



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—Thursday, July 30, 1970

The House met at 12 o'clock noon.
Rev. Luke Fuqua, Dalewood Methodist Church, Nashville, Tenn., offered the following prayer:

Let us pray, Almighty God, who moves in love unceasing, and gives to each man his appointed work, help us to be steadfast, to fulfill the duties of our calling. And as the Members of this Congress set their faces once more toward the task which has been entrusted to them, we pray they may look to Thee for strength and wisdom sufficient for the task. May that spirit of duty which filled the life of our Lord be manifested in the mind and heart of this Congress. When the work of the day is completed may there be a clearness of conscience because a useful work shall have been accomplished and may it be a blessing to all who are affected by it.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 914. An act for the relief of Hood River County, Ore.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15733) entitled "An act to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes."

INCREASING RATES OF COMPENSATION FOR DISABLED VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3348) to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes, with Senate amendments to the House amendment thereto, and concur

in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, can we determine what the Senate amendments are? The Clerk did not complete the reading of them.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 9, of the House engrossed amendment, strike out lines 6 to 12, inclusive.

Page 9, line 13, of the House engrossed amendment, strike out "10." and insert "9."

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

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask the distinguished gentleman from Texas, the chairman of the Committee on Veterans' Affairs of the House, if these amendments are germane, and if they add to the cost of the bill as passed by the House?

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman will yield, the amendments are germane, and they take from the cost of the House bill.

Mr. Speaker, the bill—S. 3348—which was passed on June 15, 1970, by a vote of 313 yeas and 0 nays, contained in its final form the language of H.R. 17958 reported unanimously by the Committee on Veterans' Affairs, and the bill as passed provided an approximate 10-percent increase in the rates of service-connected compensation, effective July 1, 1970. The Senate bill provided rates which were comparable but in some instances less than the House version which would have been effective January 1, 1971. The House version also provided a liberalization in the remarriage regulations affecting both compensation and pension which were not included in the Senate version. The House version also provided for the redemption of \$25,000 in bonds which were purchased by the United Spanish-American War Veterans in 1954.

The Senate has accepted all of the provisions of the bill as passed by the House with the exception of that relating to bonds held by the United Spanish-American War Veterans. I regret that the Senate has not seen fit to accept this worthwhile amendment particularly in view of

the fact that the finances of this patriotic organization composed of veterans who volunteered entirely for service in the Armed Forces have been depleted to such an extent that it has had to sell one of the bonds in question. This \$5,000 bond dated May 1, 1953, for which \$5,000 was paid by this organization has now been sold on the open market for \$3,309.50. The organization thus sustained a loss of nearly \$1,700.

Despite the fact that the House passed this provision twice and I have addressed several letters to the Secretary of the Treasury urging him to take appropriate action to redeem these bonds, he is unwilling to do so despite the fact that all of the veterans of this organization are likely to be dead when the bonds mature in June of 1983, since their average age now is 94. This seems to me a callous viewpoint on the part of the Department of the Treasury. We shall try again; this group deserves better from the Government of the United States than it has thus far received in this transaction.

Mr. Speaker, section 8 of the bill which we have under consideration in effect reiterates the longstanding policy and requirement found in VA laws, namely, that in any question of law or fact concerning a claim for benefits under any law administered by the Veterans' Administration the judgment of the Administrator of Veterans' Affairs shall be final and conclusive, and no court of the United States shall have power to review any such decision.

Regardless of the merits of this requirement of law which has been in effect for many, many years, there is no parliamentary question on this section. Both Houses have passed this language without any change and thus it is not in disagreement between the two Houses.

There is only one item of disagreement here and that relates, as I have indicated, to the redemption of certain bonds held by the United Spanish-American War Veterans.

It should be said that the Committee on Veterans' Affairs has shown considerable interest over the years in the question of judicial review. I have appointed a special subcommittee on two different occasions to look into this matter, and I think it is a safe statement that no general subject has been explored in greater detail by our committee than this general question. Both of the subcommittees made complete reviews of the situation and I am hopeful that at some future appropriate time action can be taken in

this field. I am in favor of action which is equitable and which applies to all people.

The reason for the inclusion of section 8 in this bill is because a recent court decision gave preferential treatment to a limited group of beneficiaries. If we are going to have court review it must apply to all beneficiaries with equal force. This the court is unable to do under existing law and sought to do in piecemeal fashion and, in my opinion, erroneously.

This provision in section 8 was supported unanimously in our committee. As far as I know, the same can be said for the committee in the other body.

I am opposed to a windfall going to a particular class of beneficiaries or a particular group of lawyers who have interested themselves in the type of cases which are involved in this question and which are set forth in detail in the report on this bill which is House Report No. 91-1166 on H.R. 17958, the contents of which were substituted for S. 3348.

Mr. HALL. Mr. Speaker, I appreciate the statement made by the gentleman from Texas. I am sorry for the action of the other body, particularly in the case of these veterans.

Were there any other substantive changes in the bill?

Mr. TEAGUE of Texas. That is the only change from the bill that we passed over here by vote of 313 to 0.

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

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

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

TRIP TO CUBA BY ABBIE HOFFMAN IS APPROVED BY FEDERAL JUDGE

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

Mr. GROSS. Mr. Speaker, I was shocked to the point of disbelief by the action of a Federal court judge in Chicago, Roger J. Kiley, in granting Abbie Hoffman, convicted for having incited the riots in Chicago in 1968 during the Democratic National Convention, permission to go to Cuba for a month.

The Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee has been holding a series of hearings with respect to communism in the Caribbean area, including the bringing of refugees to this country from Cuba, and the torturous procedures that are imposed by the Castro government upon these people who seek freedom—how they are put in what amounts to concentration camps. Families are split—they may see little or nothing of each other for a period of 2 years. They are divested of all their worldly holdings. Eventually, and hopefully they may be permitted to come to this country.

A Federal judge in this country who would give to this character, Hoffman, permission to go to Cuba to learn the

latest techniques of sabotage and revolutionary tactics for the overthrow of this Government—a Federal judge who would do this, in my opinion, ought to be given serious consideration for impeachment proceedings.

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

Mr. GROSS. I am pleased to yield to the gentleman from Ohio.

Mr. HAYS. The gentleman just said what I was going to suggest—that the way to handle these judges who apparently have no judgment is to file a bill of impeachment—and maybe some of them would be straightened out.

I think some of these Federal judges are getting away with murder.

Cassius Clay—and I hold no brief for him—was not even allowed to go to Canada, but this character, as you say, probably is going down there to learn how to make bombs, and is allowed to go to a country with which we do not have relations. I just cannot understand this kind of justice.

Mr. GROSS. I agree completely with the gentleman from Ohio and I thank him for his comments.

This man, if I remember correctly, is under a 5-year sentence for inciting riots in Chicago, yet while appealing that sentence he is authorized by a Federal judge to leave this country and fraternize with his revolutionaries in Cuba, a country with which, as the gentleman from Ohio well points out, the United States has severed all relations.

The U.S. Justice Department filed objections to request of this convicted felon to leave the country. The objections of the Justice Department were brushed aside by the Federal judge. This is an unconscionable decision and I bitterly protest it.

TO EXTEND EFFECTIVENESS OF DEFENSE PRODUCTION ACT OF 1950 TO AUGUST 15, 1970

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from the further consideration of the joint resolution (H.J. Res. 1336) to extend the effectiveness of the Defense Production Act of 1950 to August 15, 1970, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas (Mr. PATMAN)?

There was no objection.

The Clerk read the joint resolution as follows:

H. J. RES. 1336

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 717(a) of the Defense Production Act of 1950 is amended by striking out "July 30, 1970" in the first sentence and inserting in lieu thereof "August 15, 1970".

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

HOOR OF MEETING FRIDAY, JULY 31, 1970

Mr. HAYS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 13100, EXTENSION OF PROGRAMS FOR TRAINING IN THE ALLIED HEALTH PROFESSIONS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1130 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1130

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13100) to amend the Public Health Service Act to extend for three years the programs of assistance for training in the allied health professions, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1130 provides an open rule with 1 hour of general debate for consideration of H.R. 13100 to extend the programs for training in the allied health professions. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 13100 is to amend the Public Health Service Act to extend for 3 years the programs of assistance for training in the allied health professions, and for other purposes.

The Allied Health Professions Personnel Training Act was initially enacted in November 1966 and authorized four types of assistance to training centers of the allied health professions: First, grants for construction of teaching facilities; second, grants for improvement of educational programs; third, grants for ad-

vanced traineeships for preparation of teachers, supervisors, administrators, or allied health specialists; and fourth, grants for development of new methods. Thereafter, authority for the developmental grants was broadened and the Secretary of Health, Education, and Welfare was required to report on the administration of the act and make an appraisal of the programs thereunder. His report was submitted in April 1969.

H.R. 13100 extends the act for 3 years—fiscal years 1971, 1972, and 1973. Also, the bill would separate the special improvements grants from their present dependence on the basic improvement grants and would significantly broaden the purposes for which special project grants could be made.

The institutional eligibility for participation in the advanced traineeship program would be extended to include not only training centers for the allied health professions but also other agencies, organizations, and institutions with the capability of accomplishing the purposes of those programs. The bill would also authorize special project grants to such agencies, organizations, and so forth.

Appropriations are authorized for fiscal year 1971 in the amount of \$68 million, for fiscal year 1972 in the amount of \$95 million and for fiscal year 1973 in the amount of \$127 million.

Mr. Speaker, I urge the adoption of House Resolution 1130 in order that the bill may be considered.

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

Mr. MARTIN. Mr. Speaker, the purpose of the bill is to extend for 3 years—through fiscal 1973—the allied health services training programs now contained in title IV of the Public Health Service Act.

The bill also broadens and extends a number of grant programs as experience has shown the need to do so. While the number of personnel trained and qualified in the health professions has increased greatly in recent years, demands for such personnel have increased at an even greater rate. The programs extended by the bill provide funds for both schools and students to make possible the training of additional personnel in various health professions. These include vocational workers, therapists and technicians, and laboratory assistants of all types.

Authorizations contained in the bill total \$290,000,000 over the 3-year period, and are broken down as follows:

1971	-----	\$68,000,000
1972	-----	95,000,000
1973	-----	127,000,000

Five separate programs are funded from funds authorized by the bill. These include: First, grants for construction of teaching facilities; second, grants for the improvement of curriculum and training of new types of health personnel; third, grants for advanced students to encourage them to continue and further their professional education, fourth, basic improvement grants made to all health professions training centers and schools to enable them to improve their programs, and fifth, special grants

which are made to selected training centers to enable them to develop innovative programs and projects to improve the quality of instruction.

All these grant programs are continued by the bill.

Mr. Speaker, I approve of the rule, and I reserve the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 14237, DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT OF 1970

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1131 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1131

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14237) to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against section 104 of said substitute are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 14237, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 2846, and it shall then be in order in the House to move to strike out all after the enacting clause of S. 2846 and insert in lieu thereof the provisions contained in H.R. 14237 as passed by the House.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1131

provides an open rule with 1 hour of general debate for consideration of H.R. 14237 to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act. The resolution makes it in order to consider the committee substitute as an original bill for the purpose of amendment and, after passage of the House bill, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 2846 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language. Due to a transfer of funds, all points of order are waived against section 104 of the bill.

The purpose of H.R. 14237 is to extend for 3 years the program of grants for construction and staffing of facilities for the mentally retarded. Coverage would be expanded to include persons suffering from cerebral palsy, epilepsy, and other neurological handicapping conditions determined by the Secretary of Health, Education, and Welfare to be closely related to mental retardation or to require similar treatment, where such disability originates with a person under 18 years of age and can be expected to continue indefinitely.

Matching grants would be authorized for the construction of university affiliated facilities where activities may be conducted in the field of research and developmental disabilities.

Appropriations are authorized for fiscal year 1971 in the amount of \$85 million, for fiscal year 1972 in the amount of \$122 million, for fiscal year 1973 in the amount of \$145 million.

There are approximately 6 million adults and children in the United States today suffering from mental retardation, approximately 1 million suffering from epilepsy and related disorders, and 550,000 suffering from cerebral palsy.

Mr. Speaker, I move the adoption of the rule in order that the bill may be considered.

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

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

Mr. GROSS. I do not believe the gentleman stated why points of order are waived against section 104 of the bill.

Mr. MADDEN. On account of the transfer of funds.

Mr. GROSS. Now let me ask the gentleman, if he will yield further, the reason for the language which states, "and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute." Is it not possible under the rules of the House to obtain a vote, without having it stated in the rule, on an amendment adopted in the Committee of the Whole?

Mr. MADDEN. I yield to the chairman of the committee to answer that.

Mr. GROSS. I am only curious as to why it is stated in this resolution.

Mr. STAGGERS. That is the way the rules are, anyhow, but this was requested by the Parliamentarian in the rule he recommended.

Mr. GROSS. A separate vote may be

demand on any amendment in the Committee of the Whole?

Mr. STAGGERS. Yes.

Mr. GROSS. I thank the gentleman.

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

Mr. Speaker, the purpose of the bill is to extend for 3 years—through fiscal 1973—existing programs of assistance for the mentally ill, and to expand those programs to assist persons suffering similar disabilities.

Total authorizations for the 3 years are \$262 million. For fiscal 1971, \$95 million is authorized; for 1972, \$122 million; for 1973, \$145 million.

Three programs are funded: First, construction and staffing grants for community facilities; second, construction grants for university-affiliated facilities, and, third, demonstration and training project grants.

Current law limits assistance to those projects directly concerned with assisting those who are mentally ill. The bill broadens the scope of the law to provide grant assistance to those who are providing facilities and personnel to care for persons suffering from disabilities similar to mental illness. Specifically included by the bill are cerebral palsy and epilepsy. Additionally, the Secretary of Health, Education, and Welfare is authorized to further broaden the grant-in-aid programs to assist other disabled persons suffering from other neurological handicaps which require care similar to the care required for persons suffering from mental retardation.

It is estimated that in addition to the 6 million Americans who suffer from mental retardation and who are eligible for assistance under the act, that the broadening of the assistance categories will enable some 1 million persons suffering from epilepsy and some 550,000 persons suffering from cerebral palsy to receive assistance. Further numbers of persons suffering from similar disorders will also become eligible as the Secretary of Health, Education, and Welfare certifies such disabilities to be eligible for assistance grants.

Institutions receiving grant-in-aid assistance under the bill include community and nonprofit hospital and institutions as well as university-related hospitals and treatment centers. Grants are available for staffing of such facilities as well as construction and modernization. Funds can also be made available for demonstration projects and grants for the training of skilled personnel.

The bill is a committee substitute; the rule will have to reflect this.

I would like to ask the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia, one question. In the report which is dated July 6 there are no agency reports printed. The report states that none were received up to that time. Has the gentleman received any agency reports since that time?

Mr. STAGGERS. Will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Not to my knowledge.

Mr. MARTIN. You have not received any?

Mr. STAGGERS. No, sir.

Mr. MARTIN. So the gentleman does not know whether or not the agencies are favorable toward this legislation?

Mr. STAGGERS. They all testified in favor of extending the program, so I am sure they are favorable to its objectives.

Mr. MARTIN. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain privileged reports.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 18104, INCREASING THE AMOUNT OF BONDS ISSUED BY THE TVA

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1150 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1150

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18104) to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1150 provides an open rule with 1 hour of general debate for consideration of H.R. 18104 to increase the amount of bonds issued by the Tennessee Valley Authority.

The purpose of H.R. 18104 is to increase from \$1.75 billion to \$5 billion the amount of revenue bonds which TVA may have outstanding to finance additions to its power system.

Electric power requirements for the

Nation have been growing on an average of 7 percent per year. In the Tennessee Valley region, power requirements have been increasing in recent years at an average annual rate of 8 percent.

TVA is now constructing 10.3 million kilowatts of additional generating capacity to be in service by the end of 1975. Of its present \$1.75 billion revenue bond authorization, it has utilized \$1.155 billion. The remainder will be required for completion of the capacity now being constructed.

Construction of additional capacity which will be required after 1975 must be begun in order to meet the region's needs. Leadtime for new generating units are now about 6 years and firm contracts for new units should be awarded and construction should be begun without delay.

Enactment of H.R. 18104 will not change in any way any other provisions of the TVA Act. It merely increases the amount of revenue bonds.

Mr. Speaker, I move the adoption of the rule, House Resolution 1150.

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

Mr. Speaker, House Resolution 1150 makes in order for consideration of H.R. 18104 under an open rule with 1 hour of general debate.

I support H.R. 18104 which permits an increase from \$1.75 to \$5 billion the amount of revenue bonds which TVA may have outstanding at any one time to finance additions to its power system.

In recent years the power requirements in the TVA service area have been growing at about 8 percent a year. It is estimated that the power requirements will double in the area in the next 10 years. TVA currently has most of its bonding authority committed to current construction projects. It cannot award any further contracts until its bonding authority ceiling is raised.

The initial bonding authority granted TVA in 1959 was for \$750 million. In 1966 this figure was raised to the present \$1.75 billion. TVA bonds have always received the highest rating and sell at interest rates comparable to those on the highest grade private utility issues.

During fiscal 1970 TVA will pay to the Treasury \$72,650,000 as a repayment on investment. Since 1959, when the bonding authority was granted, TVA has returned to the Treasury \$573,000,000.

The increase is as large as it is—\$3,250,000,000—because of the number of construction projects which are necessary. If less of any increase were authorized, TVA would have to request a further increase in another few years to insure its meeting the projected demands of its customers.

As a staunch supporter of TVA, I urge the adoption of the resolution and the passage of the bill.

Mr. Speaker, I have no request for time but I reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution. The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR INVESTIGATING SUBCOMMITTEE, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT TOMORROW

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Investigating Subcommittee of the Committee on Interstate and Foreign Commerce be permitted to sit at 2 o'clock tomorrow afternoon.

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

Mr. SPRINGER. Mr. Speaker, reserving the right to object, this request is made only on the assumption that the House will be in session?

Mr. STAGGERS. Mr. Speaker, if the distinguished gentleman will yield, that is right.

Mr. SPRINGER. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

CONFERENCE REPORT ON H.R. 15733, RAILROAD RETIREMENT ACT AMENDMENTS

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15 percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 28, 1970.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, it is my understanding that an agreement was reached yesterday that there should be no rollcall votes on final passage, or on conference reports, until 4 o'clock p.m., this afternoon. If that is true, at what point do we make the request to put such votes over until 4 o'clock this afternoon, if such a demand is made?

The SPEAKER. The Chair will state to the gentleman from Michigan that the understanding of the gentleman is correct about the agreement, and the Chair

would state that the proper time to raise such a question would be when it comes to the question of agreeing to the conference report, or on the passage of a bill.

The gentleman from West Virginia (Mr. STAGGERS) is recognized for 1 hour.

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

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

Mr. SPRINGER. Mr. Speaker, would the gentleman from West Virginia, the chairman of the committee, give a brief explanation of the conference report?

Mr. STAGGERS. Mr. Speaker, I will be more than happy to.

Mr. Speaker, the conference report before the House today will provide a 15-percent increase in all retirement benefits, subject to certain offsets, for all persons on the railroad retirement rolls retroactive to January 1, 1970.

This bill was originally passed by the House on April 7 of this year, passed the Senate on June 30, 1970, and was immediately sent to conference.

In conference there were four major items of disagreement.

The House bill provided benefit increase for a total of 2½ years, that is until June 30, 1972, whereas the Senate increases would have terminated December 31, 1971. The conferees substitute is the same as the House bill in this regard.

The Senate amendment provided for an independent study to be conducted of the railroad retirement system by a five-man commission, one representing management, one labor, and one the public with two additional public members to be appointed, one by the Speaker of the House and one by the President pro tempore of the Senate. The House bill provided that the study should be conducted by the Railroad Retirement Board.

The conference substitute is the same as the Senate amendment in this regard.

A floor amendment was added in the Senate providing that benefit increases under this legislation would be disregarded in determining eligibility for certain Veterans' Administration benefits. The Senate conferees agreed to delete this amendment, because general legislation applicable to all persons on the Veterans' Administration rolls is currently in the process of consideration by the appropriate legislative committees in the House and Senate.

The fourth major difference between the two bills proved to be the most difficult of all to resolve. Under existing law, all funds in the railroad retirement account are invested in obligations of the United States, or obligations guaranteed as to principal and interest by the United States, or in special obligations of the United States which bear interest at a rate equal to the average rate of interest on all marketable securities constituting a part of the public debt of the United States, having a maturity in excess of 3 years.

The House bill provided that these funds would be immediately reinvested in special obligations bearing interest at a rate equal to the highest rate payable

on U.S. Government obligations having 3 or more years' maturities.

The Senate amendment deleted this provision entirely.

It was estimated that this change in investment provided by the House bill would, during the 2½-year period covered by the House bill, provide income to the railroad retirement account of approximately \$200 million. The Treasury Department was opposed to this feature, because of the effect it would have as a precedent on other trust funds held by the U.S. Treasury.

