500 square mile Area	3	$100,000.
Green peach aphid	Elimination of Canada plum overwintering host.	1,200 square miles	5	$100,000 1st and 2d, $50,000 next 3 years.
Lesser peach tree borer, codling moth, red banded leaf roller.	Sex attractants, virgin female moths	25 square miles. Washington Island, Wis.	3	$200,000.
Apple maggot	Attractants and release of sterile insects	do	3	$75,000.
Horn fly	Sterile male, integrated control	200 square miles (10,000 cattle)	2	$100,000.

PHYSICAL PROCESSES AND EQUIPMENT AND ENVIRONMENTAL CONTROL FOR MASS REARING OF INSECTS

NEED FOR INCREASE

Current methods of rearing insects involve much hand labor in tasks such as egg collecting, preparation and distribution of diet medium, setting up incubation and growth chambers, transfer of larvae, handling of pupae and adults for sterilization, and cleaning and sterilizing of equipment. Because of the unique characteristics of the larval, pupal, and adult forms of insects, standard industrial engineering techniques and equipment are not directly applicable. Costs of rearing vary widely because of differences in growth characteristics, diet requirements, and size of the various insects. However, rearing costs must be drastically reduced to permit economical and effective use of newer biological techniques of insect control.

PLAN OF WORK

Mechanized methods will be developed for production and handling of rearing media, control of environmental conditions during insect growth, handling of insects during growth, sorting by degree of maturation, sterilization and release over infested areas.

Location and cost

Columbia, Mo., 1 scientist	$55,000
State College, Miss., 1 scientist	55,000
Yakima, Wash., 1 scientist	55,000
Total, 3 scientists	165,000

PILOT TEST OF BOLL WEEVIL ERADICATION PROGRAM

NEED FOR INCREASE

The boll weevil is the most important pest affecting cotton production in the United States. It is responsible for losses that aggregate between $200 to $300 million a year. In addition, growers spend about $70 million in efforts to control this pest. Approximately one-third of all insecticides used in crop production is applied for controlling the boll weevil. About 45 percent of DDT used in the United States for insect control is used in connection with the control of the boll weevil and the boll worm which generally becomes more numerous after insecticides are applied for controlling the boll

weevil. Intensive research during the last 8 years has been carried out by the Department of Agriculture and cooperating States in an effort to develop methods of boll weevil control that could lead to eradication of this pest from the United States. The research on various alternative methods that might be integrated to achieve eradication of the insect has advanced to the stage where a major pilot field test is necessary to determine if we have the technical knowledge required to eliminate the boll weevil populations.

PLAN OF WORK

This pilot test site will be centered in an area near Columbus, Mississippi, and will consist of approximately 10,000 acres of cotton which will constitute the test area to determine if eradication is technically and operationally feasible All cotton grown within a radius of 75 miles of the test area will be treated with nonpersistent insecticides to suppress the boll weevil population and to minimize long-range flight of the insect into the central eradication test area. The central eradication test area, consisting of 10,000 acres of cotton, will be treated with nonpersistent organo-phosphorous insecticide in the fall of 1971 to suppress populations by an estimated 99 percent before the boll weevil goes into winter hibernation. The following spring, traps will be baited with the synthetic boll weevil sex pheromone to further reduce the surviving boll weevil before they can enter fields of cotton. In addition, boll weevils that have been sterilized will be released routinely in the cotton fields to complete the job of population eradication. The same type of program will be continued for a second year to eliminate any survivors that may have escaped during the first year's program or to prevent the establishment of boll weevils that might enter the central area from surrounding cotton. Some of the research aspects of the program will be centered at the Boll Weevil Research Laboratory at State College, Mississippi. The State of Mississippi is constructing a facility for rearing the boll weevils needed for sterilization and release.

To carry out a pilot test program of the nature outlined will require $2,500,000 each year for 2 years. The Agricultural Research Service and the Cooperative State Research Service of the Department of Agriculture and the Cotton Producers Institute are prepared to contribute from existing financial resources $1,000,000 of the required $2,500,000. Additional funds of $1,500,000 would be required to make it possible to undertake the program described.