A compromise was reached with the Treasury Department, and we have received a commitment from the Treasury Department that, in view of the special nature of the railroad retirement fund and its financing, the method of investment and reinvestment of the fund will be modified. Under the modification, the Secretary will cash in securities bearing lower interest rates earlier than otherwise would be the case. This will accelerate the rate at which certain obligations are reinvested at the current higher rates of interest. This provides a one-time benefit to the railroad retirement fund, and will provide increased payments to that fund over the next 8 years of approximately \$168 million.

In addition, a recommendation has been made with respect to the social security trust fund, which is expected to be adopted, to provide that in determining the rate of interest payable on obligations issued to that fund, that rate of interest will be determined on the basis of treasury notes, rather than including bonds, having a maturity in excess of 3 years. The conference substitute adopts this modification for the railroad retirement fund. It is estimated that this new method of computing interest will provide an additional \$27.5 million to the fund over the next 8 years.

Mr. Speaker, we all agree that a study of the railroad retirement system is necessary in order to determine the proper level of benefits under that act and the means of financing those benefits. This bill will provide for such a study, with recommendations made to the Congress in ample time for the Congress to act on the recommendation.

The members on the part of the House were unanimous in agreeing to the report, as were the conferees on the part of the Senate, and we recommend the adoption of the report by the House.

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

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

Mr. SPRINGER. Mr. Speaker, the basic purpose of this bill is to pay retirees a 15-percent increase in railroad retirement benefits to bring them up proportionately with social security on a temporary basis. The fund cannot remain actuarially sound without major modifications and a commission is established to accomplish this within 2 years.

There was no difference between the two bodies on the payment of the 15-percent increase retroactive to January 1, 1970.

The only real difference lay in the

provisions for temporarily financing the increase. The House version would have required Treasury to make a radical change in the way it handled interest on the fund. The executive branch found this totally unacceptable and it still did not provide enough additional money to cover all of the increase in benefits.

The Senate version made no provision for changing the way the fund was handled. It contemplated a direct draw-down on the fund while the study and necessary revisions were being made.

The conference version embodies a complicated compromise which was agreed to by the Treasury and the conferees. It provides some additional interest, specifically \$195.5 million over the next 8 years. This still cannot make the fund actuarially sound and the overhaul must take place.

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

Mr. STAGGERS. I yield to the gentleman.

Mr. GERALD R. FORD. May I ask either the chairman or the ranking Republican Member a question?

Do I understand that the Secretary of the Treasury or his representatives have approved this interim financing version?

Mr. STAGGERS. I might say that agreement was reached with the Treasury officials. That was signed by the Secretary of the Treasury, and is set out in our statement of the managers.

Mr. GERALD R. FORD. If I might ask the gentleman one further question. Does this agreement mean that either during this session of the Congress or some subsequent session that there has to be legislation to find a way to handle the subsequent financing of the railroad retirement program?

Mr. STAGGERS. This is what we set up the commission to study. The study is to cover whether legislation is needed, and if it is needed, how to go about it.

This recommendation will come back to us before July 1971, so that we will have time enough to work out necessary legislation.

Mr. GERALD R. FORD. In other words, the present arrangement automatically expires after 2½ years.

Mr. STAGGERS. That is right.

Mr. GERALD R. FORD. So there is pressure then to find some other solution prior to the expiration of the present arrangement; is that correct?

Mr. STAGGERS. If it is needed; that is correct.

Mr. GERALD R. FORD. I thank the chairman.

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

Mr. STAGGERS. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I want to compliment the managers on the part of the House for this conference report.

It seems to me it is forthright and that it does meet a deficit situation in the railroad retirement fund.

I do not know about the rest of the Members of the House, but there has been no one subject, even including the veterans, inquiring of the inequity or imbalance shall we say, between the new social security increases and their right

to receive same in view of the social security and cost-of-living increases and other increases, that there have been queries by the railroad retirement people, who have had a just case, but whose trust fund is in arrears or in a deficit situation.

If indeed, as has just been brought out by both the distinguished gentleman from West Virginia and the ranking minority Member, the distinguished gentlemen from Illinois, and our minority leader; an interim phase for reconstituting this deficit, by reinvesting bonds of low yield, this is going on today, of Government funding to colleges and all forward thinking people who may reinvest their funds.

There is no reason why this modern handling of entrusted funds should not happen in railroad retirement. Of course, we must take care of our deserving retirees who sought to and did secure their own futures. If we are going to interpose third-party or big Government trust funds and hold them over their heads we must manage them with the same alacrity and the same dexterity that we do any other trust funds. It seems to me as though this is the first long step in that direction. I believe the conference report should be accepted without any further adieu. I commend the committee on its action.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I rise in support of this measure. I would also like to pay my respects to the chairman of the subcommittee, our colleague from Maryland (Mr. FRIEDEL), for the diligent work which he has rendered in bringing this bill to the floor, which deals with the problem of financing, and with its legislative form. Our chairman of the subcommittee has rendered an outstanding job, and I would like to pay my respects to him.

Mr. STAGGERS. I join the gentleman from Texas in his tribute to the gentleman and to all members on the committee. They have been diligent and not only in connection with this piece of legislation but on other measures.

Mr. Speaker, the conference report is deserving, and I ask that all Members support it.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. In accordance with the unanimous-consent agreement, further consideration of the conference report will be postponed to not earlier than 4 o'clock this afternoon. Does the gentleman withdraw his point of order?

Mr. SPRINGER. I do, Mr. Speaker.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report.

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

There was no objection.

EXTENSION OF PROGRAMS FOR TRAINING IN THE ALLIED HEALTH PROFESSIONS

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13100) to amend the Public Health Service Act to extend for 3 years the programs of assistance for training in the allied health professions, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13100, with Mr. GRAY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, this bill is a 3-year continuation, with modifications, of the existing program of grants to increase the supply of manpower in the allied health professions.

The program was initially established in 1966 and was extended for 1 additional year through amendments in 1968. The authorization for appropriations expired June 1970, and this bill would extend those authorizations through June 30, 1973. The Subcommittee on Public Health and Welfare considered the bill in both hearings and executive sessions and unanimously recommended the bill to the full committee. The full committee considered the bill in executive session and unanimously ordered it reported to the House, and we recommend its passage with the amendments set forth in the reported bill.

Mr. Chairman, this act currently authorized four types of assistance to facilities training persons in the allied health professions. The legislation authorizes matching grants for construction of new teaching facilities, grants for improvements of educational programs, grants for advanced traineeships to prepare teachers and supervisors, and grants to institutions for development of new methods for training health technologists.

The reported bill would extend these programs for 3 additional years, and would expand the program for develop-

ment of new methods to provide authority for special projects for experimentation, demonstrations, and improvement of programs designed to increase the efficiency of training programs, and provide for increased recruitment of manpower in this area.

This program is designed to increase the supplies of people who make our existing scarce physician manpower more efficient. As our knowledge of medicine increases, and new technologies are developed to deal with complex medical problems, additional types of trained manpower are necessary. Currently, support is provided for programs training at the baccalaureate level, covering dental hygienists, dieticians, medical record librarians, medical technologists, occupational therapists, optometric technologists, physical therapists, radiological technologists, and sanitarians. In addition, there are 12 associate degree level programs at the junior college level for which support is provided. The authority in the law is adequate to cover a substantial number of additional categories of allied health professions personnel, but due to the limited funding available, the Department has given priority to those allied health occupations which are most directly related to patient care and for which shortages are most fully documented.

Under the construction program, six projects have been funded, providing nearly 1,000 new first-year places. Although the full amount of increases in students receiving training in the allied health professions is not entirely attributable to Federal assistance, programs under this act have contributed to the growth of enrollment in existing schools from 11,400 students enrolled in fiscal year 1967 to a present level of almost 23,000 students, or more than twice as many as were enrolled in 1967.

Unfortunately, it is still estimated that we were more than 220,000 workers short in these fields in 1967, and by 1975, even at current rates of training, this deficiency will grow to more than 300,000.

One of the major contributing factors to the rapid increases in costs of medical care in recent years has been the shortages of personnel to provide needed services. It seems unlikely that we will be able to do a great deal about these increases in costs unless we can both increase the supply and the efficiency of manpower in the health field. This bill is intended to aid in accomplishing both of these objectives. It is intended to increase the supply of allied health professions personnel, thereby making health services which they can furnish more readily available, and in addition these persons will make more efficient the services of practicing physicians by reason of the skills they have acquired.

Mr. Chairman, as I mentioned, our committee was unanimous in ordering the bill reported to the House, and we urge its adoption by the House.

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

Mr. Chairman, the Allied Health Professions Personnel Training Act has now been with us since 1966. It has not exactly

taken off so far. Support received for it has been minimal although both the prior administration and the present one support the program and fund it to a certain extent.

The allied health professions are those associated with the practice for medicine and health care of the population other than the direct professionals such as doctors, dentists, and nurses. There are, for instance, medical technologists, physical therapists, and dieticians, and in many cases subcategories of these professions.

In recent years there has been an expansion of the kinds of professions required in the health manpower field and in the courses offered for their education. With the expansion of community colleges and junior colleges associate degrees are being offered to train technicians such as dental hygienists, medical laboratory technicians, and X-ray technicians. These degrees in most instances can be used as the basis for further training to obtain baccalaureate degrees in the same fields.

The delivery of health services to the American people is going to depend to a great degree upon the development of new specialties and the training of far more people to pursue these specialties. I do not think that we have scratched the surface in the development of new professional skills in the health fields, and the allied health professions program is the key. That the program has started slowly is understandable, but it should be accelerated.

The bill before us today provides funds for five different categories of financial assistance. Some of these categories such as construction are not presently being funded, and the 1971 budget requests do not include construction funds. The bill provides \$20 million in authorizations for the year 1971 in this area. It then includes authorizations for 1972 and 1973 in the amounts of \$30 million and \$40 million. If it is the decision of the executive branch not to fund construction grants in fiscal year 1971, we must of course bow to that decision as one to be made in sorting out the overall priorities in the health field. It is still proper in my view to include in the legislation authorizations for this purpose. In the event that construction grants are approved in the next 2 years, there need to be some comparative figures to show the relative weight given to this part of the program by the Congress. For this purpose alone the figures are meaningful, and I would hope that construction grants will become possible before the expiration of this act.

The program in the past has included improvement grants both of a general nature and more specialized ones where unusual progress might be made by following up to an idea. The special improvement grants have only been available to institutions if they were receiving a basic improvement grant. The committee felt that in some situations a special improvement grant might well be justified in a circumstance where the applicant was not receiving a basic improvement grant and perhaps would have no particular desire to do so. For that rea-

son the improvement grants were broken into two categories and separately funded at \$15 million per year each. The present budget, of course, combines these as the present law requires, and the request in this area is in the amount of \$9,750,000 for 1971.

Also included in the program are grants to develop and demonstrate new methods of training. The bill provides an authorization of \$10 million for 1971 and \$20 million and \$30 million respectively for the next 2 fiscal years. The 1971 budget requests \$4,495,000 in this area.

The committee bill expands somewhat the authority for the use of these development funds. In particular it includes projects to assist in retraining, recruitment, and retention of personnel. In the nursing and allied health professions the turnover is rather rapid and skills are lost. The so-called retraining program has been fairly successful with nurses and could be most valuable in the other professions. Some effort could very well be put in this new area and room is left in the authorization for funds to accomplish it.

The remaining portion of this program which has been in existence since the beginning deals with traineeships. In order to develop teachers and supervisors in the various professions it is necessary to make additional training attractive. Traineeships provide support for the individuals willing to accept and use such advanced training. This device has been used in several of the health manpower programs, and, if I remember correctly, was first used in nursing. The bill as reported by the committee provides \$8 million for the fiscal year 1971 and \$10 million and \$12 million for the next 2 fiscal years. The 1971 budget provides \$3,750,000 for this portion of the program.

The allied health professions personnel training program has actually expired, and what we are doing today speaks as of the beginning of the fiscal year. Of the programs to increase health manpower this is the newest. It is not more important that the creation of doctors, dentists, nurses, and the other major health professionals, but with the present trends in health care and the obvious necessity of streamlining health care, the allied professions will become increasingly important, and it is imperative that progress be made now by providing that manpower and developing categories of skills which will be needed very quickly.

I recommend the bill to my colleagues.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I would like to congratulate our distinguished Chairman and the distinguished Chairman of the Subcommittee, the gentleman from Oklahoma (Mr. JARMAN), for the excellent job they have done on this legislation.

I support the measure wholeheartedly and I think it will be of great help in meeting the tremendous shortage of medical and paramedical personnel that faces us today.

At the appropriate time I propose to offer an amendment to this legislation

which I think will help to make it even more effective by providing new mechanisms through which we can make use of a large untapped manpower potential while at the same time creating—with very little expense—the new community health services that are so urgently needed.

The most serious aspect of the health crisis facing this country today is the growing inadequacy of our system for delivering health care to the people. In part this is due to an apparent shortage of health manpower; in part, it is due to the general unavailability of health facilities adequate to meet community needs.

There is no question that we do not have all of the health manpower that we need. But a part of the shortage that we are now experiencing results from the failure to utilize our health manpower potential fully. For example, there are approximately 12,000 trained medical personnel returning from Vietnam every 16 months. These could be a valuable resource for developing health manpower, but under our existing system we have no way of making use of them. It is also estimated that there are more than 14,000 inactive registered nurses in the southern New York region. Some of these nurses are not working simply because they don't want to, but surveys show that a substantial number are not working because there are no readily available facilities where they can apply their skills.

The problem regarding distribution of facilities is illustrated by the situation in Brooklyn, N.Y., where 80 percent of the hospital facilities are concentrated in the northern section of the borough which contains less than half the population. People who live in the southern section of Brooklyn are effectively denied adequate health care.

We have the same problem in the distribution of personnel. For example, there are 325 physicians for each 100,000 population in the lower west side of Manhattan compared with 37 physicians per 100,000 population in the Brownsville section of Brooklyn.

In rural areas the problem is equally acute. In Tioga County, N.Y., with a population of almost 44,000 people spread over an area of 524 square miles, there is only one general hospital.

Today more middle- and low-income families in America depend for health care on emergency and outpatient facilities at existing voluntary and municipal hospitals and the burden is growing rapidly. On a nationwide basis over the past 5 years the voluntary and municipal hospitals increased by one-third while the facilities increased by less than 3 percent.

In New York City the municipal and voluntary hospitals handle considerably more than 9 million outpatient visits each year according to the most recent figures available. As the urban area spreads people find themselves living a greater and greater distance from the hospitals. This results in delays and inferior medical care.

Today, for example, one-fourth of all the expectant mothers in the New York

area either get little or no prenatal care and the figure is as high as one-third for mothers in the Harlem-Bedford-Stuyvesant area.

It also results in serious misuse of facilities and increased costs. Medical surveys indicate that 15 percent of patients utilizing general medical and surgical facilities need not be there for medical reasons. They are using the facilities because there are no adequate alternative outpatient facilities to meet their needs.

As a result of the inadequacy of the delivery of our health care, the AMA has estimated that 20 million people in this country had never seen a doctor and never had medical care. The grim significance of our failure in this area can be seen in one set of simple statistics. Men in 22 foreign nations have a longer life expectancy than the American male. Women in 11 foreign nations live longer than American women and 14 nations have lower infant mortality rates.

The facts leave no other alternative. There must be a radical change for our system in delivering health care.

Most experts agree that the first step in meeting the urban health needs of low- and middle-income families is the establishment of community health facilities convenient to their neighborhoods and responsive to their needs.

Under normal circumstances this would be an expensive, long-range program. Fortunately, however, there is an inexpensive and readily available resource at hand which can be used to meet the health needs of the local community and to start the radical reorganization of our health delivery system that is so urgently needed.

The Federal Government, at this very moment, has in storage over 2,500 prepackaged hospitals consisting of complete modern general medical, clinical, dental, and surgical units designed to convert existing buildings into effective community health facilities. These prepackaged hospitals, which were designed as a part of the civil defense effort, are now held in dead storage in various locations throughout the United States. Each contains all of the equipment and supplies necessary to establish and support a 200-bed community health facility. Where suitable buildings exist, they can be installed within 48 hours.

In light of the desperate need, it is nothing less than criminal to keep these units in dead storage instead of putting them to work to start the job of improving the health care for people.

One such unit valued at \$45,000 can convert an existing structure into a modern and efficient community health care facility within 48 hours. The units can be used to create community centers in brownstones, storefronts, office buildings, or any other structure of sufficient size. Since the expensive equipment has already been acquired and paid for by the taxpayers, these units can be installed at a fraction of the cost of other health facilities.

In addition to a complete range of drugs, medicines, and hospital supplies, the units include up-to-date X-ray, surgical, dental, and laboratory equipment and supplies. They even have their own

generating equipment to permit them to operate in the event of a power crisis such as that which threatens us this summer.

Over the past 8 years, the American taxpayers have invested over \$140 million in creating, storing, maintaining, and updating these prepackaged hospitals. Yet with the exception of an occasional disaster, such as Hurricane Camille in 1969, these facilities are never used in the United States.

Recently two of the units were flown to provide hospital facilities to deal with the earthquake disaster in Peru and a number of units were earlier made available to war-torn Biafra. Yet despite the critical and well-known shortage of medical facilities available to middle- and low-income families in the United States today—especially in urban areas—the vast resources available in these 2,500 prepackaged hospitals have not been made available to the American people.

The amendment that I will propose to H.R. 13100 would release these prepackaged hospitals to be set up as community health services. They would not supplant hospitals but augment them. They could provide emergency services for patients in critical condition, outpatient care, and badly needed preventive medicine as well. By setting these units up in the local communities we will improve services, reduce costs, and ease the demand on our overburdened hospitals. Furthermore, we will be creating a valuable training ground for developing community manpower resources, for demonstrating how the other untapped health manpower potential can be employed.

I would hope that this effective and inexpensive program would have non-partisan support.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, I appreciate the gentleman from Illinois yielding to me.

I am vitally interested in the extension of the program for training in the allied health professions, as would be any other physician Member of the Congress. Quite aside from the question of whether or not there should be third-party intervention, quite aside from the question of whether or not this is the only approach for staffing and for construction and for meeting the demands of an improved service, and without any reflection whatsoever on whether or not different acts of centralized Federal Government have brought on increased abuse and increased demands for services; or whether, indeed, Mr. Chairman, years of regimentation, too many wars, and too many exposures to benefits have led to greater and greater experienced demands for services. All concerned now realize, appreciate, and admit forthrightly that if we are to continue these types of services and maintain the quality of medical care that we have, should enhance, and certainly are accustomed to, then there must be aiding and abetting in some manner such as this, particularly if the Federal Government is to continue to

skim the tax cream off of the total crock of milk and leave a lesser tax base for those in the local areas to develop their own personnel and training. So I take a rather dim view of the fact in general that by the year 1980 we may not have enough trained personnel or staff or adequate facilities unless the Federal Government intervenes and takes a heavy hand in this.

The communities and States historically do these things if we do not. I well recall in 1954 a gloomy prediction by a "famed" educator of a 600,000-classroom shortage by 1960. We were less than 40,000 short by actual count. He forgot the power of the local school boards and their dedication.

However, we are doing it. The demands for services are there. It is the law of the land. And I have nothing but commendation to this distinguished committee which always handles health matters except those involving taxes in the Congress of the United States for bringing this bill and report before us.

With that preamble, Mr. Chairman, I want to say that I am in strong support of this bill even including the escalating amounts and the demands on the Federal taxpayers for the next 3 years, because I think anything less would be unworthy and insignificant for what we need in services and facilities.

Mr. Chairman, I would like to address myself particularly to one further phase of what is going on and how medicine is trying to help itself, police itself, and serve the Nation. It is a known fact that we still have the same proportion of physicians to patients in the United States in round numbers now—generally about 1 to 1,150—that we had in 1949; whereas the services and proportions of physicians to patients in other countries around the world has dropped remarkably due to emigration and the outflow of trained physicians. In fact, we use about 15 percent of foreign medical graduates in order to provide the services and continue the quality medical care to our people, as the demand for services increases. But the schools themselves are developing an educational plan throughout the Nation.

Mr. Chairman, I hold in my hand here a booklet entitled "The Open Medical School—a Community of Scholars." This is the academic plan for the new school of medicine for the University of Missouri at Kansas City. Many other schools have similar plans.

This bill which we now have under consideration, Mr. Chairman, will aid and abet not only teaching hospitals but medical schools and the increase of same where they are qualified and as rapidly as new ones qualify. It is a very forward-looking document.

In addition to all of that, there was consideration given today—and I consulted with the chairman and the author of the bill and certainly the ranking minority member and Dr. Tim Lee Carter, my colleague on this great Committee on Interstate and Foreign Commerce—about perhaps adding on as an amendment the revised views of S. 3418 which would establish a program for assistance to public and private nonprofit medical schools and hospitals to expend

existing programs and particularly to expand that portion, along with the brick and mortar needed to produce more "specialists"—if I may use that term—in the practice of family medicine. I think most of the Members know that I am a specialist, vintage post-World War II, a rather out-of-practice, highly trained surgeon, who limited his practice to a surgical specialty, but I am one of those who believes that to be a good specialist you have to be a good general practitioner first.

I certainly believe that we should at this time consider, as indeed the chairman, the ranking minority member, and the author of this bill have agreed to do, the inclusion of family practice which, of course, medicine as a whole has itself agreed to do.

Mr. Chairman, I am very proud to be the 1968 recipient of the Missouri Academy of Family Practice Award for outstanding service of the year.

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

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HALL. I appreciate the gentleman yielding this additional time to me.

Mr. Chairman, what I am trying to say is that if the average and general patient of the United States of America is to continue to receive quality medical care and maximum benefits from all of medical science, his total health must be evaluated and managed efficiently if, indeed, we are to use paramedical personnel as included in this bill.

Mr. Chairman, we must have a new type of "generalist" training to evaluate the patients' problems in their totality and the ability and willingness to call on the specialists. This is the greatest and most maximum and efficacious use of the people we have who are admittedly a rare and critical commodity, who have studied or trained to sell as a service vendor—I do not like that term, but I guess that is actually what it is—to contract for and sell their trained skills in rendering quality service to the patients of America.

Mr. Chairman, this concern led, back in 1964, to a family practice committee and I was privileged to serve and advise with this group with the idea of increasing the supply of those who are specialists in family practice. Since that time there has been a board of certification established with the requisite number of checks including self-policing, if you please, by the profession, reeducation and continuing education on the part of those engaged in family practice.

So, Mr. Chairman, we must not let a lack of effective, attractive educational and training programs in bills such as these be devoted to all others including the great specialties to the exclusion of family practice.

At the present time, Mr. Chairman, most medical schools and teaching hospitals do not have organized units for teaching family medicine. But as I stated in quoting this book, the new University of Missouri Schools of Medicine concept, they are rapidly doing this in school after school that now has a curriculum in family practice. There are few family physicians who teach on the clinical faculties of medical schools. I know it is most

apropos that this bill devote itself to training and to personnel development and to staffing. However, teaching by example is more effective than teaching by exhortation, and thus we must have experts in family practice teaching in these medical schools within the curriculum for family practice.

Mr. Chairman, family practice has not in the past been a recognized specialty, but it is now. The American Academy of General Practice, recently renamed the American Academy of Family Practice, with headquarters in Kansas City, Mo., has done a remarkable job in getting hospital privileges that are not restricted to specialists but are open to general practitioners in the art and science of family practice.

Mr. Chairman, third parties who are paying for physician service, including the U.S. Government, must not continue to pay the specialist more than the general practitioner for equivalent services.

So I repeat that much has happened since the report of these ad hoc committees to solve the family practice problem, and to provide incentives for the generalist or the "specialist in family practice," to go into the rural areas. I would certainly have hope that inasmuch as it is now a recognized specialty and that some medical schools and hospitals have developed training programs for family practice, and that the interest in the field has grown substantially, may I say, as the result in part of a stimulus of this committee, its reports and previous actions by the House of Representatives; that we would in the very near future take up and consider something very similar to the revised edition of S. 3418 which has been perfected as an amendment to the Public Health Service Act to do just these things, insofar as medical and paramedical personnel are concerned.

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

Mr. HALL. I am happy to yield to the distinguished gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I personally wish to express extreme thanks to the gentleman in the well for his contribution, and also to say that we are fortunate indeed to have a man of his competence in this field as a member of our committee, or as a Member of the House of Representatives.

I might also add that on our subcommittee the gentleman from Kentucky, Mr. TIM LEE CARTER, is also a medical professional, and is a great addition to our committee.

I also wish to call to the attention of the gentleman something that has come to my attention in recent weeks, and that is that the Mayo Clinic has indicated the possibility of a medical school there, and they feel that with a limited amount of bricks and mortar they can turn out in the first year about 40 doctors, and perhaps 100 doctors a year thereafter.

All of their training would be with doctors who are presently in the clinic. I am sure the gentleman in the well would agree with me that this would be a very expertise approach to this medical problem.

Mr. HALL. Mr. Chairman, I certainly do agree, and I would call your attention to the fact that this is going on all across the country. The veterans hospital facilities are being used as teaching-related institutions in order to assist in this. We are moving into greater and greater acceleration, even to the point of going back to the World War II 9-9-9 intern-resident training programs, following after the 3-year specialized training programs in medical schools, in order to increase the output of physicians.

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

Mr. SPRINGER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding me this further time.

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

Mr. HALL. I yield to the distinguished gentleman from New York.

Mr. PIRNIE. Mr. Chairman, I thank the gentleman for yielding, and wish to join in extending the appreciation of the House for his observations on this field in which he has such a remarkable background. We look to him for guidance.

The gentleman stresses the importance of the general practice not only from the standpoint of the profession, but also from the needs of the public, and I hope that appropriate emphasis within the medical profession is going to be given to this type of practice so that people rendering this very valuable service will have the stature in this country, which they so richly deserve.

Again I thank the gentleman very much for his contribution.

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

Mr. HALL. I am delighted to yield to the gentleman from Illinois, the ranking minority member of this distinguished committee.

Mr. SPRINGER. Mr. Chairman, I too wish to extend my congratulations to the distinguished gentleman from Missouri on the high award which he has received this last year in recognition of the long service he has had in this particular field.

His has been a distinguished record in the medical field, where he is a specialist as a surgeon. In the House of Representatives the gentleman has an equally distinguished record, may I say, in attending to and looking after the public interest, and its position on the floor of this House. I know of no more dedicated Member than the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I certainly thank the gentleman.

Mr. Chairman, in conclusion I simply want to say that the family practice movement within and without the profession, aided and abetted or not aided and abetted by the Federal Government, must be supported with the same commitment that we know happened historically and analogous to research or specialists in the post-World-War-II period.

At the proper time I shall appear before this distinguished committee in hearings to suggest certain modifications as to an advisory council on family prac-

tice under the Secretary of Health, Education, and Welfare.

I simply want to say this is an important bill. I approve of it. I recommend its enactment. I hope some day it will be modified further, so we can include a strong family practice section and the provisions for para-medical personnel, although they might well be treated separately.

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

Mr. STAGGERS. Mr. Chairman, first I want to commend the gentleman from Missouri for his remarks and say that we appreciate them as coming from a member of the medical profession.

Mr. Chairman, at this time I would like to recognize the chairman of the subcommittee which handled this legislation and say to him, and to all of the members of that subcommittee who have been holding hearings on this bill and many other bills, that I and I am sure the rest of the Members of this House appreciate very much the job that they have done.

Mr. Chairman, at this time I yield to the gentleman from Oklahoma (Mr. JARMAN), the chairman of the subcommittee, such time as he may require.

Mr. JARMAN. Mr. Chairman, I thank the chairman of our full committee for the words that he has just spoken and for his leadership on this and on all other legislation that our subcommittee considers.

Mr. Chairman, I rise in support of H.R. 13100 that would significantly strengthen and extend for three years the Allied Health Professions Personnel Training Act of 1966.

The health crisis in our Nation has been felt for many years. Task forces have studied it, reports have been written about it, and citizens have experienced it. Waiting lines in doctors' offices and delays in obtaining results from laboratory tests, X-rays, and other diagnostic techniques attest to a health manpower shortage, which is the primary contributor to the crisis.

In April of 1969, a report on the Allied Health Professions Personnel Training Act of 1966 was submitted to the Congress by the Secretary of the Department of Health, Education, and Welfare. That report clearly revealed the need for significant national attention to the production of allied health personnel to provide health services to people who need them.

Allied health personnel perform many essential tasks in a wide variety of settings where health services are delivered. These include conducting tests in medical laboratories, taking X-rays, and assisting patients with rehabilitative activities. Allied health personnel are trained for these jobs in far shorter periods of time than are required for the training of physicians or dentists, for example.

We have talked about the need long enough. We must now take action to ensure the production of the allied health manpower that is needed to deliver needed health services.

The subcommittee of which I am chairman held hearings on the allied health legislation. The committee was

impressed with the magnitude of the task that is ahead and was concerned that, since the initiation of the Allied Health Professions Training Act of 1966, funds available to implement the programs have been far below the conservative levels for appropriations that the Congress authorized. Consequently, the achievements under this legislation have been modest. The critical shortages that exist cannot be alleviated unless we make a substantial national commitment to the training of allied health manpower.

The bill we are reporting today, H.R. 13100, provides the legislative vehicle necessary to continue and, more importantly, to accelerate efforts to cope with this health manpower crisis. It would extend for 3 years the Allied Health Professional Personnel Training Act of 1966.

H.R. 13100 would extend the authority for grants for construction of teaching facilities for training centers for allied health professions to assist in providing the classrooms, laboratories, and clinical teaching space for an enhanced training effort. It would extend the basic improvement—formula—grants to training centers for allied health professions and would provide special improvement grants to such centers to assist them in maintaining and improving their programs and in providing specialized functions which the center serves.

The bill provides authority for a variety of new special project purposes related to the training or retraining of allied health personnel. Under the new authority, support could be given to projects—

To plan, develop, or establish new training programs or modifications of existing programs;

To effect significant improvements in curriculums;

To expand training capacity;

To establish curriculums and special programs to reach special groups such as the economically or culturally deprived, returning veterans with training or experience in a health field, or persons reentering the allied health fields.

The committee was persuaded that the capabilities of a variety of agencies, organizations, and institutions must be enlisted if the new and broadened special project purposes are to be implemented rapidly and effectively. The bill, therefore, authorizes participation in the special project program not only of "training centers for the allied health professions" but also of other agencies, organizations, and institutions with the capability of accomplishing such purposes.

The bill would continue the project authority for the development and evaluation of new types of health personnel. Projects such as these have a significant potential for alleviating manpower shortages and contributing to the improvement of health services. This is the program under which support has been given to the development of such new types of health personnel as child health associate, hospital pharmacy technician, orthopedic assistant, and physical therapy assistant.

The bill would add a new authority for projects to develop, demonstrate, or

evaluate techniques for appropriate recognition—including equivalency and proficiency testing mechanisms—of previously acquired experience. Equivalency and proficiency mechanisms can be used to accelerate formal academic preparation for allied health personnel by advanced placement. They can also serve as a sound basis for occupational mobility, where employment recognition can be given for principles and techniques that have been mastered.

The bill would also authorize projects to develop, demonstrate, or evaluate new or improved methods of recruitment, retraining, or retention of allied health manpower. Significant increases in the number of allied health personnel available for employment is dependent on recruitment efforts directed toward a variety of potential manpower pools. Young people constitute a primary source, but other important sources include women with minimum or limited family responsibilities and health personnel trained in the Armed Forces who are returning to civilian life. Rapidly expanding knowledge in the health field and changing practices and technologies require that retraining and refresher courses be developed and made available to persons practicing in the field and to former practitioners who have left the field but who could return if they were given opportunities to renew and update their skills.

Mr. Chairman, the effectiveness of allied health personnel has been clearly demonstrated in many settings where health care is provided. However, the shortage of manpower remains critical. A positive step must be taken now to continue to support the education and training of allied health personnel who can help us meet the health needs of the people of this Nation. H.R. 13100 will ensure that a program of great benefit to the Nation will be sustained.

Mr. JARMAN. Mr. Chairman, I yield such time as he may require to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I also rise in support of this legislation, the Allied Health Professions Training Act of 1970.

We have all known, and it has been stated many times, that this Nation is facing a crisis in health. This bill is designed to help to meet that crisis by providing more allied health personnel.

Not only is the present health care delivery system expensive and inadequate, but a tremendous health manpower shortage is mounting with no visible end in sight, unless Congress acts to give financial support to the allied health program.

The total allied health manpower shortage is estimated today at 26,000. This deficit will increase to 340,000 or more in 1975, unless we act now to enlarge our manpower training programs. To emphasize our critical manpower need further, I would like to point out that we are presently short approximately 30,000 radiological technicians, 5,000 dental hygienists, 40,000 dental assistants, 100,000 environmental health personnel, and 45,000 medical laboratory technicians.

Unless we put emphasis on programs such as this, we are not only going to continue the existing crisis, but we are going to be in chaos in this country in the health field.

Despite this critical need for allied health manpower, appropriations for the allied health program have been at levels substantially below the authorization levels. Total authorizations for the years 1967 through 1970 have amounted to \$117.5 million. The total appropriations for those years have only amounted to \$46.5 million, or 39.5 percent of the authorizations.

Total authorizations in the bill reported by the committee for a 3-year extension of the allied health program amount to \$290 million or \$68 million for fiscal 1971, \$95 million for fiscal 1972, and \$127 million for fiscal 1973.

A total of \$90 million has been authorized by the bill for construction, renovation and expansion matching grants to be made to public and other nonprofit allied health teaching facilities. For fiscal year 1970 there was no money appropriated for construction. Not one dollar. We cannot again allow this to happen if we expect to narrow the gap in the manpower shortage.

A total of \$45 million is authorized in the bill now on the floor for basic, formula improvement grants for the three year extension of the program. The shortage of allied health manpower dictates that every effort must be made to assure the maintenance and expansion of on-going allied health educational programs. Furthermore, H.R. 13100 provides for a separate appropriation authorization for special improvement grants of \$65 million. This should correct the existing situation under the law which has caused the special improvement grant program not to be funded for the past 3 years.

With the implementation of the separation of special and basic improvement grants, we can now move forward to provide, maintain, and improve the specialized functional programs of certain types of training centers.

A total of \$60 million for the 3 fiscal years is included in the bill's authorizations for special projects related to training or retraining of allied health personnel through curriculum development, interinstitutional relation development, studies and evaluations in development of new types of health manpower, development of new means of recruitment and retraining, development of proficiency testing mechanisms, and development of special programs to reach special groups such as returning veterans with military health training. Medical services personnel in our Armed Forces, numbering over 120,000 presently, have great potential as a source of allied medical manpower in civilian life. Presently, between 30,000 and 35,000 persons are annually released from the Armed Forces, of which some 6,500 enter directly into health jobs and 7,700 continue their health education. It is possible that many of these individuals could be certified for allied health professions without further training if licensing boards were more familiar with military training programs

and if the military medical training programs could be expanded or supplemented.

I believe that encouragement of such programs as "medic" for allied health personnel in the armed services returning to civilian life is essential if we are to close the gap of our medical manpower shortage, and this bill provides for such projects.

H.R. 13100 also authorizes a total of \$30 million for continuing the program for advanced traineeship grants awarded to public and nonprofit allied health training centers that in turn make awards to students who have completed the basic professional preparations required for employment in one of the designated eligible disciplines and who are pursuing advanced training to qualify them for positions as teachers, supervisors, administrators, or specialists in the health field. More than 700 individuals have received traineeships under this program since 1967 and about 600 of these, as it is pointed out in the committee's report, are already working in the field—and mostly as teachers, which we drastically need if we are to increase our training of allied health manpower.

My fellow colleagues, we know that the health of the people of our Nation is and should be one of highest priorities for necessary legislative action by Congress. It is essential that we assist States and institutions in the development of programs of allied health training, if we are to keep pace with our Nation's ever-increasing demands for quality health care. Therefore, I urge adoption of this vital piece of legislation.

This is an important bill and we hope that the Congress will fully fund these bills and increase the funding as called for in the authorization. I urge strong support of this legislation.

Mr. ROTH. Mr. Chairman, the legislation before us today must be passed if we are to respond to the serious problems which currently face our Nation's health care system. H.R. 13100, the Allied Health Professions Personnel Training Act of 1970, as approved by the Committee on Interstate and Foreign Commerce, proposes a 3-year extension of the allied health training authorities contained in the Public Health Services Act. The programs to be extended by the provisions of H.R. 13100 are essential to the development of a highly skilled force of auxiliary health personnel in this country. It is important and necessary, therefore, that this legislation be approved.

Serious shortages of health manpower exist throughout our health care system. In some cases these shortages have reached critical proportions—right now, we need 48,000 more physicians, 150,000 nurses, and almost 18,000 dentists. Equally significant shortages exist in the allied health sector of our Nation's health industry.

President Nixon's 1970 manpower report put it this way:

The demand for medical care has outstripped the Nation's health manpower resources throughout the 1960's. Shortages of physicians and nurses, the subject of wide public concern, have led to rapidly increased utilization of auxiliary health workers and thus to intensified labor shortages in the

supporting health occupations. Personnel shortages are acute in virtually all segments of the "health services industry"—hospitals, nursing homes, offices of medical practitioners, and medical laboratories.

These shortages are expected to continue and to increase—by 1975 we will need 43,000 more medical laboratory personnel, 30,000 additional radiologic technology personnel, 7,000 more dental hygienists, and an added 28,000 dental assistants. In the developing environmental health field we can anticipate shortages of 55,000 environmental engineers, scientists, and technologists by 1975; 28,000 environmental technicians and assistants; and 31,000 environmental aides.

The programs authorized by H.R. 13100 will help to combat these growing shortages. By extending and broadening the existing law, the bill seeks to produce the numbers and variety of allied health personnel needed to provide the people of this Nation with the highest levels of health care.

The bill would make several major changes in the existing law. Briefly, it would provide separate appropriations for basic improvement grants and special project grants and would broaden the special project authority to provide support for a wide variety of projects to train or retrain allied health personnel. In addition, the bill, as amended by the committee, seeks to broaden the definition of an institution eligible to participate in the special project grant program and the advanced traineeship program.

The provisions I have mentioned are only part of the program included in H.R. 13100. Each is valuable and necessary. If we increase and improve the programs which educate and train allied health personnel we are bound to make inroads into the growing shortages. The legislation we vote on today seeks to do this.

We in Delaware are well aware of the importance of training programs in supportive health fields. We have accredited allied medical educational programs in such critical shortage areas as medical technology and radiologic technology. We feel we are making an important contribution to the health industry in Delaware and to the health care system throughout the Nation as we provide a variety of programs to train and educate highly skilled auxiliary health personnel. We hope, with the aid of legislation such as H.R. 13100, to be able to establish other allied health training programs.

Mr. Chairman, we need more people in the allied health professions. We need to increase the number of training programs and to improve them. We need to expand and improve the teaching facilities in allied health training centers. We need to improve existing curriculum and develop new curriculum.

To help fulfill these needs, I urge passage today of H.R. 13100. We cannot do otherwise.

Mr. FASCELL. Mr. Chairman, I rise today in support of H.R. 13100, a bill that would extend for 3 years the funding of the Allied Health Professions as authorized under title VII of the Public Health Service Act. The program funds construction of teaching facilities, improve-

ment of educational programs, advanced training of allied health personnel, and development of new training methods.

The need for health manpower has been rising alarmingly. The growth of the number of those employed in health occupations has been rapid, but not nearly so great as to keep up with mounting demands in this area. By 1975 the number of workers in health professions will be 4 million; two-thirds of these workers will be in allied health professions. Even so, it is estimated that there will be a 300,000 deficit in the number of trained workers available in these crucial fields.

The need for this bill, I feel, is obvious. The growth in population would seem to demand a commensurate increase in health services at the very least. If these needs are to be met, they must be met with a realistically funded long-range program. This bill provides us with such a program. The 3-year program could help significantly in meeting allied health manpower needs by providing longer training periods and incentives for training institutions to accelerate their program.

Mr. PICKLE. Mr. Chairman, the thrust of the Allied Health Professions Act is clearly aimed at the critical manpower shortage in the health field. It is not enough that we have saved the Hill-Burton construction program; we must supplement this action with a direct attempt to secure more and more trained personnel to man the hospitals now in existence and the new ones to come.

This legislation bears the stamp of the Commerce Committee, of which I am a member. Although the debate has clearly shown the mechanics of this program, I would point to our committee's involvement in the program funds construction of teaching facilities, improvement of educational programs, advanced traineeships for allied health personnel and development of new training methods.

Mr. Chairman, I can point specifically to the need of this legislation. Recently, the Advisory Council for Technical-Vocational Education in Texas made a tour of Houston, Tex., hospitals and health care facilities where they saw firsthand the work of these institutions and reviewed the pressing needs in the health care field. The Houston area has a large medical center and is therefore perhaps better equipped than are the less highly specialized areas. However, the problems which Houston face are indicative of the shortages in all parts of the country. Their findings, therefore, are of interest nationwide.

The most crying need in all cases was for more personnel and more funds for facilities and training. The philosophy of health care today is that the public has a right to good health care, just as they do to a good education. Because of this, the employee need per patient in hospitals has increased in the last quarter century from 2 to 3.2 and patients now utilize some 125 laboratory tests per patient rather than the 3 or 4 of former years.

To partially alleviate the personnel problem, the use of paramedical personnel to free the doctors and nurses for more skilled work seems a logical

solution. Technical-vocational schools could provide this type of training. The fact is that everywhere in the Nation, the need for trained personnel has not kept up with the growing number of patients seeking care. Although Texas has pioneered the licensed vocational nursing field, twice as many LVN's are needed now as are being produced. The VA hospitals have had to resort to their own training programs to supply needed skills. Another innovative idea is the use of satellite health care clinics. Health care teams working in communities can provide lower cost care than patronizing central outpatient and hospital facilities. Utilization of small downtown colleges which in the past have offered mainly 2-year business courses, are another possibility. More junior colleges and 4-year colleges are including nursing and medical technology courses and associate degrees in the medical field.