INSECT PESTS OF CITRUS

NEED FOR INCREASE

In order to prevent or resolve insect and mite problems on trees and fruit, commercial growers must apply a considerable number of sprays throughout the year. Insecticides disturb ecological balances by destroying beneficial insect enemies of secondary pests which permits the latter to reach damaging numbers. Crop residues, environmental contamination, repetitive high costs, and hazard to spray applicators and to personnel working in citrus orchards are a few of the limitations of insecticide control methods.

PLAN OF WORK

Basic information on insect physiology, metabolism, radiation, biology, ecology, genetics, and climatic requirements will be developed which, in turn, will enable more efficient pathogens, predators, and parasites to be developed. Specific attention will be directed toward attractants and cultural controls.

LOCATION AND COST

Orlando, Fla. (3 scientists)------ $165,000

TROPICAL FRUIT FLIES

NEED FOR INCREASE

Four species of tropical fruit flies of economic importance are established in the U.S. Three are found in Hawaii and the fourth in Florida. Establishment of fruit flies on the mainland U.S. would result in potentially heavy losses to citrus, deciduous fruit, and vegetable crops.

In September 1969, 18 oriental fruit flies were found in the El Monte area of Los Angeles County, California. Prompt detection and action on the part of county, State, and Federal officials has resulted in the elimination of this pest. However, increased world travel and trade will probably result in more frequent outbreaks of this type, thereby increasing the chances that these fruit flies may become established on the mainland despite rigid quarantines.

PLAN OF WORK

Work will be directed toward more efficient bait sprays, and more effective natural and synthetic attractants. The sterile fly release method, which has been used successfully to eradicate the oriental fruit fly from Guam and the melon fly from Rota, will be developed for use. Integrated programs using bait sprays, male annihilation, and sterile fly techniques will be studied.

LOCATION AND COST

Miami, Fla. (3 scientists)---------- $165,000

DEVELOP SELECTIVE NONPERSISTENT, INCLUDING HORMONAL, INSECTICIDES

NEED FOR INCREASE

Research has shown that entrance, translocation, and site and mode of pesticide action in the target organisms are related to compositional elements and molecular configuration of the individual compounds. The physical and chemical properties of these substances including solubility, volatility, ionization, and other properties, affect performance, persistence, and efficiency of the materials. Because of the complexity of the problem due to the interaction of more than 200 chemicals with several hundred organisms, our information is fragmentary and incomplete.

PLAN OF WORK

Investigations will be undertaken to (1) determine the relationship of element composition and molecular configuration of pesticides to overall pesticidal activity, and (2) determine the effects of pesticides on target organisms and nontarget organisms.

LOCATION AND COST

Beltsville, Md. (3 scientists)------ $165,000

INSECT PESTS OF GRAIN SORGHUM

NEED FOR INCREASE

In 1968 a serious outbreak of greenbug occurred on 10 million acres of sorghum in a nine State area from southern California to Texas and north to South Dakota. Taxonomists agreed that morphologically and taxonomically greenbugs which caused damage to sorghums were the same species as those known to cause serious damage to wheat and other small grain crops. However, they believe a new "strain" of greenbug has either evolved, or has been accidentally introduced, which has biological and physiological adaptations that allow the insects to survive and multiply on grain sorghums.

PLAN OF WORK

Basic and applied research will be undertaken to (1) determine the host-plant relationships, particularly the effects of the host plant on the micro-environment which may contribute to the abundance of the greenbug on grain sorghum and wheat; (2) investigate biological control by native parasites, predators, and diseases, and explore foreign areas to find new and more effective parasites and predators; (3) determine the nature of the damage and define levels of infestations that cause economic damage to the crops; and (4) seek varieties resistant to the greenbug.

LOCATION AND COST

Stillwater, Okla. (2 scientists)----- $110,000

INSECT PESTS OF COTTON

NEED FOR INCREASE

Losses to insects in the United States are estimated to be 10 percent of the crop annually. In additon to the direct losses in yield and control costs, other losses result from the use of insecticides to control cotton pests. Drift from insecticides used to control cotton pests in the lower Rio Grande Valley has resulted in greatly increased populations of brown soft scale on citrus. Also, in Arizona, California, and other States, insecticides used repeatedly on cotton has resulted in killing off thousands of colonies of bees and destroying other pollinators.

PLAN OF WORK

Research approaches would include (1) the use of sterile male technique to suppress population buildup and thereby to effect control or eradication, (2) the use of the insect itself to attract and trap others of the same species, (3) the use of synthetic pheromones and other chemical attractants to lure insects to traps or killing devices, (4) the use of parasites and predators to suppress population buildup, (5) the use of viruses, bacteria, and other pathogens, and (6) the use of a combination of chemical, cultural, and biological control methods to control or eradicate a given species.

LOCATION AND COST

Phoenix, Ariz. (2 scientists)------ $110,000

ARTHROPOD VECTORS OF EQUINE PIROPLASMOSIS

NEED FOR INCREASE

The use of horses for recreation is increasing and it is important that equine piroplasmosis be prevented from gaining the foothold in the United States that it now has in other areas of the world. This disease is caused by blood parasites which are transmitted from horse to horse by ticks.

PLAN OF WORK

Specific identification of the ticks involved, the physiological processes within the tick relating to transmission of the disease and the required interactions between host, tick vectors, and parasites will be researched. Control of ticks, at the present time, is almost entirely accomplished by use of insecticides applied to the individual animal by sprays, dips, dusts, or by oil preparation into the ears. The effect of those treatments on the horse will be investigated.

LOCATION AND COST

Beltsville, Md. (1 scientist)--------- $60,000

BIOLOGICAL CONTROL OF AQUATIC WEEDS USING INSECTS

NEED FOR INCREASE

The use of herbicides for control of weeds in and along irrigation canals and other water bodies has largely replaced the less effective, more expensive, and slower mechanical methods. However, most of the herbicides are expensive, some kill fish, and very few have tolerances established in water for irrigation, livestock watering, or potable, industrial, and recreation uses.

PLAN OF WORK

It has proven feasible and economical to utilize foreign and related arthropods as

biological agents to suppress undesirable weeds of foreign origin. Weeds, especially those that adversely affect recreational values and the flow of irrigation and drainage waters in the southern United States, originated from South America. Research will be undertaken to identify insects found to be associated with target weed hosts in foreign countries to determine their degree of host specificity, synchronization with host-plant cycles, ability to inflict significant injury, and methods of propagation, transport, and release.

LOCATION AND COST

Fort Lauderdale, Fla. (about $10,000 of this would be directed toward some exploratory work at Hurlingham, Argentina) (1 scientist)----------$60,000

Mr. NELSON. The $7.9 million in the committee-reported bill for staffing five pesticide research laboratories has no relationship to the research to be funded by this amendment.

The research projects covered by this amendment will not be done at those laboratories but will be carried out at other Agriculture Department facilities or by researchers at universities and colleges. The laboratories affected by the $7.9 million were established for specific research activities none of which is geared to conduct the research necessary for the projects related to this amendment.

Furthermore, it is my understanding that during the Appropriations Committee hearings on this bill, the Agriculture Department witnesses indicated that there were two major obstacles to be overcome before the five laboratories could become fully operational with full staffs. One problem was adequate funding, which the Appropriations Committee has effectively taken care of. But the other difficulty was the ceiling on the number of personnel that the Agriculture Department can hire. This ceiling was legislated by Congress and is administered by the Office of Management and the Budget. In fact, over the past year, the staff of the Agricultural Research Service has been reduced by some 1,500 employees. Therefore, it appears that the Department might not even be able to use these staffing funds over the next 2 years, as provided by the bill, unless something is done to obtain the authority for a sizable increase in the agency's personnel ceiling.

The $4.5 million in research funds proposed in this amendment can be effectively used right now, regardless of the situation with staff ceilings. These proposed programs will be conducted by researchers already located in Department facilities or by non-Government researchers in university or other facilities.

Each project that would be funded by this amendment is critically needed now. Otherwise, we will only be delaying the time when the use of pesticides in the United States can be substantially reduced.