A special challenge to organizations responsible for training in health career fields was "to build in a motivation to serve people and emphasize the necessity to build in career paths for advancement. Those to be trained in the health career fields should have their qualifications examined carefully—both their motor skills and cognitive skills, and to lead the person into appropriate careers to utilize their ability. We cannot work after the fact as we have the last 50 years, but must do planning and provide sufficient funding to realize the objectives established in the planning process."

Mr. Chairman, this bill would extend for 3 years the allied health training authorities under title VII of the Public Health Service Act. The bill authorizes \$68 million for fiscal year 1971, \$95 million for fiscal year 1972, and \$127 million for fiscal year 1973. The program funds construction of teaching facilities, improvement of educational programs, advanced traineeships for allied health personnel, and development of new training methods.

The bill would also separate special improvement grants from their dependence on basic grants and broaden special grant authority to include training programs for allied health personnel such as veterans, the disadvantaged, and persons reentering the health field. Institutional eligibility for advanced training programs and special project grants would be extended to include all agencies and organizations capable of accomplishing the purposes of the program.

Mr. Chairman, I strongly favor passage of this measure.

Mr. MINISH. Mr. Chairman, H.R. 13100 would extend for 3 years the allied health training authorities of specified portions of the Public Health Service Act.

Moreover, the bill broadens the qualifications for special project grants and includes institutional eligibility to participate in the advanced traineeship program to include those with the capability to accomplish the training of allied health personnel. Now, only specific training centers are eligible.

We all recognize the need for health manpower. I hope, moreover, that we in

the Congress can come anywhere near success in providing the necessary health personnel and facilities we presently lack. I can think of no better investment than one insuring adequate health care.

I should also like to mention my support for the amendment that was proposed to make available existing pre-packaged medical, central, clinical and surgical hospitals that are presently held in dead storage. In view of the increasing health care crisis we are experiencing throughout the Nation, it would certainly be helpful to have completely equipped hospital units remain inactive. These units, first developed as a civil defense measure in the 1950's, have almost \$150,000,000 invested in them already.

As hospital costs escalate and emergency treatment and outpatient clinical services may cost a day's wages for many persons, it is obvious that we cannot allow facilities already existent to remain unutilized. Moreover, the facilities that would be made available by this amendment are convertible within 48 hours into a 200-bed hospital within any existing building, thus providing a complete community health facility at small cost in terms of time or money.

Health care must be a right, and not a privilege.

Mr. PRICE of Illinois. Mr. Chairman, health care is one of the priorities of this Nation. Because of the present critical shortage of physicians and dentists, it is of utmost importance that authorizations be continued for the allied health professions.

In 1966, when the Allied Health Professions Personnel Training Act was enacted, there were expectations of great advancements in the areas of personnel education and construction of teaching facilities. Unfortunately, these expectations have not fully been realized. Appropriations throughout this time have been at levels far less than the authorizations. Despite the disappointments, the years since 1966 have shown the merit of the program. The appropriations that were allocated have clearly aided the development of allied health training. Curricula have been improved and the number of those participating in the field has increased.

Even with these improvements, the requirements for allied health personnel and facilities have not even begun to be met and these requirements are constantly increasing. Without a continuance of this program, the health care status, inadequate now for the needs of this country, cannot be maintained. There is now a shortage of grants for the training of nurses, dental schools are facing critical financial losses, and hospitals are extremely understaffed.

We cannot lessen our efforts to provide adequate health care for the people of this country. To this time, the failures of this program have been due to limited appropriations and not to the concepts advanced by the act. Allied health professions are vital to this Nation. We must be willing to make the commitment that will provide a firm basis for adequate funding. We must act now to extend the authorizations for this program of assistance by adopting H.R. 13100.

Mr. HALPERN. Mr. Chairman, I rise today in support of H.R. 13100, the Allied Health Professions Personnel Training Act of 1970. This necessary legislation proposes to extend for 3 years and expand urgently needed allied health training authorizations and programs.

All of us are aware of the problems faced by our Nation's health industry. In recent years these problems have reached critical proportions. The most chronic and certainly the most serious problem concerns the shortage of highly qualified and trained health personnel. Manpower shortages in the health professions exist at all levels of health care. We need more doctors—48,000 more to quote current estimates. We need dentists—18,000 now and according to recent projections—55,000 by 1980. Our Nation faces a severe shortage of nurses—right now the health industry needs 150,000 nurses and anticipates a shortage of 200,000 by 1980.

As demands for physicians, dentists, and nurses intensify, so do demands for auxiliary health personnel. These highly skilled auxiliaries are found in all sectors of our health care system—assisting physicians and dentists, in hospitals, in homes, in extended care facilities, in public health, and in research facilities. In the future, we can expect increasing demands for the services of such individuals in the developing areas of environmental health, preventive medicine, and in new and expanding comprehensive health care programs.

We will need these qualified people to counteract physician and dentist shortages across our Nation—in rural communities and in the inner city.

We must, therefore, give our full support to the legislation before us today. If passed, H.R. 13100, as amended by the Committee on Interstate and Foreign Commerce, will extend the program of assistance to training centers for allied health professions for the construction of teaching facilities. These centers desperately need more classrooms and clinical teaching space, and better equipped laboratories if they are to continue to provide programs to increasing numbers of students. The legislation provides separate authorizations for basic and special improvement grant programs. It proposes to broaden significantly the purposes of the special improvement grant program. This program, if approved, will authorize support for a wide variety of needed projects—projects affecting new and already existing training programs; projects to improve curriculum and program capacity; and projects to develop and expand training programs for returning veterans, the disadvantaged, and for those who wish to re-enter allied health fields. The legislation will also authorize projects whose purpose will be to find new ways to recruit, retrain, and retain badly needed manpower.

The bill, if passed as reported, will permit agencies, institutions, and organizations other than accredited junior colleges, colleges, and universities to receive special improvement grants.

Such a proposal will effectively increase the availability of needed allied health training programs and make

them accessible to greater numbers of students.

Mr. Chairman, at this moment, manpower shortages exist in most allied health fields—and at almost all levels. Individuals both with and without college degrees are needed. The Public Health Service estimates manpower shortages in those allied health professions which require at least a baccalaureate degree to be almost 120,000. In allied health professions which do not require such a degree, manpower shortages are estimated to be approximately 145,000. These shortages are not expected to recede.

We cannot allow this critical situation to continue. I, therefore, support the provisions of the Allied Health Professions Personnel Training Act of 1970, as amended by the Committee on Interstate and Foreign Commerce, and strongly urge its approval.

Mr. JARMAN. Mr. Chairman, we have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 13100

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

SECTION 1. (a) Paragraph (1) of subsection (a) of section 791 of the Public Health Service Act (42 U.S.C. 295h(a)(1)) is amended (1) by striking out "and" after "June 30, 1969," and (2) by striking out the period and inserting in lieu thereof a semicolon and the following: "; \$20,000,000 for the fiscal year ending June 30, 1971; \$30,000,000 for the fiscal year ending June 30, 1972; and \$40,000,000 for the fiscal year ending June 30, 1973."

(b) Paragraph (1) of subsection (b) of such section is amended by striking out "July 1, 1969" and inserting in lieu thereof "July 1, 1972".

SEC. 2. (a) Effective with respect to appropriations for the fiscal year beginning July 1, 1970, section 792 of the Public Health Service Act (42 U.S.C. 295h-1(a)) is amended as follows:

(1) Subsection (a) of such section is amended to read as follows:

"BASIC IMPROVEMENT GRANTS

"Sec. 792. (a) (1) There are authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1971, \$15,000,000 for the fiscal year ending June 30, 1972, and \$15,000,000 for the fiscal year ending June 30, 1973, for basic improvement grants under this subsection."

(2) Subsection (b) of such section is amended—

(A) by striking out the subsection heading.

(B) by striking out "(b) (1)" and inserting in lieu thereof "(2)".

(C) by striking out "paragraph (2)" and inserting in lieu thereof "paragraph (3)".

(D) by striking out "June 30, 1973", and

(E) by striking out "(2)" in paragraph (2) and inserting in lieu thereof "(3)".

(3) Subsection (c) is repealed and the following new subsections are inserted immediately before subsection (d):

"SPECIAL IMPROVEMENT GRANTS

"(b) There are authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1971, \$20,000,000 for the fiscal year ending June 30, 1972, and \$30,000,000 for the

fiscal year ending June 30, 1973, for special improvement grants to assist training centers for allied health professions in projects for the provision, maintenance, or improvement of the specialized function which the center serves.

"SPECIAL PROJECTS FOR EXPERIMENTATION, DEMONSTRATION, AND INSTITUTIONAL IMPROVEMENT"

"(c) (1) There are authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1971, \$20,000,000 for the fiscal year ending June 30, 1972, and \$30,000,000 for the fiscal year ending June 30, 1973, for grants and contracts for special projects under this subsection.

"(2) The Secretary is authorized, from sums available therefor from appropriations made under this subsection and subsection (b), to make grants to public or nonprofit private agencies, organizations, and institutions, and to enter into contracts with individuals, agencies, organizations, and institutions, for special projects related to training or retraining of allied health personnel, including—

"(A) planning, establishing, or developing new programs, or modifying or expanding existing programs, including interdisciplinary training programs;

"(B) developing or establishing special programs, or adapting existing programs, to reach special groups such as returning veterans with experience in a health field, the economically or culturally deprived, or persons reentering any of the allied health fields;

"(C) developing, demonstrating, or evaluating new or improved teaching methods or curriculums;

"(D) developing, demonstrating, or establishing interrelationships among institutions which will facilitate the training, retraining, or utilization of allied health manpower;

"(E) developing, demonstrating, or evaluating new types of health manpower;

"(F) developing, demonstrating, or evaluating techniques for appropriate recognition (including equivalency and proficiency testing mechanisms) of previously acquired training or experience; and

"(G) developing, demonstrating, or evaluating new or improved means of recruitment, retraining, or retention of allied health manpower."

(b) Effective with respect to grants from appropriations for the fiscal year beginning July 1, 1970, subsection (d) of section 792 is amended—

(A) by striking out "basic or special improvement" in paragraph (1);

(B) by inserting "in the case of a basic or special improvement grant," immediately after "(A)" in paragraph (2) (A); and

(C) by striking out "for grants under subsection (c)" in paragraph (3) and inserting in lieu thereof "for special improvement grants under subsection (b) and for special project grants under subsection (c)".

(c) Effective with respect to grants from appropriations for the fiscal year beginning July 1, 1970, section 795(3) of such Act (42 U.S.C. 295h-4) is amended by striking out "as applied to any training center for allied health professions" and inserting in lieu thereof "as applied to any training center for allied health professions or to any private agency, organization, or institution applying for a grant under section 792(c) or 793".

(d) (1) Effective with respect to the fiscal year beginning July 1, 1970, sections 794 and 798 of such Act (42 U.S.C. 295h-3, 295h-7) are repealed.

(2) Effective with respect to the fiscal year beginning July 1, 1970, section 797 of such Act (42 U.S.C. 295h-6) is amended by striking out "793, or 794" and inserting in lieu thereof "or 793".

SEC. 3. (a) Subsection (a) of section 793

of the Public Health Service Act (42 U.S.C. 295h-2(a)) is amended (1) by striking out "and" after "June 30, 1969"; and (2) by inserting after "June 30, 1970;" the following: "\$8,000,000 for the fiscal year ending June 30, 1971; \$10,000,000 for the fiscal year ending June 30, 1972; and \$12,000,000 for the fiscal year ending June 30, 1973".

(b) Effective with respect to grants from appropriations for the fiscal year beginning July 1, 1970—

(1) Subsection (b) of such section is amended by striking out "training centers for allied health professions" and inserting in lieu thereof "agencies, organizations, and institutions".

(2) Subsection (c) of such section is amended by striking out "centers" and inserting in lieu thereof "public or nonprofit private agencies, organizations, and institutions".

Mr. JARMAN (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 7, line 7, strike out the quotation mark and after line 7 insert the following:

"(3) For the purpose of—

"(A) developing new community health facilities for the training of allied health manpower in patient care;

"(B) demonstrating new methods of developing, training, and utilizing allied health manpower for community health facilities from within the community served;

"(C) developing, demonstrating, or evaluating new or improved methods of training and utilization of allied health manpower in community health facilities; and

"(D) developing, demonstrating, or establishing new types of relationships among community health institutions which will facilitate training or utilization of allied health manpower in community health facilities;

the Secretary is authorized to make available to public and nonprofit private agencies, organizations, and institutions medical, dental, surgical, and related equipment, supplies, facilities, and other material under his jurisdiction in the Division of Emergency Health Services of the Federal Health Program Service of the Health Services and Mental Health Administration."

The CHAIRMAN. The gentleman from New York is recognized in support of his amendment.

Mr. OTTINGER. Mr. Chairman, this is the amendment that I explained during general debate. It would permit the Secretary of Health, Education, and Welfare to utilize the more than 2,500 complete prepackaged hospital units that are now held in dead storage throughout the Nation under the jurisdiction of the Emergency Health Services Division of the Department of Health, Education, and Welfare. It is hard to understand why these potentially valuable units have been allowed to sit in storage these past 8 years—especially in view of the urgent need for health facilities. I think the only reason that they have not been utilized in the past is bureaucratic oversight—

the left hand not knowing what the right hand was doing.

In terms of actually meeting emergencies for which these hospital units were designed, they would be much more readily available if they were put to use in local communities rather than stored, as they presently are, in basements and warehouses. In the event of a nuclear attack in a particular community, they would be no more vulnerable out in the community than in the storage places where they presently exist.

The units are now stored in ordinary buildings in the middle of cities. There is one in New York in the Metropolitan Life Insurance Building and they are in school basements in Syracuse and Albany. There are some 63 around the State of New York. I do think some of the units ought to be kept so that they can be readily transportable to areas of disaster, but to store 2,500 seems very wasteful, particularly in light of the need for these kinds of facilities within our communities.

As I pointed out in my original statement, I think these units would enable us to use medical manpower available which is not adequately taken advantage of today, because of the lack of convenient facilities.

I can see no reason not to use these facilities. We have reviewed the program informally with the HEW officials, and we have found no substantive objection to it. Actually there is no reason why they could not be put to work right now. The President could do it by Executive order. Unfortunately no such order has been forthcoming despite the fact that we have communicated with the President asking him to act.

The Secretary under this legislation would not be required to use these units. He would be able to maintain as many as he felt were really needed in their present form for defense purposes, but the amendment would authorize him to put these facilities to work where they could be put into effective use.

So I urgently hope that Members on both sides of the aisle and the chief members of my committee on this side of the aisle will accept this amendment.

I think it will be very helpful and one of the most useful things we could do to help establish community medical facilities so much needed all over our country.

Mr. NELSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I serve on the Subcommittee on Health and Welfare. The author of the amendment is a member of our full committee, and I have never seen this amendment, nor has our committee. It seems to me we ought to have some word from HEW if they feel this is a workable provision.

May I also say obviously from the explanation of the author, the units he refers to are set up for the purpose of meeting disasters. If they are going to be deployed now and scattered around the country, then what will we have for disaster if we have a disaster?

Without question, it is an attractive sounding package, and I would hate to see it knocked out just with the idea that

it has not been before the committee, but I would hope the author would give our committee a chance to look it over and review it and discuss it with HEW to be sure of our ground before we move.

Mr. Chairman, I even question the germaneness of the amendment because we are trying to amend an act other than the Public Health Service Act. I also wonder how much is one of the units worth. There are a few other questions which, it seems to me, we should look into before we proceed with this amendment.

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

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

Mr. OTTINGER. Mr. Chairman, I apologize for not having submitted this before the subcommittee and the full committee. The existence of the pre-packaged hospitals came to my attention too late to make such a proposal in committee.

As I see it, there is no real reason why these things could not be used. This legislation would not impair our emergency supply, it would only permit the Secretary to use those units he deems necessary. After all, there are 2,500 in dead storage right now. We could always keep enough in storage to make sure the emergency needs are adequately met.

In terms of the emergency needs, it seems to me these things are a great deal better off being in the communities and already being used, with personnel trained to use them, than as they are, sitting in warehouses.

Mr. NELSEN. But so many times we have found that what is declared to be Government surplus is disposed of and then needed. I have in mind the granaries which were sold in 1948, and pretty soon thereafter the Government was building them back again.

It seems to me if there is a purpose for these units stored as they are, and there must be a purpose, we do not know much about it, and I would think we ought to know what we are doing before we proceed with this amendment.

Mr. OTTINGER. If the gentleman will yield further, I should like to point out there is no requirement that they be used. The Secretary would be authorized to use them.

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

Mr. NELSEN. I am happy to yield to the gentleman from Florida.

Mr. ROGERS of Florida. I want to say I believe the gentleman's idea has a very good basis in fact, and we should check into it. Possibly they could be very helpful in many areas.

I do believe the subcommittee would want to check into it and check the facts a little on it. The fact that the gentleman has presented the idea will be very helpful in having the committee go into this, to see if something can be worked out.

Mr. OTTINGER. If the committee feels it cannot support us at this time, we would certainly appreciate consideration in connection with future legislation.

Mr. ROGERS of Florida. Perhaps on

one of the other bills that will be coming up we will have the necessary facts to consider it at that time.

Mr. OTTINGER. I thank the gentleman.

Mr. NELSEN. Mr. Chairman, I had hoped the author would withdraw the amendment and not leave the history of defeat of an amendment, because I do believe we could look into this, with the possibility of making some use of this equipment. I also say thank you for bringing it to our attention. I hope the committee will have an opportunity to look it over.

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

Mr. NELSEN. I am happy to yield to the gentleman from New Mexico.

Mr. LUJAN. I rise to commend the gentleman from New York for his amendment. I know that in New Mexico there are 22 of these units. There are areas where there is no hospital or even any kind of a facility for medical care within 150 miles. It certainly would be very nice if HEW could use these and be able to give our people in New Mexico the medical care they need.

I thank the gentleman very much.

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

Mr. Chairman, I certainly had not intended to rise twice on this bill, which I favor, but this amendment, as stated by the members of the committee, is very interesting. However, it is late in its birthing, because the fact of the matter is that in all the civil defense storage which has been dispersed to the various States there has been a rotational principle of the expendable items placed in effect, with all existing and modern civilian hospitals that wish to cooperate.

Specifically by that I mean the civil defense hospital storage, much of which is underground, much of which is stored in the overhead hardened limestone excavations and caves with at least 80-foot of overburden, in southwest Missouri, where all of them used to be stored before they were dispersed to the packaging and assembling station in Kentucky and other areas anent manmade or national disasters. It was learned years ago (shortly after World War II), when they were all stored at O'Reilly General Hospital warehouses, which is no longer in being, and before they were moved to the underground and protected or overburdened areas, that they would be dispersed to the use of the various States where there was personnel available to use them and, secondly, that all expendable items, such as glucose, saline solution, ether, and drugs, which might deteriorate or become old and unusable with age, would be used by the modern existing civil hospitals on a rotational basis, and with replacement by the latter.

This is an ongoing concern. I say to the gentleman from New Mexico that former Assistant Surgeon General of the Army and Air Force, Dr. Al Schwichtenberg, M.D., who is now the head of the biological research laboratory of the University of New Mexico, has been an outstanding leader in the utilization of these civil defense projects. I know he has consulted with the Federal (USPHS) authorities on this, and personnel required.

Furthermore, the U.S. Public Health Service is in charge of this civil defense reserve capability, as stated by the distinguished gentleman from Minnesota. They do an excellent job under diminishing circumstances.

It is because of their desire to utilize these in just exactly the way the gentleman from New York suggests, that we have from time to time endorsed the fact that there should be a reserve personnel corps for the U.S. Public Health Service with active duty credits for inspection and determination and for employing the utilization of these civil defense units in civilian hospitals. They are just not available. The egg has to come before the chicken, if we are going to have personnel staffing and adequate utilization of these facilities. I think within the U.S. Public Health Service commissioned corps, which has been marked by the Department of Health, Education, and Welfare in the last two or three administrations for demise rather than expansion, and in view of the cost reductions and the cutbacks, we must recognize the professional capability of these corps and bring them on and utilize their capability, including the reserve capacity, if we are going properly to utilize this technical and expensive equipment. It is true that there are X-rays there that can lie immobile, which are being used now in civilian hospitals. I am amazed if on simple request of Dr. Huntley and other authorities and officers of the U.S. Public Health Service, and certainly of the Surgeon General of the U.S. Public Health Service, if any number of these units in the civil defense reserve cannot be immediately employed. They are packaged and capable of being immediately repackaged. One 200-bed unit is capable of being assembled at one time and dispatched anywhere in the United States of America within 2 hours.