The major item covered by this amendment is the establishment of a research and development fund to set up pilot programs in the field to test and evaluate various techniques of biological control. These techniques have already been thoroughly researched in the laboratory and now must be tested in the field to determine their effectiveness. Tentatively 11 States have been selected as sites for these pilot programs. The States were chosen because the pest in question is found in abundant numbers in that region. The insects that are the target for these pest programs are 12 of the most harmful pests in the United States. They include the Japanese beetle in Illinois and Georgia, the cabbage looper in Arizona, the coddling moth in Washington, the Caribbean fruit fly in Florida, the sugarcane borer in the Virgin Islands, pea and alfalfa aphids in Washington, greenbugs in Kansas and Oklahoma, green pea aphids in Washington and Maine, various peach and apple pests in Wisconsin, and the horn fly in California and Hawaii. The cost of setting up this fund would be $2,165,000.

The second major project to be funded by this amendment is a pilot test of an eradication program in Mississippi to deal with the boll weevil. This cotton pest is responsible for losses to cottongrowers of between $200 to $300 million each year. In addition growers spend some $70 million in efforts to control this pest. Approximately one-third of all insecticides used in crop production in the United States is applied to control the boll weevil.

Intensive research over the past 8 years by the Department of Agriculture and cooperating States has developed several promising methods of control and eradication. This research has advanced to the state where a major pilot field test is necessary to determine if the pest can be effectively eradicated.

In order to carry out the pilot test program necessary, $2.5 million will be needed for each of 2 years. It is my understanding that the Agricultural Research Service, the Cooperative State Research Service of the Department of Agriculture, and the Cotton Producers Institute are prepared to contribute from existing financial resources, $1 million of the required $2.5 million.

The existing financial resources from which the Agricultural Research Service will obtain its share of the $1 million is unfortunately existing and proposed research programs from which funds will have to be redirected. These projects include the following:

RESEARCH TO BE POSTPONED

1. Pilot test to determine if sterilized (sterilize males for mating) corn earworm moths can be used to control this pest. Test planned on island of St. Croix.

2. Pilot test to determine if egg parasites (parasites that feed on eggs) are capable of controlling boll weevils on cotton and vegetables.

3. In State of Washington, pilot test to determine if mass production and sustained release of parasites of pea insects can control this alfalfa pest.

4. Program with Texas A & M to determine more information on the uses of sex attractants on the boll weevil.

5. Pilot test on island off California to determine if populations of the horn fly cattle pest can be eliminated through integrated use of insecticides and sterile flies.

6. Proposed project on the identification and synthesis of chemical components produced by the pink bollworm to attract males. Major cotton pest.

7. Proposed research on sex attractant for range caterpillar in New Mexico. Situation has reached epidemic proportions in New Mexico; *insecticides for its control are considered hazardous to the environment.*

8. Proposed research project at Mississippi State University to develop alternative methods of controlling Lygus bug; a *major* pest of alfalfa, cotton and other crops.

9. Research proposal to determine potential value of protozoan pathogen (disease causing agent) for control of tobacco budworm. This insect has developed resistance to insecticides; biological controls urgently needed.

However, it is my understanding that there is no immediate source in sight for the final $1.5 million that will be required in order to undertake the full program. It seems clear that the Agricultural Research Service cannot afford to cut back or delay any further research projects in order to raise the additional funds that are needed. In order to insure that the total project covering some 10,000 acres can be undertaken this year, this amendment will provide $1.5 million. Without these additional funds, my office has been advised that only a token program or possibly no program at all will be undertaken during this year. If that occurs, we will only be further delaying the day on which the boll weevil will be successfully eradicated and one-third of the total insecticide use in the United States can be stopped.

The two previous items both fall in the area of applied research, where the scientists in laboratories have completed their work and are ready to test the effectiveness of their findings in the field.

The additional projects covered by this amendment fall in the category of new research or continued research aimed at finding improved means to control or eliminate certain pests.

Citrus fruit growers face a constant problem of insect and mite infestation on their trees and fruit. In order to deal with these problems they apply a vast number of chemical sprays on their groves throughout the year. The research project that would be supported by this amendment would involve three scientists in Orlando, Fla., certainly one of the major citrus producing areas of the country, and would cost $165,000. Seeking alternative methods to deal with the citrus fruit insects, the researchers will seek basic information on insect physiology, metabolism, biology, genetics, climatic requirements. They hope to develop more effective pathogens, predators, and parasites. This research must be done in an area of abundant citrus production and Orlando was chosen for that reason.