They have been used all over the United States and in barebones bases and places around the world. Biafra is an excellent example where the plastic plumbing above was a savior.

So, I strongly concur with the recommendation of the gentleman from Minnesota that work can be done within the existing framework for the purpose of this amendment, and I would recommend, rather than have the odium of a defeated amendment, that perhaps the gentleman would prefer asking unanimous consent to withdraw his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER).

The amendment was rejected.

The CHAIRMAN. Are there any further amendments to be proposed? If not, the question is on the committee amendment in the nature of a substitute.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GRAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill

H.R. 13100 to amend the Public Health Services Act to extend for 3 years the programs of assistance for training in the allied health professions, and for other purposes, pursuant to House Resolution 1130, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER. Pursuant to the unanimous-consent agreement entered into yesterday, further consideration of the bill is postponed until not earlier than 4 o'clock this afternoon. Does the gentleman from Illinois withdraw his point of order?

Mr. SPRINGER. I do, Mr. Speaker.

DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT OF 1970

Mr. JARMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14237) to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14237, with Mr. WAGGONER in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Oklahoma (Mr. JARMAN) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. JARMAN).

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

Mr. Chairman, I rise in support of H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act. As chairman of the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, I have followed with interest the progress made under the Mental Retardation Facilities Construction Act which this legislation expands and extends.

The Mental Retardation Facilities Construction Act was initiated in 1963, with the objectives of first stimulating the development of a network of facilities for the delivery of services to the mentally retarded; second, developing needed manpower; and third, encouraging research into the problems of mental retardation.

Under the community mental retardation facilities program of the act, modern and efficient facilities are being constructed to provide services to people who have not been served previously and to improve services for others. Under this program 310 projects have already been approved and, by the end of the month, another 75 will have been funded.

Under the program of initial staffing grants for community mental retardation facilities which was added to the act by the mental retardation amendments of 1967, grants are available to assist in the initial staffing of both new facilities and new services in existing facilities. To date, 388 projects have been funded, providing support for staff to serve over 110,000 retarded persons. It is expected that by the end of June, 476 projects will have been funded, providing staff to serve more than 136,000 retarded individuals in their home communities.

Also financed under this act is the university-affiliated facilities program (part B), which provides grants to assist in the construction of facilities to offer interdisciplinary training based on exemplary models of comprehensive services to the mentally retarded. These facilities are a major resource for training professional and technical personnel needed to work with the mentally retarded, such as physicians, social workers, nurses, psychologists, special educators, therapists, and rehabilitation specialists.

Through 1969, 18 grants for university-affiliated facilities had been approved and funded, seven have been completed and eight more should be completed within the next 12 to 18 months. The facilities are coordinating their activities with other community programs, and with State residential programs for the retarded. As a broad resource for specialized training, continuing education, and the provision of exemplary service in complex cases, they fill a role in the systems of mental retardation services similar to that filled by teaching hospitals in the health field or research and training centers in the field of vocational rehabilitation.

The effect of the university-affiliated facilities interdisciplinary training program on manpower problems, together with the provision of improved services through Federal participation in the con-

struction of modern facilities and the employment of trained manpower have resulted in a reduction in dependency of persons traditionally considered to be in need of total care. Increased numbers of severely retarded persons have been aided to achieve levels of functioning that have permitted them to participate in educational, vocational rehabilitation and employment opportunities through these programs.

In my home State of Oklahoma several programs funded through the expiring legislation have made a large impact on the development of modern services to aid the retarded. For example six facilities serving the day and residential needs of 488 additional retarded persons in both urban and rural areas of Oklahoma have been constructed. Several facilities have also hired critically needed staff through initial staffing grants. In my own district, the Cassady School in Oklahoma City has been able to add diagnostic and treatment services in speech and hearing problems to its education and training program which already had a leading reputation in our State. There is no tuition charge at Cassady and many of the children come from economically, culturally and socially deprived circumstances.

A complementary piece of legislation was Public Law 88-156 which provided assistance to the States in planning for and taking other steps leading to comprehensive State and community action to combat mental retardation. Under this legislation every State participated in a cross-disciplinary, interagency effort that focused broad attention on the full range of needs of the mentally retarded, including the areas of health, education, welfare, rehabilitation, employment, and recreation.

State legislatures responded positively to these efforts to plan and develop services in an orderly and balanced fashion. Of 39 State reports analyzed, 34 contained recommendations for legislative action. Based on these recommendations, 258 bills were introduced in the State legislatures and 169, or two-thirds, had passed. Thus, State legislation has fostered major improvements in State and community efforts to provide effective and efficient services to the retarded.

Although the expiring legislation had a major impact on the lives of the retarded and their facilities, there are still many unmet needs. For instance, the President's Committee on Mental Retardation has pointed to several areas in which action should be taken now. These include:

Increasing the availability of mental retardation services, particularly in the urban and rural low income, disadvantaged neighborhoods in which some three-fourths of the Nation's mental retardation is found;

Development of better manpower recruitment and training programs for work with the retarded;

Better, more imaginative use of existing resources, as well as broader realization and use of the resources that the retarded themselves represent;

Development of more public-private

partnerships in mental retardation programs, services, and research.

The Developmental Disabilities Services and Facilities Construction Act being considered today will help provide the structure necessary for additional action to be taken in these important areas.

The expansion of the present formula grant program for construction of community mental retardation facilities into a formula grant program covering construction, services, and planning would permit States to continue to develop services in an orderly and balanced fashion as local need and statewide priorities dictate. Additionally, the bill provides for an increased Federal share of the costs of projects in poverty areas. This provision will have considerable impact in the reduction of dependency of the large number of citizens handicapped not only by physical and mental disability, but by their environmental circumstances. As State capacity increases the scope could be broadened to include not only the mentally retarded, but also persons suffering from certain other closely related developmental disabilities, such as cerebral palsy, epilepsy, and related neurological handicaps for whom similar service needs exist. It is anticipated, however, that at least in the beginning, the State plan will be an updated version of the present mental retardation plan.

Services provided under the broadened legislation could include diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with such disability and of his family, protective and other social and sociolegal services, information and referral services, follow-along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

This legislation would help meet the needs of the retarded and other disabled in many areas. The key impact of the broadened service spectrum and the inclusion of other groups of handicaps with similar service needs would be the development of more effective and efficient patterns of services for the developmentally disabled and their families in or near their own communities.

In addition, part B of the act which now authorizes project grants for the construction of university-affiliated facilities for the mentally retarded would be extended for 3 years, and a provision would be added authorizing the expenditure of funds for operational support. This is essential to assure manpower with the adequate interdisciplinary training necessary to provide for effective implementation of this broad spectrum of services to developmentally disabled persons.

In summary, the bill before us today would make it possible to continue and expand the development of specialized services for the retarded and other developmentally disabled persons. It promotes the development of such services in a planned and coordinated manner and gives each State the opportunity to

use Federal funds in the most effective and efficient manner to the benefit of their retarded citizens. I, therefore, urge the passage of H.R. 14237.

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

Mr. JARMAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I just want to express my thanks to the chairman of the subcommittee for his hard work and leadership in directing the destinies of this bill. I am sure the gentleman would agree with me and other good Americans that in this field our most serious attention is something that should be forthcoming, and it has been the objective of this committee to try to meet this great need in our country.

Mr. Chairman, I thank the gentleman for yielding.

Mr. JARMAN. I thank the gentleman for his comments.

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

Mr. Chairman, the mental retardation facilities program which was started in 1963 and herein is renewed for an additional 3 years has never, up to this point, been able to reach its potential. There is convincing evidence that such a program if carried out to the fullest would make it possible to give the greatest possible assistance to the mentally retarded members of our population and to help them become self-sustaining citizens.

The program was a companion to the Community Mental Health Centers Act, and it was aimed at creating facilities at the local level to train and treat the mentally retarded. The community mental health centers program, unlike the mental retardation program, has proceeded with some vigor and has proved to be most beneficial in reducing the amount of care necessary for those afflicted with mental diseases. The details of each program have been very much the same at least from the legislative point of view. Each has provided money for construction of facilities and for assistance in the initial staffing.

This staffing support was first planned to run for a period of 4 years and 3 months. The bill before us today would extend that in much the same way it has now been extended in the mental health program to provide 8 years' assistance and to vary the level of that support depending upon the area in which the facility is located. Facilities in urban or rural poverty areas could qualify for 90 percent assistance for the first 2 years, after which the support would gradually diminish to 70 percent. In other areas this staffing assistance would begin at 75 percent and gradually diminish to 30 percent. Over the years the items eligible for such assistance have been expanded to some extent so that some costs other than salaries of purely professional personnel are eligible.

To finance grants for planning purposes, for construction, and for services, the bill authorizes the sum of \$60 million for the fiscal year of 1971 and \$85 million and \$105 million for the next 2 fiscal years respectively.

Experience has indicated that there are disabilities which are not technically

to be classified as mental retardation which still resemble that condition to the extent that the same care and treatment are appropriate. This bill expands the definition to include such cases. The language of the bill is as follows:

(1) The term "developmental disability" means a disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

There is provision in the bill for grants to construct university-affiliated facilities in the sum of \$20 million per year for 3 years. This provision has been in the law right along, and at the present time some 18 projects have been funded. There are many more awaiting funds, and while the 1971 budget does not contain provision for construction funds in this category it is felt that authorizations should be available should such funding become feasible. It would appear when that time comes there are at least 20 additional universities having an interest in participating in this portion of the program.

The provisions of the bill relating to university facilities include a new type of grant for training and demonstrations. It was the feeling of the committee that once established, the needs of university facilities will vary according to the kind of activity which is found to be appropriate therein. By their very nature university facilities will conduct training and will experiment and demonstrate methods of care. As in other programs, particularly other university programs, these activities are funded separately, and therefore this bill adds such grants in addition to those for construction.

There is reason to believe that more State and local funds will become available for construction of local units. It is hoped that Federal matching funds can also become available as time goes on and that the objectives of this program can at least begin to be realized.

The objectives of this bill are to set forth what the committee finds to be the desirable programs to combat mental retardation. If they cannot all be funded or if they cannot be funded at the levels thought to be appropriate here, so be it. It is desirable nonetheless to have on our statute books the kind of program that is really needed, and it can then be implemented as rapidly as conditions permit.

I therefore recommend the passage of H.R. 14237.

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

Mr. SPRINGER. I yield such time as he may require to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, I rise in support of H.R. 14237, the Developmental Disabilities Services and Facilities Act of 1970. I believe that this is a needed expenditure that will improve the facilities and treatment of the approximately 6 million mentally retarded persons in

the United States. I, therefore, give it my full endorsement.

I would like to cite the mental retardation training program at Ohio State University as an outstanding example of the usefulness of this act. This program was made possible by part B of the 1963 version of this act, Public Law 88-164, passed in the 88th Congress. I feel this facility demonstrates what can be accomplished by approving moneys such as provided for in this bill.

In Ohio, as in most parts of the Nation, there exists a critical shortage of qualified personnel to deal with the mentally retarded and the developmentally disabled persons. To alleviate this shortage, an interdisciplinary program for the training of personnel to treat the mentally retarded has been established at Ohio State University by the Colleges of Medicine, Social and Behavioral Sciences, Administrative Science, and Education. The objective of this program is to provide expertly trained personnel in the prevention, diagnosis, and treatment of mental retardation. A program such as this is unique, in part because of its interdisciplinary character, which allows for the cross-fertilization of ideas of different professions leading to a better understanding of the problems of mental retardation. During the winter quarter of 1969-70, 30 students were enrolled in this program. The construction of new facilities was made possible through Federal funds begun in February of this year. With the completion of these new facilities over 2,000 students per year will receive varying amounts of training in the treatment of the mentally retarded. Many of these students will be undergraduates receiving only a few hours training in the program as a part of their undergraduate curriculum. Many others will be graduate students and physicians receiving training related to their own specialties—such as social work, pediatrics, or psychiatry—in the treatment of the mentally retarded. This program will, in other words, produce personnel with many different levels of training and expertise in several different aspects of the problem of mental retardation.

A project such as this has gotten under way only because of the dedication of many civic-minded professionals and laymen such as Dr. William Gibson, director of the mental retardation program at Ohio State University, who are interested in the welfare of developmentally disabled persons. But physical facilities and initial operating funds frequently cannot be obtained without Federal assistance. Ohio State, located in my district, has already been funded, but there are many others awaiting funds. We cannot let these worthwhile projects die for lack of our support.

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

Mr. WYLIE. I am glad to yield to the gentleman.

Mr. SPRINGER. May I say that the distinguished gentleman who has Ohio State University in his district has a very fine program there. It is one that is distinguished and well known in this entire field throughout the country. It compares very favorably, may I say, with my

hometown of Champaign-Urbana, which is also one of the best in the country.

Mr. WYLIE. That is true. I appreciate the remarks of the gentleman. The person who is the director of the mental retardation facility at Ohio State University, Dr. William Gibson, is one of the outstanding experts in this field in the United States, as you know, and much of the credit for the success of the program at Ohio State and indeed the program across the United States is attributable to his persistent conscientious efforts.

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

Mr. SPRINGER. I yield to the distinguished gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, I appreciate the distinguished ranking minority member of this committee yielding. I am in support of this bill and commend the committee on its action. I particularly appreciated his section-by-section or title-by-title analysis of the bill. I simply rise for information.

Is it my understanding that within the broad consensus of the bill, having to do with developmental disabilities and/or neurological diseases, including mental retardation, be it organic or acquired, that the title having to do here with the further training of personnel and staffing as well as the university and hospital affiliated facilities, that the construction of those facilities deal with developmental disabilities and/or mental retardation? Or does this bill go into brick and mortar construction, if they are just university affiliated or if they are teaching hospital institutions?

I ask this question because, as I said during the consideration of the resolution, House Resolution 13100, if we are going to have these services, quite outside the question of whether the Federal Government should be involved or not—we are going to have to provide staffing and training personnel and we are going to have to provide university and hospital teaching facilities and affiliations if we are going to do a good job, and if we are going to have the requisite personnel for the increasingly demanded services.

So I am not sure whether this increase in funds, that go up to \$125 million in 3 years, are restricted only to developmental disabilities and/or mental retardation or not.

Mr. SPRINGER. May I say, as I mentioned the five points a moment ago, there is \$20 million for university facilities which can be brick and mortar.

Mr. HALL. My question is, Must that be related to a developmental disabilities and/or mental retardation program within that university?

Mr. SPRINGER. Yes; it must be. Under this language it must.

Mr. HALL. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from New Jersey (Mrs. DWYER).

Mrs. DWYER. Mr. Chairman, I rise today in support of H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act of 1970. This legislation will extend the Mental Retardation Facilities and Community

Mental Health Centers Construction Act of 1963 an additional 3 years. Further, it will broaden the scope of the program to include not only the mentally retarded, but also individuals suffering from other neurological handicapping conditions which require care and treatment similar to that required by the retarded. Such conditions covered under these new amendments will be cerebral palsy, epilepsy, and other neurological impairments to be specified by the Secretary of the Department of Health, Education, and Welfare.

The hearings on the bill and the report to the House clearly point out the importance of including these additional impairments under a program that has in the past concentrated only on the mentally retarded. This is due to the fact that a substantial number of those suffering from such afflictions have over the years failed to receive sufficient aid from Federal, State, and/or local programs simply because their handicaps, serious as they are, do not fit any of the precise criteria specified under existing program authorities. The pending legislation will correct this deficiency and provide services to those developmentally disabled who have failed to receive them.

H.R. 14237 expands the existing program of formula grants to the States for construction of facilities to include comprehensive planning and services. Under this expanded approach, States will be able to use the formula to develop and maintain new or improved resources and services for the mentally retarded and other developmentally disabled persons. States will have the authority to use Federal funds to construct facilities and to plan, administer, develop, and staff the programs that are needed.

The legislation extends the authority for staffing of mental retardation facilities that was first enacted in 1967, but was not actually put into effect until last year. Also extended is the provision of grants for the establishment of university-affiliated facilities. These grants were first authorized in 1963 for the interdisciplinary training of personnel to expand the resources for service to the retarded and persons with related neurological disorders. So far, 18 of these projects have received assistance under this provision and are having an important impact on programs for the retarded in the surrounding communities. The facilities are needed, and the bill we are considering today will extend such grants another 3 years and will also expand the types of facilities eligible for aid.

H.R. 14237 is an important piece of legislation for the approximately 6 million retarded persons, the approximately 1 million persons suffering from epilepsy, the approximately 550,000 persons with cerebral palsy, and the approximately 1 million other persons in the United States with other neurological handicaps originating in childhood. Many of these individuals have been neglected by our society too long, and this bill will insure the care, treatment, education, and training they need and deserve—in order to live the kinds of lives of which they are capable.

Mr. SPRINGER. Mr. Chairman, I yield

to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I rise today in support of this legislation to amend the Mental Retardation Facilities and Community Health Centers Construction Act of 1963. I have received numerous letters from individuals and mental institutions asking for my support of this program.

The primary purpose and main thrust of the bill before us is to extend for 3 years the existing program for the mentally retarded and to expand coverage of the program to include millions suffering from other neurological conditions who would not otherwise receive adequate help.

This legislation, in my judgment, is a responsible and necessary approach to help meet the critical need of America's mentally retarded. By continuing to assist State treatment facilities and programs, and by enlarging their scope, more than 6 million mentally retarded children and adults, plus those suffering from palsy and epilepsy, will be aided. Improvements can be made to facilities which, for lack of sufficient funds, are often overcrowded and/or understaffed. In addition, by including funds for university-affiliated centers, far more skilled technicians can be trained and sent into the field.

Mental retardation is a major social, educational, and economic problem. Recognition of the needs of mentally retarded and the research and treatment provided through this legislation, will ultimately result in a reduction of the hundreds of millions of dollars spent annually in the United States on welfare and maintenance services associated with mental retardation.

It is for these reasons, Mr. Chairman, and many more, that I wholeheartedly support passage of H.R. 14237 and urge my fellow colleagues to join me in supporting this worthy and vital legislative measure.

Mr. SPRINGER. Mr. Chairman, I yield to the distinguished gentleman from Minnesota, the ranking minority member of the Subcommittee on Health and Welfare (Mr. NELSEN).

Mr. NELSEN. Mr. Chairman, the gentleman from Arizona (Mr. RHODES) is attending the funeral this afternoon of our late colleague, the gentleman from Ohio, Mr. Kirwan, and I know he would wish to insert some remarks in the RECORD. At the proper time I would like to suggest that his remarks be inserted in the body of the RECORD along with other members of the committee.

Mr. Chairman, do I correctly understand that we have to go into the House before the request can be made?

The CHAIRMAN. The gentleman is correct. That permission will have to be requested in the House.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. JARMAN. Mr. Chairman, I yield such time as he may require to the gentleman from Florida (Mr. ROGERS), a member of the Health Subcommittee, and one of the real leaders in the House in the field of public health.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. ROGERS of Florida. I thank my subcommittee chairman for those kind words, and certainly reciprocate them to him and to all members of the subcommittee.

The committee has spent a great deal of time going into this problem. The need is firmly established. About 8½ million Americans will be affected and will benefit from H.R. 14237, a bill to assist the States in developing a plan for the provision of comprehensive services to persons affected by developmental disabilities originating in childhood. This bill not only extends the authorizations of this very important program for an additional 3 years, but it also makes significant and progressive changes in the present law in an effort to broaden the scope of coverage of that program to include individuals suffering from other neurologically handicapping conditions which require care similar to that required for persons suffering from mental retardation.

It is absolutely necessary that Congress take steps to provide for an effective program to deal with a problem which affects so many people in our Nation. It is estimated that approximately 6 million children and adults in the United States are mentally retarded, 1 million persons are estimated to be suffering from epilepsy and related disorders, 550,000 persons are suffering from cerebral palsy, and another 1 million persons have other neurological impairments other than blindness and deafness and which had originated prior to the age of 18. In all, approximately 8½ million, or one out of every 25 persons in the United States personally are suffering from these disorders.

The existing Federal program for mental retardation is grossly inadequate to meet the needs. Since developmental disabilities originate during childhood, a more comprehensive program is necessary to assist the afflicted individual during his entire life. This bill will broaden the scope of services to include improvement and diversification of nonresidential and residential services, diagnostic services, day care, sheltered employment, transportation, follow-along services, counseling of the individual and of his family, recreation, information and referral services, and other social and sociolegal services. A comprehensive program of this nature will go a long way to reduce the millions of dollars annually expended in the United States on welfare and maintenance services.

Despite this critical need for more comprehensive programs for the developmentally disabled, appropriations for the program have been at levels substantially below the authorization levels. Total authorization for the years 1968, 1969, and 1970 have been \$191 million. Total appropriations expended for those years have only amounted to \$59.126 million, or about 30 percent of the authorizations.

Title I of the bill would combine parts C and D of the existing act which authorizes funding of construction grants and grants for staffing of community mental retardation facilities. Authoriza-

tions under this new section have been established at \$60 million for fiscal 1971, \$85 million for fiscal 1972, and \$105 million for fiscal 1973. The combination of these separate parts into a single part which would authorize grants for planning provision of services, and construction of facilities will enable us to reach more of the developmentally disabled through a more effective coordination of effort at the State level. Through the use of State formula grants, this bill would also enable State agencies to combine grant funds with other State program funds where proportionate benefit to the developmentally disabled will result.

Title I of the bill would also establish a National Advisory Council on Services and Facilities for the Developmentally Disabled which would consist of 20 members to be appointed by the Secretary of Health, Education, and Welfare. The Council would advise the Secretary on regulations promulgated by him under the provisions of this act and would study and evaluate programs authorized by this act to determine their effectiveness in carrying out the purposes for which they were established.

Title II of the bill would extend part B of the act for 3 additional fiscal years, through 1973, and would expand the area of impact to provide construction, demonstration and training grants for university-affiliated facilities. The authorizations for construction would be continued at the programs' present level, \$20 million for each of the next 3 years, for a total of \$60 million. The authorizations for demonstration and training grants of the bill have been established at \$15 million for fiscal 1971, \$17 million for fiscal 1972, and \$20 million for fiscal 1973, for a total of \$52 million. The total authorizations for all university-affiliated mental retardation provisions of the bill is \$112 million.

The committee bill gives a special priority in the development of university-affiliated facilities in junior colleges which are not now covered in the law. The Secretary will be instructed to give priority to any application for a demonstration or training grant when such applicant shows that he has made arrangements for a junior college to participate in the program proposed.

There is an urgent need for training new types of personnel to meet the critical shortage in our existing system of care for the mentally retarded. The key lies in the area of paramedical personnel, and the junior college has the potential to develop this type of manpower.

The university-affiliated program for mental retardation has a tremendous potential, however to date only \$9.1 million has been expended in this area and only during the year 1969. To date only 18 such projects have been funded under this vitally needed program, while many more such planned projects are waiting to get off the ground and probably never will unless Congress acts to correct this situation.

Mr. Chairman, we are making significant progress in helping the mentally retarded to realize self-sustaining and productive lives in society, but this progress

is far behind the need. According to the report "MR 69," the report of the President's Committee on Mental Retardation, some three-quarters of this Nation's retarded people could become self-supporting if given the right kind of treatment and training at an early age, another 10 to 15 percent could become partially self-supporting. We have an obligation as Congressmen who represent these people to revitalize this program in our Government. We must remember that the health and physical well-being of our people should come first in our legislative considerations. I again urge that we join together in support of this important bill.

I think every Member of Congress can take great satisfaction in supporting this legislation, which will help meet the problems of the mentally retarded and those who are suffering developmental disabilities in this Nation.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may require.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. STAGGERS. I, too, want to say that this bill has had great consideration by one of the fine committees of this House, the subcommittee under the leadership of the gentleman from Oklahoma (Mr. JARMAN), the gentleman from Florida (Mr. ROGERS), and those on the minority side, the gentleman from Kentucky (Dr. CARTER), the gentleman from Minnesota (Mr. NELSEN), and all the rest of them. They gave the bill considerable thought, as we know. It is a humanitarian bill that will affect one out of every 25 Americans in the land. This is a program that has been desperately needed for years. We are just trying to implement the bill. We started some time ago.

I recommend it to the Committee and to the Congress for passage as a bill that is needed in the land.

At this time I yield to the gentleman from North Carolina (Mr. PREYER), a member of the committee.

Mr. PREYER of North Carolina. Mr. Chairman, I rise in support of the bill.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. DEVINE), the second ranking minority member on this committee.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. DEVINE. Mr. Chairman, due to a longstanding commitment, I shall find it necessary to leave Washington at 3:30 p.m. today. By the agreement entered into yesterday that all votes go over until 4 o'clock, I shall not be in a position to vote. However, I would like to record the fact that in the event I could have stayed and could have cast my vote, I would have voted "yea" on H.R. 13100, the Allied Health Professions Act, and H.R. 14237, the Mental Retardation Act. As I understand it, the conference report on the Railroad Retirement Act, on which I was a conferee, will also come up, and I would vote in favor of that conference report.

Mr. HOGAN. Mr. Chairman, one measure of a society's worth is what it does

for its less fortunate members. Our attitude, as a society, toward the mentally retarded and the treatment of the mentally retarded has changed drastically since the turn of the century, when men, women, and children were institutionalized under conditions no better than those afforded animals.

The turn-of-the-century attitude toward the mentally retarded was all too often reflected by the caliber of "professionals" assigned to care for them.

These attitudes have changed, but not enough.

In many areas of our Nation there is an enlightened attitude toward the mentally retarded, but somehow our commitment as a nation and as a society to provide for them has not kept pace with that enlightened attitude. There are too many States where residential care for the mentally retarded exists on a level equal to custodial services of our worst prisons.

A recent report by the President's Committee on Mental Retardation charged that many of the 200,000 citizens of this Nation living in public institutions for the mentally retarded are subjected to conditions no better than those of the turn of the century.

According to that committee:

Far too many of these facilities consist of an impoverished living environment that is not distinctly different from the environment experienced by prisoners of war during the past three decades.

The committee suggests that a public, incensed by inhumane treatment of prisoners of war, should be equally incensed about the treatment provided by institutions for the mentally retarded. Unfortunately and shockingly, the public has not risen to express such a great concern.

We in the Congress, and all others in a position of public view, must do everything possible to mobilize the citizens of this Nation to a commitment of direct action to remove all vestiges of the kind of care for the mentally retarded that properly belongs on a dark page of social history.

Some States are provided as little as \$3 a day per individual to maintain residential care for the mentally retarded. In some States, the ratio of mentally retarded patients to physicians has been 600 to 1.

Even in areas where the best care available today exists, there is overcrowding, and the individual in an institution is often given only a minimum of attention.

We must dedicate ourselves, not only to an all-out effort to close the gap between opposing attitudes, but to close the gap between what we know is right and what we are actually doing.

This measure before the House today is a keystone to the task ahead. In providing a total of \$230 million over the next 3 years for assistance to the States for construction of facilities and planning and services for the mentally retarded, the Congress will have continued its commitment and will provide additional impetus to move the public toward direct action.

In providing \$37 million in grants for

assisting our colleges and universities to train the new personnel needed to staff facilities for the mentally retarded, the Congress commits itself to more than a bricks-and-mortar program.

The fact that this bill gives the States a strong role in setting priorities and requires that the States give special consideration to the needs of urban and rural poverty areas, will assure that new facilities will be located in what are now high-priority areas.

In voting for this measure, and in urging my colleagues to do the same, I urge that this commitment be carried beyond the Congress to the collective conscience of the American people so that this neglected area of need receive the priority attention which it deserves.

Mr. Chairman, I rise in support of the developmental disabilities services and facilities construction bill and am proud to have joined with 16 other colleagues in having introduced it.

The bill before us would authorize \$60 million in 1971, \$85 million in 1972, and \$105 million in 1973 for grants to the States for comprehensive planning, construction and staffing of personnel for delivery of services to developmentally disabled individuals.

The basic wording of both the bill and its title were changed from that of previous legislation to bring cerebral palsy, epilepsy, and other neurological disorders often requiring similar treatment under the same act as mental retardation.

The act provides needed services for individuals with developmental disabilities, listed as mental retardation, epilepsy, cerebral palsy, and related neurological impairments specified by the Secretary of Health, Education, and Welfare, if the disability originates before the person reaches 18 years of age, if it constitutes a substantial handicap to him, and if it can be expected to continue indefinitely.

Despite the vast growth and improvement of available services in recent years, many developmentally disabled individuals still fall between the "service cracks" by not fitting into any of the diagnostic labels or admission criteria for existing programs. Others, such as non-ambulatory retardates, are often excluded for practical reasons from services for which they are legally eligible. Agencies working to help persons whose disabilities place them in these gaps have in the past often been forced to set up costly duplicate facilities or programs.

This new legislation avoids the past mistakes of treating labels, such as mental retardation, cerebral palsy, or epilepsy, and instead aims at helping entire groups of people who have similar or related needs, whatever their diagnostic category.

The impact of this new approach spreads far beyond the approximately 8½ million person believed to be suffering from mental retardation, epilepsy, cerebral palsy and other neurological impairments. Chronic developmental disabilities affect not only the individual, but also his family, friends, relatives, and neighbors. Effective treatment and services, or the lack of them,

may alter the direction of the lives of the entire family unit.

The legislation also provides funds for construction and operation of university-affiliated facilities for interdisciplinary training in the field of developmental disabilities.

Participants in these training programs will become part of a "mission-oriented approach" toward the problems of the developmentally disabled. Cooperation in this field among therapists, nurses, lawyers, psychologists, sociologists, and teachers can lead to a team effort coordinated in the best interests of the individual. At present, the mentally retarded or cerebral palsied and their families are too often sent from one person or agency to another through a seemingly endless line of duplicated procedures.

I believe that it is particularly important that we get the junior college students interested in working with the developmentally disabled, and I strongly urge support of the section in this legislation providing that priority shall be given to those facilities which provide for participation of junior colleges in the training programs.

Funds in this bill can help provide services which will enable the developmentally disabled to be more self-reliant and live fuller lives. Individuals whose handicaps prevent them from ever being totally self-sufficient may benefit from new patterns of care such as nonmedical day care and residential care facilities to live in the "outside world" instead of in institutions. For example, case management services in California helped severely disabled adults of normal intelligence to remain in special living arrangements at a cost of \$1,700 per person annually. Without such services, most of these people would have been institutionalized at a cost of \$8,000 per year.

The old law, in providing for formula grants, frequently omitted both urban and rural poverty areas which were unable to raise even the percentage required of the locality. To prevent facilities being concentrated in more privileged geographic areas as in the past, rather than switching to a project grant formula, we have provided that the Federal share, normally 66 2/3 percent, may amount to 90 percent of the total cost in any poverty area. States are required to give special consideration to the needs of poverty areas, both urban and rural.

Mr. Chairman, I include with my remarks a letter from Dr. Conrad Seipp, associate director of the Health Services Research Center at the University of North Carolina at Chapel Hill.

JUNE 9, 1970.

HON. PAUL ROGERS,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROGERS: I wish to register my support for the enactment of the Developmental Disabilities Services and Facilities Construction Act of 1970 which is currently under the consideration of your subcommittee. Others, I am certain, have provided testimony before your subcommittee in regard to the importance of creating a continuing partnership between the states and the federal government in the field of mental retardation and other developmental dis-

abilities. There is no need for me to add to what they have said in regard to the provisions of his legislative proposals for the construction of facilities and services for persons with developmental disabilities. I do not command any special professional competence in this field nor am I directly involved in it. Nonetheless, I share a widespread concern to see a renewal and an extension of the momentum which has been generated in recent years at the state and local levels within this area of concern. I would particularly like to register the importance which I attach to the provisions of Section 134 of part C in regard to the preparation of state plans.

Some years back, I was principal investigator of a research project in the course of which I and a group of colleagues had the opportunity to familiarize ourselves with the response of the states to those provisions of Public Law 88-156 which enable them to secure planning grants from the federal government to develop "comprehensive programs to combat the problem of mental retardation." The Senate report on the legislative proposal now before you (Calendar No. 760, Report No. 91-757) characterizes the resulting planning undertaken from the state level on the following terms: "Seldom has the federal government engendered so much productive activity for so small an investment." I concur with this judgment.

The legislative proposal under review is necessary to capitalize upon past accomplishments. Its provisions in regard to state level planning have become increasingly important to assure orderly and meaningful development in this field. It is necessary to keep in mind the great diversity among the states in regard to their stage of development in this field as well as the differences in the priorities and approaches they have elected through their previous planning activity. These differences should not obscure the need which they all have for devoting continuing attention to planning in this field. The framework of planning, by promoting a more comprehensive point of view and by fostering a more long range time perspective, is essential to insure the maximum effectiveness of the various strands of separate endeavor which are called for in this field. A small investment in planning, appropriately pursued, is certain to enhance the returns which will accrue from the mounting expenditures being made at all levels of government for different types of service programs for those with developmental disabilities.

Why, if the value of the continuing operation of state level mechanisms for planning and coordination in this field seems so obvious, should it be necessary for the federal government to make funds available for the discharge of this function? It is necessary to appreciate the acute pressures and demands which the states all face in this field, in part as a result of the failure of the federal government to make financial assistance for the provision of services and the construction of facilities available to them at a level consistent with earlier indications, for providing more in terms of services. As long as the states feel as underfinanced in this field as they do at present, it seems likely that they will need help to insure that the planning function is adequately discharged.

There are several innovative features of the proposals of Section 134 in regard to state level planning which warrant underscoring. It is most encouraging that explicit attention is given to evaluation. It is clearly not possible "to plan" without also simultaneously engaging in evaluation; both are aspects of a single function. However, there are various levels of vigor and sophistication that are embodied in the process of evaluation. The stipulations in regard to the state planning and advisory council undertaking periodic review and evaluation of its state plan and

the provision of description of "the methods to be used to assess the effectiveness and accomplishments of the state" represent a substantial step forward. Similarly, the unification of planning for the provision of services and the construction of facilities under a single authority corrects a serious deficiency of the previous planning endeavor.

The provisions of Section 134 do not guarantee success for each state in its future programming in this field. However, the absence of those provisions seems a clear prescription for failure. Much has been accomplished, much more needs to be done, and planning must be relied upon to chart the way.

Sincerely yours,
CONRAD SEIPP, Ph.D.,
Associate Director and Professor of
City and Regional Planning.

Mr. MINISH. Mr. Chairman, as the House considers H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act of 1970, I think it important to bring to the attention of my colleagues that 6 million persons in the United States are estimated to be mentally retarded. Three percent of the population is thus estimated to be afflicted with this handicap. Moreover, an approximate 1 million persons are estimated to be suffering from epilepsy and related disorders, while 550,000 persons are estimated to be suffering from cerebral palsy. Additionally, 1 million persons in the United States are estimated to have other neurological impairments, exclusive of blindness and deafness, that began before they reached 18 years of age.

These are grim statistics, indeed. Especially in light of the fact that many of these handicapped persons are not aided by Federal, State, or local programs.

The bill under consideration today would provide for an expansion of the coverage of the existing programs of aid for the mentally retarded to include coverage for those suffering from disabilities such as cerebral palsy, epilepsy and other neurological conditions requiring treatment similar to that of mental retardation; conditions which originated before the individual reached the age of 18, and which are considered permanent and which substantially handicap the individual.

H.R. 14237 not only expands the present program to include these additional persons, but the presently enacted construction-only authorization for formula grants would also be expanded to include grants for development and administration of staff services.

H.R. 14237 is intended to begin a program to bring needed services to those who cannot hope to be cured. It seeks to help persons with long-term handicaps by providing them with continuing services, begun early enough to provide these individuals with an improved living pattern. Many of the symptoms of neurological problems are tremendously worsened if there is a lack of training at an early state, and the resultant disability is thereby greatly exaggerated.

The formula grants approach envisioned in this measure presently seem to be the desirable approach. As the reporting committee for this measure noted, Federal assistance in the area of mental retardation and neurological

handicaps to States and communities is "uneven, inadequate, and inequitable." That is a sad commentary. The problem deserves remedy. In the past, there was no insurance that high priority areas would receive facilities for the retarded. Too often, urgently needed facilities could not be built in poverty areas. H.R. 14237 would require the States to give special consideration to the needs of urban and rural poverty areas, an approach which I hope will prove effective. The maldistribution of new facilities in the mental health field was one of the problems the recently enacted amendments to the community mental health centers was designed to improve. H.R. 14237, like that legislation, encourages the States to use discretion in assigning favorable matching ratios to areas most in need.

I know that my colleagues recognize the personal sadness, as well as the impact upon the community, of the mentally retarded. It is my hope that with adequate funding for research and facilities in this area, that the time will come when the proportion of neurologically impaired or otherwise handicapped persons will be vastly decreased. But those who are already handicapped must not be overlooked.

I urge passage of H.R. 14237, and hope that this measure will provide a strong stimulant to improve the lot of those neurologically handicapped and/or mentally retarded. Certainly, such assistance is urgently needed.

Mr. RHODES. Mr. Chairman, it is a pleasure and an honor to rise in support of H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act of 1970. I am proud to be among the sponsors of this legislation and urge my colleagues to give this bill their full support.

I would like to congratulate the chairman of the committee and of the Public Health Subcommittee for their work on this bill and in particular I would like to commend my colleague from Florida, Mr. ROGERS, for his leadership in the field of legislation for the mentally handicapped.

Certainly, Mr. Chairman, there can be no dispute in this body that a continued and expanded Federal commitment to the handicapped is vital to the well-being of those members of our community who are disabled.

Of all the disabled, those whose problems have been least understood and ministered to are the ones whose handicaps originate early in life. These are the developmentally disabled—the mentally retarded, the cerebral palsied, the epileptics, the otherwise neurologically impaired. These heartbreaking disabilities are not amenable to dramatic cure or correction; the developmentally disabled have not benefited from the great medical discoveries such as open heart surgery, organ transplantation or plastic surgery. These children and adults have handicapping conditions that will follow them throughout their lives. Their potential for personal independence and self-fulfillment within the limitations of their conditions will be critically altered—for better or for worse—by our

societal concern or neglect at each step along the way.

Over 6 million people in this country today are mentally retarded—3 percent of the population. And even this, I understand, may be a conservative figure. The vast majority of these people can be helped to live as productive a life as possible, with the aid and planning envisioned in the legislation we are considering today.

The bill represents a great step forward toward meeting the needs of the developmentally disabled. It replaces the former construction and staffing program with a services and facilities program that will require each State to submit a plan for the delivery of services to the developmentally disabled and will provide a program of Federal assistance, based on a formula which takes into consideration population and need of the State.

The services which would be provided under the State plan include: diagnosis, evaluation, treatment, personal care, day-care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual affected by a disability and of his family, protective and other social and socio-legal services, information and referral services, and follow-along services, as well as transportation.

The need for these services is a staggering one, and Congress must recognize its role in providing for our citizens who are in such desperate need.

The bill also envisions improvement in residential care, and I am sure I need not remind any of my colleagues that conditions in many of our State institutions are far from ideal—in fact, many are deplorable, degrading and dehumanizing. This is a condition that cannot be permitted to continue.

And even as we recognize the needs of the developmentally disabled, we must think also of their families, especially their parents, who have not only been denied many of the satisfactions of parenthood, but have also been given a prolonged burden of care and cost. Let us think also of the hope and help we can give to these parents when we offer resources for rehabilitating both children and adults with long-term disabilities originating in childhood.

The families of these disabled citizens, interested professionals, and, in some cases, the disabled themselves, have banded together in organizations of mutual self-help. These organizations include the National Association for Retarded Children, the United Cerebral Palsy Associations and similar groups at National, State, and local levels. These groups and allied voluntary and professional associations are in full support of the concepts embodied in this legislation.

The sharing of a common sorrow and concern has transcended in many cases the issues that divide the more fortunate.

I see in the proposed legislation an instrument for a more effective State-Federal partnership in meeting the needs of a group of people whose numbers may not be vast but whose individual needs can be profound, interminable, and—without our help—unbearable.

I believe it is important at this time that we emphasize State initiative and responsibility, supported by Federal aid. This approach is the essence of H.R. 14237. There are some innovative approaches in this bill to interdepartmental collaboration around human problems that know no bounds of professional discipline and which should not become the fiefs of any management monopoly.

The problems of the developmentally disabled must be a concern of a broad range of Government agencies with primary missions in education, employment, general welfare, rehabilitation, health, and the law. Proper coordination of these Government efforts requires attention and concern in the executive branch of Government. I am pleased, therefore, to note that Arizona is one of a small number of States in which the Governor has already placed responsibility for planning for the mentally retarded within his executive office.

The amalgamation of a variety of talents and skills in a mission-oriented program is a positive and proven approach to the solution of problems. Such innovative steps would be possible in the State plans required by H.R. 14237. As an example of steps to meet local critical needs, I point out with admiration and some justified local pride a cooperative effort now underway between the Valley of the Sun School in Phoenix and the Tribal Council of the Navajos. This project will help to bring the best in professional skills now available to assist retarded Navajo children in their own community, on the reservation.

This is a promising and reassuring sign of progress and the type of project that could flourish under this legislation.

We are giving dedicated and qualified people the chance to realize their dreams for the future of the disabled through a coordinated services and construction program and through support of title II of this legislation, the university affiliated facilities centers for the training of personnel. The need for trained personnel is overwhelming and this program, operative now in 18 universities throughout the country, will be of immeasurable help in bringing qualified personnel to our communities.

Again, Mr. Chairman, I express my complete support of this legislation and my wholehearted commitment to programs which will benefit the developmentally disabled.