This amendment would also provide funds for research to control and eradicate tropical fruit flies which are beginning to threaten some Southern fruit crops. Four species of tropical fruit flies are already found in the United States, three in Hawaii, and one in Florida. This research project, which would be con-

ducted in Miami, Fla., by three scientists at a cost of $165,000, would be directed toward the development of an integrated pest control program using bait sprays, male annihilation, and sterile fly techniques. This research must be done in Miami since the tropical fruit fly is isolated there and transporting it elsewhere for study might unintentionally enable this pest to gain a foothold elsewhere in this country.

Research on the basic chemical composition of pesticides and their relationship to both target pests and nontarget pests will be covered by funds provided by this amendment. Previous research has shown that the manner in which pesticides affect both target and nontarget pests is related to the molecular structure of individual chemical compounds. It is hoped that this research will be able to determine whether modifications of the molecular structure of the chemical pesticide will enable only target pests to be affected by the chemical. This project will be undertaken in Beltsville, Md., by three scientists at a cost of $165,000 since the major components of the ARS's chemistry research department are located there.

The greenbug represents one of the major pest threats to grain sorghum in the United States. In 1968 there was a very serious outbreak of greenbug infestation of some 10 million acres in a nine-State area ranging from California to Texas and north to South Dakota. This amendment would provide $110,000 for research in Stillwater, Okla., to seek the development of biological control method to deal with the greenbug. The research would also determine the nature of damage to the crops, the level of infestation which causes economic damage, and the crop varieties that are resistant to the greenbug. This project must be done in this region of the country, where grain sorghum is a major agricultural crop.

In addition to the boll weevil eradication program which was cited earlier, this amendment provides funds to seek means of controlling the pink boll worm, which is a major cotton pest affecting the crop in the Southwestern region of the United States. This research, which will be conducted at Phoenix, Ariz., at a cost of $110,000, will seek to develop an integrated pest control program, to be used primarily in the Southwest, including the use of sterile males, sex attractants, parasites and predators, and limited use of selected chemicals. Since the problems of cotton pest control differ in the Southwest as compared to other regions of the country, it is necessary that this research be done in that part of the Nation.

Another project that would be supported by this amendment is basic research on blood parasites affecting horses which are transmitted from animal to animal by ticks. One scientist from Beltsville, Md., will thoroughly study the physiological factors that enable the tick to travel from one animal to another carrying the harmful parasites. Presently, the control of these ticks is accomplished almost entirely by the use of insecticides applied to the individual animal. One of the goals of the research will be to determine if alternative means of pest control can be developed.

The final project which would be funded by this amendment involves the use of insects to control weeds growing in or along the banks of irrigation canals, streams, and other bodies of water. Earlier these weeds were destroyed by mowing, cutting or other physical methods. But now these slower and inefficient methods have been replaced by the use of herbicides. However, as the uses of these herbicides have increased chemical residues have mounted in the streams and rivers, killing fish and threatening other forms of marine life.

Many of the weeds now adversely affecting the waters of the Southern United States originated from South America. It has proven feasible and economical in some instances to use certain insects to destroy undesirable weeds.

Researchers on this project will attempt to identify the insects associated with the target weeds and then study that insect's ability to damage the weeds. They will also review the insect's propagation, mobility, and potential for use in the United States. This project will be undertaken in Fort Lauderdale, Fla., with limited work to be done in Argentina.

The $4.5 million increase provided by this amendment will enable the Department of Agriculture to take the promising results of the laboratory into the field for tests and demonstration projects. It will enable the Department to accelerate already promising work and to initiate essential new work without reducing ongoing programs.

Now is the time for Congress to provide the Department of Agriculture a form mandate and sufficient funds to accelerate its effort to seek improved nonchemical means of pest control.