My good friend, Dave Udall, a young Arizona attorney, was appointed last year to the President's Committee on Mental Retardation and I am proud of the leadership he is demonstrating in this field. There are hundreds and thousands of citizens like Dave in this country—a quarter of a million in the National Association for Retarded Children alone—whose efforts are devoted to improving the quality of life for the developmentally disabled. I urge my colleagues to support these valiant, compassionate and dedicated people and help them to assure a hope for tomorrow for those who cannot hope for themselves. H.R. 14237 is positive evidence of our concern and I urge its passage.

Mr. PICKLE. Mr. Chairman, there

exists in this land of ours a growing minority that few people will speak of—the mentally retarded. On record, there are over 6 million Americans suffering from some form of retardation, comprising the largest single group of developmentally disabled.

Yet, evidence indicates still another 2½ million are victims of similar disabilities such as neurological impairments stemming from cerebral palsy and epilepsy. Although we know of these chronic and severe diseases, few will look the problem full in the face.

Perhaps today, we are adding strength to our existing programs.

I am proud to be numbered among the cosponsors of H.R. 14237, which extends for 3 years the existing programs of grants for construction and staffing of facilities for the mentally retarded. Also, the bill extends the scope of matching grants for construction of university-affiliated research facilities.

These are the forgotten Americans, Mr. Chairman, these people who have been hit by cerebral palsy and epilepsy. Perhaps one of the best sections of the bill today is the provision which broadens our coverage to include these people.

Additionally, the bill today will insure that State governments give special consideration to the need of rural poverty areas, as well as urban. Here, the need has been the greatest; the aid the least.

I respectfully urge my colleagues in the House to join in support of this needed legislation.

Mr. Chairman, as I have said, the purpose of the bill is to assist the States in developing a plan to provide services for people suffering from mental retardation and other mental disabilities. The bill will also assist public and nonprofit agencies in the construction of facilities for the provision of the services.

Appropriations are as follows:

The sum of \$60 million for 1971; \$85 million for 1972; \$105 million for 1973; for 1974 and each of the next 6 years such sums as are necessary.

The amount the States shall receive individually will be determined by (A) Population, (B) Need for services, (C) Financial needs of States.

The bill also contains grants for institutes of higher learning for mental health research.

There is a good bill, Mr. Chairman, and we should enact it unanimously.

Mr. HALPERN. Mr. Chairman, I wish to add my voice to the overwhelming support in favor of the legislation before us today, H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act of 1970. This bill, when enacted, will help to extend and enhance the fine work begun on behalf of the Nation's mentally retarded by the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

The 1963 legislation ended many long years of almost complete neglect by our society of the problems of the retarded and of the contributions they can make if only given the chance and the right kind of attention. The effects of that legislation have been real and tangible. Research centers have been constructed

and are operational, conducting research and providing opportunities for training and for service. Over 300 State and local facilities for the mentally retarded have been constructed or are in the process of being built. When fully completed, these facilities will have the capacity to serve some 82,500 retarded individuals. Grants have been awarded for the staffing of these facilities.

The enactment of H.R. 14237 will extend these highly successful and important programs. The bill also provides a broadening of the program that should make it an even more vital one. Under the new part C of the bill, the program will provide grants not only for construction of facilities, as now is the case, but also for developing comprehensive planning of services and for the actual provision of services as well. In addition, the original act will be amended to provide the various types of assistance under it not only for the mentally retarded, but for those with other developmental disabilities, such as epilepsy and cerebral palsy, as well. Individuals with these disorders often require the same kind of therapy and treatment as do the retarded and this bill will adjust the existing program so that they can readily receive it.

As a member with a special concern for the poverty areas of the country, I am pleased to see that H.R. 14237, in its intent as stated by the committee in its report, is designed to give special consideration and specific attention to the extraordinary needs of the retarded and other developmentally disabled residing in area of poverty, both urban and rural, in our Nation. The President's Committee on Mental Retardation reported 2 years ago that three-fourths of the Nation's mentally retarded are to be found in the isolated and impoverished urban and rural slums. The poverty areas, with such a high percentage of retardation, do not receive anything like a similar percentage of the available program aid for the retarded, and this bill will help to see that their needs are better met than they have been.

The bill H.R. 14237 is an important and essential piece of legislation and I hope it is passed unanimously. If the mentally retarded and the other developmentally disabled persons in our country are to have the bright futures and productive lives they deserve and are capable of, we must give them the kind of attention and assistance this bill will provide. I support it wholeheartedly.

Mr. PRICE of Illinois. Mr. Chairman, I do not know how many of my colleagues have ever visited an institution for the mentally retarded, but those that have must be aware of the most unfortunate conditions the inmates have to endure. The members of the closed institutional "community" receive little more attention than what the President's Committee on Mental Retardation has termed "dehumanizing custodial care." In this manner, the tax-supported State institutions resemble penitentiaries, only there is some sort of rehabilitative or otherwise useful activity available for the inmates of real penitentiaries.

There have been articles and semi-

documentary films showing the attendants' alleged cruelty to the inmates. The reasons for this appearance originate in the need for the funds we are discussing today. Of the approximately 6 million Americans including children now in institutions, most of them do not belong there. Too often the institutions are used as "dumping grounds" for unwanted retarded children—their parents would rather leave them and try to forget the whole thing. Our institutions which operate at a cost of about \$1 billion a year are overcrowded with people who should be at home in a normal family environment which is for the most part a far superior way for these handicapped citizens to become productive. But until the day people come to realize this fact, we must protect the rights of our citizens that are residents of these institutions. Overcrowding causes understaffing. Private institutions offer better care but oftentimes are too expensive for the inmate's family. The small but much needed funds provided by H.R. 14237 will help to increase and improve the staffing of institutional facilities.

For the handicapped at home, the bill provides continued funds for extended sheltered workshop employment, construction of buildings for such programs, and research—research in services development, and research in prevention of retardation.

Under the existing law, there exist certain inequities which allow the most money to go to the communities that have the most in terms of matching funds, initiative, and technical competence to implement programs. As a result, many poverty areas are without any facilities for their retarded. This is unfortunate because environmental retardation—cultural depravity of children in their critical early years that can permanently impair their developmental capabilities—is a major problem in these areas. To alleviate this situation H.R. 14237 will require the State administering agencies to give primary consideration to the poorer urban and rural area.

Mr. Chairman, I do not think there is a man in this Chamber who would deny this much needed money to help our more unfortunate citizens take their places as productive members of society. I urge my colleagues to vote for the bill.

Mr. FEIGHAN. Mr. Chairman, I rise in support of H.R. 14237, to amend the Developmental Disabilities Services and Facilities Construction Act.

I have long been a supporter of measures designed to rehabilitate the mentally retarded. I was very pleased that as a result of my cooperation with the Veterans' Administration and Governor Rhodes of Ohio, the Broadview Heights Veterans Hospital was in 1965 transferred to the State of Ohio without cost, for the care of the mentally retarded. This hospital is now performing an excellent service to its patients and is a great convenience to persons in the northern part of Ohio who visit the patients.

At this time we have another opportunity to act on behalf of the mentally retarded. The bill under our consideration is an important element in continuing care for our citizens so affected.

Title I of the bill provides for assistance to States in developing plans to fulfill the task of rehabilitating those persons suffering from mental retardation and other similarly serious disabilities originating in childhood. Title II extends part B of the 1963 act through fiscal year 1973, and in addition allows construction grants to be extended to university-associated mental retardation facilities.

Nothing can be more saddening to our gaze than children stricken for life by neurological malfunctions. In this day of increased awareness of the magnitude of our Nation's problem with the disabilities of mental retardation, epilepsy and cerebral palsy, we must all feel a need to further support those institutions in our country which are researching to prevent, to cure, and to rehabilitate the stricken.

I feel certain that my colleagues will join in support of H.R. 14237, and thereby showing their continued and deep interest in the vital concern of mental retardation—an interest which was illustrated in the passage of the 1963 act, and a concern fully deserving of full House support today.

Mr. OTTINGER. Mr. Chairman, I rise in strong support of H.R. 14237, the Developmental Disabilities Services and Facilities Construction Act of 1970.

There are approximately 6 million mentally retarded individuals in this Nation, Mr. Chairman, but nobody has an accurate estimate of how many there really are because of the inadequacy of facilities for treatment and rehabilitation. Furthermore, there are another 1 million Americans suffering from epilepsy and related disorders, 550,000 from cerebral palsy, and approximately 1 million with other neurological impairments incurred before the age of 18 and constituting a substantial handicap throughout life.

And yet, to accommodate these millions of mentally retarded, there are only 180 public residential facilities through the United States, with only 189,000 residents being treated at the end of fiscal 1969. My own State of New York had an average daily resident population of 27,000 during fiscal 1969, more than double the next State. Yet this represents only 147 residents per 100,000 people, approximately 5 percent of the need. As many as half a million individuals in New York may need assistance, yet our facilities and personnel are adequate to serve only 27,000 at a time.

An old survey, but one whose comparisons undoubtedly still apply, pointed out that a retardee's earning power increased from \$44 a year before rehabilitation to \$1,600 after. And yet only 21,000 mentally retarded are being rehabilitated annually throughout America, only a little more than 1,000 in New York State.

Mr. Chairman, the Developmental Disabilities Act is vitally needed to expand the Federal program of assistance to the States in developing comprehensive services for the mentally retarded and those individuals suffering from other childhood developmental disabilities. The bill authorizes \$95 million for

fiscal 1971, \$122 million in 1972, and \$145 million in 1973 to help the States build and improve facilities and provide services to these disadvantaged persons. I have sponsored a bill, H.R. 18045, which is similar to H.R. 14237 but authorizes higher appropriations.

Mr. Chairman, we must pass a strong bill, for I believe that the Federal commitment in this area is real and pressing. H.R. 14237 continues and broadens the Federal effort in the mental retardation field begun under Public Law 88-164 in 1963. The bill authorizes the appropriation of funds for formula grants to the States, an approach opposed by the Nixon administration despite the fact that it has stimulated every State to upgrade its involvement with its mentally retarded citizens.

Title I provides grants for planning, provision of services, and construction of facilities, supplanting the existing program which authorizes grants solely for construction. Funds will be allotted among the States on the basis of population, financial need of the State, and the demand for facilities and services. The services provided may include diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling, protective and legal services, information and referral, follow-along, and transportation. Funds authorized in title I are \$60 million in 1971, \$85 million in 1972, and \$105 million for 1973.

One of the truly fine features of H.R. 14237, also a provision in my bill, is the requirement that States give special consideration to urban and rural poverty areas, where existing programs are weak for lack of matching funds. The Federal Government will put up 66 $\frac{2}{3}$ percent of funds for construction of facilities under title I, but the Federal share in poverty areas will be 90 percent as a stimulus to greater efforts among the poor, who hopefully will receive mental retardation services under this bill for the first time in many parts of the Nation.

Another noteworthy provision is the extension of services to sufferers from epilepsy, cerebral palsy, and related neurological disorders. Existing programs for the mentally retarded provide no assistance to those disabled in childhood from similar handicaps, and I am pleased to see this broadening of the scope of a most vital Federal effort.

Title II of H.R. 14237 authorizes \$20 million a year through 1973 for continuation of the present program of assistance for construction of university-affiliated facilities for interdisciplinary training of mental retardation specialists. It also establishes a new program of demonstration and training grants, with \$15 million authorized for 1971, \$17 million in 1972, and \$20 million in 1973, to either universities or public or nonprofit private agencies or organizations.

Mr. Chairman, the demand for services and facilities for the mentally retarded is acute throughout the Nation. Mr. Maurice G. Kott, director of the New Jersey Division of Mental Retardation, pointed out in the House hearings that his State alone needs \$90 million to

accommodate its waiting list of projects for mentally retarded persons who are presently unaided by Government programs.

It is simply incredible to me, Mr. Chairman, that in spite of the minimal Federal effort that has been made in this vital area, the administration is attempting to hold down the funding for mental retardation programs to current levels. Following outlays of \$35.4 million in 1969 and \$31.3 million in 1970, HEW Assistant Secretary Creed Black testified on the administration's request for \$32,790,000 for this purpose in 1971:

However, with present fiscal constraints, we must think in terms of funding near present levels—not at severalfold increases—for the foreseeable future.

Mr. Chairman, this callous disregard of severely handicapped children emanates from an administration which wanted to bail out an ineptly managed railroad with \$200 million of the taxpayer's money and is still promoting \$290 million in Federal funds for a supersonic transport whose benefits will accrue to the wealthy only.

The pattern has clearly emerged. Cutbacks in medical research, veto of HEW appropriations, veto of Hill-Burton funds—the impression is that this administration would do away altogether with Federal health programs if it thought it could get away with it. This message must and will be carried to the American people whose concern over the priorities of this Nation have deepened dramatically during recent months.

I believe we should increase the authorization in this program because of the stark need, clearly outlined in expert testimony before the Public Health and Welfare Subcommittee of the House Interstate and Foreign Commerce Committee. Mr. Harry Schnibbe, executive director of the National Association of State Mental Health Program Directors, testified:

But we would support substantial sums in the nature of \$100 million rather than the \$30 million level that the administration is talking about. Of course, we cannot live with that. The sum they are talking about would reduce programs all along the line.

In a similar vein, Mr. Chairman, Mrs. Elizabeth Boggs, chairman of the Governmental Affairs Committee of the National Association for Retarded Children, testified:

The effort thus begun will continue in some form in most States even if the Federal Government reneges on its implied commitments under the only piece of legislation (P. 88-164) in the history of the Nation which was designed to provide specialized facilities for research, training, and community service for the mentally retarded. However, such repudiation will result in loss of momentum, increasing gaps in federal credibility. The Administration bill (HR 15160) and the Administration testimony would in our opinion, constitute such an abandonment of commitment. It proposes, in effect, a return to the status quo ante 1963.

Mr. Chairman, we in the Congress must renew that commitment. The human need is clear. We owe it to those handicapped children who will never experience a normal day throughout their lives. We owe it to the citizens and pri-

vate organizations through whose dedicated efforts the minimal programs for the mentally retarded have been kept alive. We owe it to the families of the disadvantaged children. Not least of all, we owe it to the best that is in ourselves.

Mr. VANIK. Mr. Chairman, I intend to vote in support of the bill before us this afternoon, H.R. 14237. This bill provides for a 3-year continuation of a program of grants for the construction and staffing of facilities for the mentally retarded. In addition, it expands the present programs of assistance in this area to persons who are disabled by neurological handicaps which require similar facilities to those already covered by this program which was originally started in 1963. Specifically, today's bill establishes cerebral palsy and epilepsy as illnesses eligible for treatment under the program.

In addition—and in this time of acute shortages of health personnel, this is a very important addition—provision is made for grants for the development and administration of staff services. The bill expands Federal matching grants for the construction of college and university affiliated training and research facilities. Research in this area is vital. It is an area where we know so little; it is an area where so much needs to be done. This bill is the very least we can do—and it is still inadequate.

Today's bill authorizes \$95 million in fiscal year 1971, \$122 million for fiscal 1972, and \$145 million for fiscal 1973. Yet appropriations in this area have lagged badly behind the authorizations. For example, \$75 million should have been appropriated in the fiscal year which has just ended. Yet only \$21 million was provided. In addition, the administration has requested only \$19 million for this program for assistance to the retarded and neurologically ill in fiscal year 1971. Again, I repeat, this is totally inadequate.

It is totally inadequate when one considers that, while accurate figures are not available, it is estimated that some 3 percent of the American population—approximately 6 million adults and children—are considered mentally retarded. In addition to the approximately 6 million citizens said to be suffering from mental retardation, there are nearly 1 million Americans suffering from epilepsy and connected disorders and nearly 600,000 afflicted with cerebral palsy.

There is a great deal that the public, through the expertise of research teams and publicly assisted health facilities can do to help in improving the lives of these tragically handicapped persons and in assisting the families of these persons in meeting the heavy burden of treatment and education caused by the disability. Yet, the most tremendous, staggering burden in time and effort and extra financial expenses is borne by the families of these disabled persons.

Some time ago, I introduced legislation which would have provided an extra tax deduction for those taxpayers who were meeting the extra burden of raising and educating such disabled children.

It was my hope that that amendment could have been incorporated in the Tax Reform Act of 1969. Although, with a great deal of effort, certain tax reductions have been provided by that act to lower the tax burden on middle- and low-income taxpayers, no special relief was given to the families of those supporting these disabled dependents. I have not given up hope in this area. I intend to continue to push this legislation in the Committee on Ways and Means, of which I am a member.

Mr. Chairman, I urge the passage of this legislation.

Mr. FASCELL. Mr. Chairman, the bill to amend the Mental Retardation Facilities and Community Health Centers Construction Act of 1963, which would authorize formula grants that would assist the States, public, and nonprofit organizations in developing and implementing a comprehensive and continuing plan for meeting the needs of people affected by developmental disabilities, is an essential program that must be maintained.

This bill, H.R. 14237, would directly service the needs of over 8½ million people. The mentally retarded, who must contend with unique educational, economic, and social problems, would benefit from this program. In addition, individuals handicapped by cerebral palsy, epilepsy, and other neurological diseases would be included and would receive the adequate care they so urgently need.

The need for the expanded coverage to those people affected by neurological disease was clearly brought to light by the Committee on Interstate and Foreign Commerce when it reported:

A substantial number of these persons are not aided by federal, state, or local programs because their disabilities fall to fit the precise criteria specified, so that, as it were, these programs "fall between the cracks" insofar as concerns programs designed to provide aid for them.

This program would alleviate the problem of discrimination against the urban and rural poverty areas because of the new formula grant system to the States. In turn, the States would now have an incentive to strengthen and expand their activities.

Mr. Chairman, the handicapped of America need these comprehensive services and we must supply the proper agencies with adequate tools to meet these dire needs. I strongly urge the passage of H.R. 14237.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 14237

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Developmental Disabilities Services and Facilities Construction Act of 1970."

TITLE I—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

AUTHORIZATION OF GRANT PROGRAMS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Sec. 101. Part C of the Mental Retardation Facilities Construction Act is amended to read as follows:

"PART C—GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

"DECLARATION OF PURPOSE

"Sec. 130. The purpose of this part is—

"(1) to authorize grants to assist the several States in developing and implementing a comprehensive and continuing plan for meeting the current and future needs for services for persons affected by developmental disabilities; and

"(2) to authorize grants to assist public or nonprofit private agencies in the construction of facilities for the provision of services for persons affected by developmental disabilities.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 131. (a) For the purpose of providing funds for grants under this part, there are authorized to be appropriated \$60,000,000 for the fiscal year ending June 30, 1971, \$85,000,000 for the fiscal year ending June 30, 1972, and \$105,000,000 for the fiscal year ending June 30, 1973.

"(b) For the fiscal year ending June 30, 1974, and for each of the next fiscal years, there are authorized to be appropriated such sums as may be necessary to continue to make grants under section 137(a)(1)(B) with respect to services for which a grant under that section was made before July 1, 1973, and which are eligible for such a grant for the year for which sums are being appropriated under this subsection.

"STATE ALLOTMENTS

"Sec. 132. (a)(1) From the sums appropriated under section 131(a) for each fiscal year to carry out the purposes of section 130, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of (A) the population, (B) the extent of need for services and facilities for persons with developmental disabilities, and (C) the financial need of the respective States; except that the allotment of any State (other than the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands) for any such fiscal year shall not be less than \$100,000.

"(2) In determining, for purposes of paragraph (1), the extent of need in any State for services and facilities for persons with developmental disabilities, the Secretary shall take into account the scope and extent of the services specified, pursuant to section 134(b)(5), in the State plan of such State approved under this part.

"(3) Sums allotted to a State for a fiscal year and designated by it for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such next fiscal year; except that if the State plan of a State calls for the construction of a specific facility the Federal share of which will exceed the allotments available to the State for a fiscal year for construction, the Secretary may, on the request of the State, provide that funds allotted to the State and available for such year shall remain available for construction of that facility, to the extent necessary but not to exceed two additional years beyond the year for which the funds were initially allotted.

"(b) Whenever the State plan developed in accordance with section 134 provides for participation of more than one State agency in administering or supervising the administration of designated portions of the State plan, the State may apportion its allotment among such agencies in a manner which, to the satisfaction of the Secretary, is reasonably related to the responsibilities assigned to such agencies in carrying out the purposes of this part. Funds so apportioned to State agencies may be combined with other State or Federal funds authorized to be spent for other purposes, provided the purposes of this part will receive proportionate benefit from the combination.

"(c) The amount of an allotment to a State for a fiscal year which the Secretary determines will not be required by the State during the period for which it is available for the purpose for which allotted shall be available for reallocation by the Secretary from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments of such other States for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated under this subsection to a State for a fiscal year shall be deemed to be a part of its allotment under subsection (a) for such fiscal year.

"NATIONAL ADVISORY COUNCIL ON SERVICES AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

"SEC. 133. (a) (1) Effective July 1, 1971, there is hereby established a National Advisory Council on Services and Facilities for the Developmentally Disabled (hereafter in this part referred to as the 'Council'), which shall consist of twenty members to be appointed by the Secretary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service.

"(2) The Secretary shall from time to time designate one of the members of the Council to serve as Chairman thereof.