Crop and forest damage from insects totals billions of dollars annually worldwide. Damage from the massive indescriminate use of pesticides to control insects is beyond our capacity even to measure at this stage in history. How many billions in economic damage no one knows. We do know that the continued massive use of slow degrading pesticides has worldwide environmental implications that spell disaster. The scientific community is alarmed about it. The United Nations is convening a world conference on the environment in 1972. Everyone now knows the hour is late and the time for action is right now. Not next year or next month but today. These programs already long delayed cannot be further postponed by any government that professes an intelligent interest in preserving the livability of the planet. I ask unanimous consent that a fact sheet outlining its purpose be printed in the RECORD at this point.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

SENATOR NELSON'S AMENDMENT TO THE AGRICULTURE APPROPRIATIONS BILL

FUNDS FOR PEST CONTROL RESEARCH

Purpose.—To restore $4.5 million for research to seek improved methods of nonchemical pest control.

Why.—This increase must be made now in order to accelerate development of effective substitutes for the persistent chemical pesticides now harming the environment.

Background.—In its agency budget proposal, the Agricultural Research Service requested an increase of more than $4 million for nonchemical pest control research. However, the Agriculture Department or the Bureau of the Budget failed to approve the request. As a result, the ARS must not only reduce on-going programs, but is prevented from accelerating already promising work and initiating essential new research.

Examples.—*Biological control*—Using insect parasites, predators, and diseases to eliminate harmful pests.

Hormones—Disrupting the natural growth and development of pests by introducing certain hormones into its system at critical times.

Sterilization—Inducing sexual sterility in male pests through radiation or chemicals to reduce breeding potential.

Attractants—Using sex or food attractants to lure pests into a trap.

Integrated control—Primary use of biological control with limited use of selective chemicals.

PROGRAMS TO BE FUNDED

Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin	$2,165,000
Eradication of the cotton boll weevil against which 75% of all DDT is used. Columbus, Miss.	1,500,000
Research on biological control of citrus fruit insects. Orlando, Fla.	165,000
Research on biological control of tropical fruit flies. Miami, Fla.	165,000
Research on development of hormones to disrupt insect growth. Beltsville, Md.	165,000
Research on biological control of grain sorghum insects. Stillwater, Okla.	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects. Phoenix, Ariz.	110,000
Research on the control of horse parasites by nonchemical means. Beltsville, Md.	60,000
Research on the use of harmless insects for the control of water weeds. Fort Lauderdale, Fla.	60,000

Mr. NELSON. Mr. President, I reserve the remainder of my time for discussion of the amendment until tomorrow.

Mr. PROXMIRE. Mr. President, since unfortunately I may not be able to be present on the floor tomorrow after the vote on the agricultural bill, I ask unanimous consent that I be permitted to take the unusual step of making a brief statement in praise of the Senator from Florida (Mr. HOLLAND).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. KENNEDY. I ask unanimous consent that the time on the amendment of the Senator from Wisconsin (Mr. NELSON) not start to run until the beginning of its consideration tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, as a member of the Senate Appropriations Committee's Agriculture Subcommittee I particularly want to commend my colleague from Florida on the remarkable job he has done, not only this year but in past years, in handling the agriculture appropriations bill.

His name is indelibly stamped on a number of Department of Agriculture programs, not only as the chairman of the Subcommittee handling appropriations for the Department but as a member of the Senate Agriculture Committee at a time when programs of truly monumental importance to this country and the world, such as the Public Law 480 program, were being developed.

I know I speak for all of my colleagues when I say that very, very few men in the history of this body have handled the Department of Agriculture's problems and needs here in the legislative branch as well as the senior Senator from Florida. His encyclopedic knowledge of the Department, his fight for fiscal responsibility in the Commodity Credit Corporation program, his fairness to those who have served on the subcommittee all tell us of a man with great learning, principles and kindness. He will be sorely missed when the Senate takes up this bill again next year.

Mr. HOLLAND. Mr. President, I express my very great gratitude to my friend the Senator from Wisconsin for his very generous statement.

SENATE RESOLUTION 425—TO PERMIT A SENATE EMPLOYEE TO TESTIFY IN A CIVIL ACTION

Mr. WILLIAMS of New Jersey. Mr. President, I offer a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. RES. 425

Whereas, the cases of United States Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70–724, Jones & Laughlin Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70–725, Bethlehem Mines Corporation versus United Mine Workers of America, et al., civil action numbered 70–727, Republic Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70–728, are pending in the United States District Court for the Western District of Pennsylvania; and

Whereas a subpoena has been issued out of said court and addressed to Gerald M. Feder, a staff employee of the Committee on Labor and Public Welfare; and

Whereas by the privilege of the Senate and by Rule XXX of the Standing Rules of the Senate, information secured by staff employees of the Senate pursuant to their official duty as employees may not be revealed without the consent of the Senate; Therefore be it

Resolved, That Gerald M. Feder, a staff employee of the Committee on Labor and Public Welfare, be authorized to appear and testify at the aforementioned proceeding; and be it further

Resolved, That if it should appear by order of the court in the aforementioned proceeding that documentary evidence in the possession and under the control of the Senate is needful for use in said court of justice for the promotion of justice, the Senate authorizes such action thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That if the said court should determine that any of the papers or documents in the possession and under the control of the Senate have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and, further, that such papers and documents are material and relevant to the issues pending before said court, then copies of such papers and documents in the possession or control of the aforementioned Gerald M. Feder may be produced, excepting any other papers and documents which are within the privileges of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. WILLIAMS of New Jersey. Mr. President, 2 weeks ago, several thousand coal miners participated in a walkout claiming that their mines were unsafe and that the Bureau of Mines has not been inspecting the coal mines in accordance with the Federal Coal Mine Health and Safety Act of 1969. Several coal mine operators have sought an injunction against the walkout. The court of appeals has directed the trial court to receive testimony on the issue of the reason for the walkout and whether the Bureau of Mines has enforced the act.

Factual information relevant to these issues has come to the attention of my Subcommittee on Labor. Gerald M. Feder, associate counsel to the subcommittee, has been subpoenaed to testify regarding that factual information. Should the resolution authorizing his testimony be agreed to, Mr. Feder will be free to testify as to factual information which is now a matter of public record or which is available to any member of the public from the subcommittee files.

He will not be free to testify as to internal Senate matters, or information which he may have obtained in confidence. Nor will he be free to express opinions and judgments relating to the factual matters before the Court.

Mr. President, this subpena is for appearance tomorrow in the Federal District Court in Pittsburgh, Pa.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 425) was agreed to.

THE COOPER-CHURCH AMENDMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD at this point my statement expressing my reasons for voting for the Cooper-Church amendment, that statement having appeared on page 22250 of the RECORD of June 30, 1970.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. BYRD of West Virginia. Mr. President, previously, I expressed my opposition to the Cooper-Church amendment because I felt that the first paragraph would convey a message to the extent that the President of the United States was not to be allowed to exercise his powers under the Constitution as Commander in Chief in order to protect American forces stationed in South Vietnam.

I also expressed at that time my support of paragraphs 2, 3, and 4 of the Cooper-Church language believing, as I did, and as I do now, that they are calculated to prevent our entering into a new commitment or getting involved in a new war.

Mr. President, with the acceptance of the Mansfield amendment, together with acceptance of the Byrd-Griffin amendment, I believe it has now been made clear that the President, acting as Commander in Chief under the Constitution, not only possesses the constitutional power to protect the lives of American forces wherever deployed, which includes South Vietnam, but also that he may exercise that power in an emergency situation to protect those troops without being forced, if it is impracticable to do so, to consult the Congress first.

Accordingly, I believe now that this weakness, having been cured, I can and will support the Church-Cooper language as amended. I would urge my colleagues to do likewise.

Mr. President, I have also previously indicated my belief that if the Church-Cooper language as originally written were passed by the Senate, the House would not accept it.

I trust, now that the language has been amended as originally described, that the House will accept this language.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from West Virginia.

The VICE PRESIDENT. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, I believe that the Senate has performed a service to the country by this extended debate, because it clearly indicates that the Congress intends to share the war powers under the Constitution while at the same time we recognize the powers of the President as Commander in Chief. In summation, we convey a clear message to our own people, our own troops, and to the enemy that our troops will be protected, but that the prior approval of Congress will be necessary before our Nation can be committed to any new land war in Southeast Asia—thus avoiding our becoming bogged down in new Vietnams.

ADJOURNMENT UNTIL 10 A.M., TOMORROW

Mr. KENNEDY. 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 10 a.m., tomorrow.

The motion was agreed to; and (at 6 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 9, 1970, at 10 a.m.