"(3) The members of the Council shall be selected from persons who are not officers or employees of the United States employed on a full-time basis and who are leaders in the fields of service to the mentally retarded and to other developmentally disabled persons, in State or local government, and in organizations representing consumers of such services. At least five members shall be representative of State or local agencies responsible for services to the developmentally disabled, and at least five shall be representative of the interests of consumers of such services.

"(b) Each member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the twenty members first appointed, five shall hold office for a term of two years, and five shall hold office for a term of one year, as designated by the Secretary at the time of appointment.

"(c) It shall be the duty and function of the Council to (1) advise the Secretary with respect to any regulations promulgated or proposed to be promulgated by him in the implementation of this title, and (2) study and evaluate programs authorized by this title with a view to determining their effectiveness in carrying out the purposes for which they were established.

"(d) The Council is authorized to engage such technical assistance as may be required

to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such statistical and other pertinent data prepared by or available to the Department of Health, Education, and Welfare as the Council may require to carry out such functions.

"(e) Members of the Council, while attending meetings or conferences thereof or otherwise serving on the business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"STATE PLANS

"SEC. 134. (a) Any State desiring to take advantage of this part must have a State plan submitted to and approved by the Secretary under this section.

"(b) In order to be approved by the Secretary under this section, a State plan for the provision of services and facilities for persons with developmental disabilities must—

"(1) designate (A) a State planning and advisory council, to be responsible for submitting revisions of the State plan and transmitting such reports as may be required by the Secretary; (B) the State agency or agencies which will administer or supervise the administration of all or designated portions of the State plan; and (C) a single State agency as the sole agency for administering or supervising the administration of grants for construction under the State plan, except that during fiscal year 1971, the Secretary may waive, in whole or in part, the requirements of this paragraph;

"(2) describe (A) the quality, extent, and scope of services being provided, or to be provided, to persons with developmental disabilities under such other State plans for federally assisted State programs as may be specified by the Secretary, but in any case including education for the handicapped, vocational rehabilitation, public assistance, medical assistance, social services, maternal and child health, crippled children's services, and comprehensive health and mental health plans, and (B) how funds allotted to the State in accordance with section 132 will be used to complement and augment rather than duplicate or replace services and facilities for persons with developmental disabilities which are eligible for Federal assistance under such other State programs;

"(3) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Secretary, are designed to assure effective continuing State planning, evaluation, and delivery of services (both public and private) for persons with developmental disabilities;

"(4) contain or be supported by assurances satisfactory to the Secretary that (A) the funds paid to the State under this part will be used to make a significant contribution toward strengthening services for persons with developmental disabilities in the various political subdivisions of the State in order to improve the quality, scope, and extent of such services; (B) part of such funds will be made available to other public or nonprofit private agencies, institutions, and organizations; (C) such funds will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds; and (D) there will be reasonable State financial participation in the cost of administering the State plan;

"(5) (A) provide for the furnishing of a range of services and facilities for persons with developmental disabilities associated with mental retardation, (B) specify the other categories of developmental disabilities which will be included in the State plan, and (C) describe the quality, extent, and scope of such services as will be provided to persons with mental retardation and with other developmental disabilities;

"(6) provide that services and facilities furnished under the State plan for persons with developmental disabilities will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services and the maintenance and operation of such facilities, except that during fiscal year 1971, the Secretary may waive, in whole or in part, the requirements of this paragraph;

"(7) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(8) provide that (A) the State planning and advisory council shall be adequately staffed and shall include representatives of each of the principal State agencies and representatives of local agencies and nongovernmental organizations and groups concerned with services for persons with developmental disabilities; and (B) at least one-third of the membership of such council shall consist of representatives of consumers of such services;

"(9) provide that the State planning and advisory council will from time to time, but not less often than annually, review and evaluate its State plan approved under this section and submit appropriate modifications to the Secretary;

"(10) provide that the State agencies designated in paragraph (1) will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports;

"(11) provide that special financial and technical assistance shall be given to areas of urban or rural poverty in securing facilities and services for persons with developmental disabilities who are residents of such areas;

"(12) describe the methods to be used to assess the effectiveness and accomplishments of the State in meeting the needs of developmentally disabled persons in the State;

"(13) provide for the development of a program of construction of facilities for the provision of services for persons with developmental disabilities which (A) is based on a statewide inventory of existing facilities and survey of need; and (B) meets the requirements prescribed by the Secretary for furnishing needed services to persons unable to pay therefor;

"(14) set forth the relative need, determined in accordance with regulations prescribed by the Secretary, for the several projects included in the construction program referred to in paragraph (13), and assigned priority to the construction of projects, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(15) designate the portion of the State's allotment (under section 132) for any year which is to be devoted to construction of facilities, which portion shall be not more than 50 per centum of the State's allotment or such lesser per centum of the allotment as the Secretary may from time to time prescribe;

"(16) provide for affording to every appli-

cant for a construction project an opportunity for hearing before the State agency;

"(17) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this part; and

"(18) contain such additional information and assurances as the Secretary may find necessary to carry out the provisions and purposes of this part.

"(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

"APPROVAL OF PROJECTS FOR CONSTRUCTION

"SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary, through the State agency designated in accordance with section 134(b) (1)(C), an application by the State or a political subdivision thereof or by any other public or nonprofit agency. If two or more agencies join in the construction of the project, the application may be filed by one or more such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications thereof, in accordance with regulations prescribed by the Secretary;

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility;

"(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

"(b) The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (1) that the application contains such reasonable assurances as to title, financial support, and payment of prevailing rates of wages and overtime pay, (2) that the plans and specifications are in accord with regulations prescribed by the Secretary, (3) that the application is in conformity with the State plan approved under this part, and (4) that the application has been approved and recommended by the State agency designated in accordance with section 134(b) (1)(C) and is entitled to priority over other projects within the State in accordance with the State's plan for persons with developmental disabilities and in accordance with regulations prescribed by the Secretary.

"(c) No application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

"(d) Amendment of any approved application shall be subject to approval in the same manner as the original application.

"WITHHOLDING OF PAYMENTS FOR CONSTRUCTION

"SEC. 136. (a) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency (designated in accordance with section 134(b) (1)(C)) of any State, finds that—

"(1) the State agency is not complying substantially with the provisions required by section 134(b) to be included in the State plan, or with regulations of the Secretary,

"(2) any assurance required to be given in an application filed under section 135 is not being or cannot be carried out,

"(3) there is a substantial failure to carry out plans and specifications related to construction approved by the Secretary under section 134, or

"(4) adequate funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith withhold payments for construction from the allotment of such State in accordance with subsection (b).

"(b) If the Secretary makes a finding described in subsection (a), he may forthwith notify the State agency that—

"(1) no further payments will be made to the State for construction from allotments under this part, or

"(2) no further payments will be made from allotments under this part for any construction project or the action or inaction referred to in paragraph (1), (2), projects designated by the Secretary as being affected by (3), or (4) of subsection (a),

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments for construction projects may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"GRANTS TO THE STATE FOR PLANNING AND SERVICES

"SEC. 137. (a) (1) To carry out the purposes of section 130 (1), the Secretary shall make grants under this section to assist the States in meeting the costs of (A) developing and administering their State plans, and (B) compensation of personnel to provide, in accordance with approved State plans, services for persons with developmental disabilities. Grants under this section with respect to any such service provided under a State plan may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of eight years after such first day.

"(2) A grant under this section may be made only to a State which (A) has a State plan approved under this part, and (B) has made an application for such grant in accordance with regulations of the Secretary. For each of the fiscal years ending June 30, 1971, June 30, 1972, and June 30, 1973, a grant to a State under this section shall be made from the portion of the State's allotment under section 132 which is not designated in its State plan for construction purposes. For the fiscal year ending June 30, 1974, and each of the next six fiscal years, a grant to a State under clause (B) of paragraph (1) of this subsection shall be made from funds appropriated under section 131(b).

"(b) (1) A grant under this section for any fiscal year to assist a State in meeting the costs of developing and administering its State plan may not exceed 5 per centum of

the State's allotment under section 132 for that fiscal year or \$75,000, whichever is less.

"(2) (A) A grant under this section to assist a State in meeting the costs of compensation of personnel to provide services for persons with developmental disabilities may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of eight years after such first day; and, except as provided in subparagraph (B), such grants with respect to any State may not exceed 75 per centum of such costs for each of the first two years after such first day, 60 per centum of such costs for the third year after such first day, 45 per centum of such costs for the fourth year after such first day, and 30 per centum of such costs for each of the next four years after such first day.

"(B) In the case of any State providing services for persons in an area designated by the Secretary as an urban or rural poverty area, grants under this section for the costs of a State for compensation of personnel providing services for persons in such an area may not exceed 90 per centum of such costs for each of the first two years after such first day, 80 per centum of such costs for the third year after such first day, 75 per centum of such costs for the fourth and fifth years after such first day, and 70 per centum of such costs for each of the next three years after such first day.

"(3) For the purpose of determining the costs of a State for compensation of such personnel, costs of a political subdivision thereof or of a nonprofit private agency for compensation of such personnel shall, subject to such limitations and conditions as may be prescribed by the Secretary by regulation, be regarded as costs of such State.

"(c) Payment of grants under this section may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions, as the Secretary may determine.

"WITHHOLDING OF PAYMENTS FOR PLANNING AND SERVICE

"SEC. 138. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State planning and advisory council (designated in accordance with section 134(b) (1)(A)) finds that—

"(1) there is a failure to comply substantially with any of the provisions required by section 134 to be included in the State plan, or

"(2) there is a failure to comply substantially with any regulations of the Secretary which are applicable to this part,

the Secretary shall notify such State council that further payments for planning or services will not be made to the State under section 137 (or, in his discretion, that further payments for planning or services will not be made to the State under that section for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Secretary shall make no further payment under that section to the State, or shall limit further payment under that section to such State to activities in which there is no such failure.

"REGULATIONS

"SEC. 139. The Secretary, as soon as practicable, by general regulations applicable uniformly to all the States, shall prescribe—

"(1) the kinds of services which are needed to provide adequate programs for persons with developmental disabilities, the kinds of services for which assistance may be provided under this part, and the categories of persons for whom such services may be provided;

"(2) standards as to the scope and quality of services which must be provided for persons with developmental disabilities under a State plan approved under this part;

"(3) the general manner in which a State, in carrying out its State plan approved under this part, shall determine priorities for services and facilities based on type of service, categories of persons to be served, and type of disability, with special consideration being given to the needs for such services and facilities in areas of urban and rural poverty; and

"(4) general standards of construction and equipment for facilities of different classes and in different types of location. After appointment of the Council, regulations and revisions therein shall be promulgated by the Secretary only after consultation with the Council.

"NONDUPLICATION

"SEC. 140. (a) In determining the amount of any payment for the construction of any facility under a State plan approved under this part, there shall be disregarded (1) any portion of the costs of such construction which are financed by Federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds.

"(b) In determining the amount of any grant under section 137 to assist a State in meeting the costs of planning and of compensation of personnel, there shall be disregarded (1) any portion of such costs which are financed by Federal funds provided under any provision of law other than this part, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds."

CONFORMING AMENDMENTS

SEC. 102. (a) Section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (42 U.S.C. 2691) is amended by—

(1) striking out ", and the District of Columbia" and all that follows in subsection (a) and inserting in lieu thereof ", the District of Columbia, and the Trust Territory of the Pacific Islands.";

(2) amending subsection (b) to read as follows:

"(b) The term 'facility for the developmentally disabled' means a facility, or a specified portion of a facility, designed primarily for the delivery of one or more services to persons affected by one or more developmental disabilities.";

(3) striking out "mentally retarded" wherever it occurs in subsection (d) and inserting "developmentally disabled" in lieu thereof;

(4) amending the first sentence of subsection (h) (2) to read as follows: "The Federal share with respect to any project in the State shall be the amount determined by the State agency described in the State plan, but, except as provided in paragraph (3) the Federal share (A) for any project under part C of title I may not exceed 66½ per centum of the costs of construction of such project; and (B) for any project under part A of title II may not exceed 66½ per centum of the costs of construction of such project or the State's Federal percentage, whichever is the lower."; and

(5) adding at the end of the section the following subsections:

"(1) The term 'developmental disability' means a disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

"(m) The term 'services for persons with developmental disabilities' means specialized

services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual affected by such a disability, and such term includes diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual affected by such disability and of his family, protective and other social and sociological services, information and referral services, and follow-along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

"(n) The term 'regulations' means (unless the text otherwise indicates) regulations promulgated by the Secretary."

(b) Sections 403 and 405 of such Act are amended by inserting "or the developmentally disabled" after "mentally retarded" wherever it occurs.

APPLICATION OF NEW PROVISIONS RELATING TO DURATION OF GRANTS AND FEDERAL SHARE TO CONTINUATION GRANTS UNDER EXISTING STAFFING GRANT PROGRAM

SEC. 103. (a) Effective with respect to costs of compensation of professional and technical personnel of any facility for the mentally retarded for any period after June 30, 1970, for which a grant has been or is made under subsection (a) of section 141 of part D of the Mental Retardation Facilities Construction Act, subsection (b) of such section is amended to read as follows:

"(b) (1) Grants under this section for such costs for any facility may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of eight years after such first day; and, except as provided in paragraph (2), such grants with respect to any facility may not exceed 75 per centum of such costs for each of the first two years after such first day, 60 per centum of such costs for the third year after such first day, 45 per centum of such costs for the fourth year after such first day, and 30 per centum of such costs for each of the next four years after such first day.

"(2) In the case of any such facility providing services for persons in an area designated by the Secretary as an urban or rural poverty area, grants under this section for such costs for any such facility may not exceed 90 per centum of such costs for each of the first two years after such first day, 80 per centum of such costs for the third year after such first day, 75 per centum of such costs for the fourth and fifth years after such first day, and 70 per centum of such costs for each of the next three years after such first day."

(b) In the case of any mental retardation facility for which a staffing grant was made under section 141 of the Mental Retardation Facilities Construction Act before July 1, 1970, (1) the provisions of subsection (b) of section 141 of such Act (as amended by subsection (a) of this section) shall, with respect to costs incurred after June 30, 1970, apply to the same extent as if such subsection (b) had been in effect on the date a staffing grant for such facility was initially made, and (2) non-Federal funds made available for costs incurred after the date such grant was initially made but before June 30, 1970, shall not, to the extent they exceed the minimum amount of non-Federal funds required under such subsection with respect to grants for costs incurred after June 30, 1970, be taken into account in applying section 142(a)(3) of such Act to such grants.

EFFECTIVE DATE

SEC. 104. The amendments made by sections 101 and 102 of this title shall apply with respect to fiscal years beginning after June 30, 1970. Funds appropriated before

June 30, 1970, under part C of the Mental Retardation Facilities Construction Act shall remain available for obligation during the fiscal year ending June 30, 1971.

TITLE II—AMENDMENTS TO PART B OF THE MENTAL RETARDATION FACILITIES CONSTRUCTION ACT

CONSTRUCTION GRANTS

SEC. 201. (a) The first sentence of section 11(a) of the Mental Retardation Facilities Construction Act is amended—

(1) by striking out "clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded (which, for purposes of this part, includes other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part) and";

(2) by striking out "clinical training" and inserting in lieu thereof: "interdisciplinary training"; and

(3) by striking out "each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970" and inserting in lieu thereof: "for each of the next five fiscal years through the fiscal year ending June 30, 1973".

(b) Such section 121(a) is amended by striking out "the mentally retarded" in the second sentence and the second time and third time it appears in the first sentence and inserting in lieu thereof "persons with developmental disabilities."

(c) Sections 124 and 125 of the Mental Retardation Facilities Construction Act are each amended by striking out "the mentally retarded" each place it appears in those sections and inserting in lieu thereof "persons with developmental disabilities".

DEMONSTRATION AND TRAINING GRANTS

SEC. 202. Part B of the Mental Retardation Facilities Construction Act is amended by redesignating sections 122, 123, 124, and 125 as sections 123, 124, 125, and 126, respectively, and by adding the following new section after section 121:

"DEMONSTRATION AND TRAINING GRANTS

"SEC. 122. (a) For the purposes of assisting institutions of higher education to contribute more effectively to the solution of complex health, education, and social problems of children and adults suffering from developmental disabilities, the Secretary may, in accordance with the provisions of this part, make grants to cover costs of administering and operating demonstration facilities and interdisciplinary training programs for personnel needed to render specialized services to persons with developmental disabilities, including established disciplines as well as new kinds of training to meet critical shortages in the care of persons with developmental disabilities.

"(b) For the purpose of making grants under this section, there are authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1971; \$17,000,000 for the fiscal year ending June 30, 1972; and \$20,000,000 for the fiscal year ending June 30, 1973."

SEC. 203. Section 123 of such Act, as so redesignated by section 202 of this Act, is amended by inserting "(a)" after "Sec. 122.", by inserting "the construction of" before "any facility", and by adding the following new subsection at the end thereof:

"(b) Applications for demonstration and proved by the Secretary only if the applicant is a college or university operating a facility of the type described in section 121, or is a public or nonprofit private agency or organization operating such a facility. In considering applications for such grants, the Secretary shall give priority to any application which shows that the applicant has made arrangements, in accordance with regulations of the Secretary, for a junior college to par-

participate in the programs for which the application is made."

SEC. 204. Section 124 of such Act, as so redesignated by section 202 of this Act, is amended by striking out "for the construction of a facility" and "of construction" in subsection (a) thereof, and by striking out "in such installments consistent with construction progress," in subsection (b).

SEC. 205. Section 125 of such Act, as so redesignated by section 202 of this Act, is amended by inserting "construction" before "funds".

MAINTENANCE OF EFFORT

SEC. 206. Part B of such Act is amended by adding at the end thereof the following new section:

"MAINTENANCE OF EFFORT

"SEC. 127. Applications for grants under this part may be approved by the Secretary only if the application contains or is supported by reasonable assurances that the grants will not result in any decrease in the level of State, local, and other non-Federal funds for services for persons with developmental disabilities and training of persons to provide such services which would (except for such grant) be available to the applicant, but that such grants will be used to supplement, and, to the extent practicable, to increase the level of such funds."

CONFORMING AMENDMENTS

SEC. 207. (a) The heading for title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by striking out "THE MENTALLY RETARDED" and inserting in lieu thereof "PERSONS WITH DEVELOPMENTAL DISABILITIES".

(b) Section 100 of such title is amended to read as follows:

"SHORT TITLE

"SEC. 100. This title may be cited as the 'Facilities for the Developmentally Disabled Construction Act'."

(c) The heading for part B of such title is amended to read as follows:

"PART B—CONSTRUCTION DEMONSTRATION AND TRAINING GRANTS FOR UNIVERSITY-AFFILIATED FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES"

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to the committee amendment in the nature of a substitute? If not, the question is on the committee amendment in the nature of a substitute.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WAGGONER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14237) to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in

childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes, pursuant to House Resolution 1131, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER. Pursuant to the agreement entered into yesterday, further consideration of the passage of the bill will be postponed until some time after 4 o'clock today.

Mr. SPRINGER. Mr. Speaker, I withdraw my point of order.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bills H.R. 13100 and H.R. 14237, the two bills which we have just discussed.

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

There was no objection.

INCREASING THE AMOUNT OF BONDS ISSUED BY THE TVA

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18104) to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18104, with Mr. FULTON of Tennessee in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Maryland (Mr. FALLON) is to be recognized for 30 minutes, and the gentleman from Tennessee (Mr. DUNCAN) is to be recognized for 30 minutes. The Chair understands that the

gentleman from Alabama (Mr. JONES) will be recognized for 30 minutes on behalf of the gentleman from Maryland (Mr. FALLON).

The Chair recognizes the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill, H.R. 18104, amends section 15d of the Tennessee Valley Authority Act of 1933, as amended, to increase the amount of bonds which may be issued by the Tennessee Valley Authority from \$1.75 billion to \$5 billion.

The bill was reported without objection from the House Public Works Committee following hearings held on June 18, 1970.

This bill marks the second time that we have sought to amend section 15d of the TVA Act. The first amendment was made in 1966 and raised the bond ceiling from its original level of \$750 million to the present \$1.75 billion figure. These periodic increases in TVA's borrowing authority were foreseen by Congress when section 15d was originally passed in 1959.

Reports of congressional committees on the 1959 self-financing legislation show that Congress expected the original \$750 million to last for from 5 to 7 years. In 1966 Congress again looked at the TVA power system operation and raised the bond ceiling. The additional authority provided then was expected to enable TVA to operate for 6 years before another increase was sought.

The increase in borrowing authority for TVA is needed to enable construction of generating capacity to meet the power needs of the area it serves. At the time hearings were held on this bill TVA had \$1.155 billion of bonds and notes outstanding. Virtually all of the balance of the authorized borrowing authority is committed to the completion of 10 million kilowatts of generating capacity now under construction.

The need for additional TVA borrowing authority is highlighted by the fact that without an increase the agency cannot award firm contracts for the purchase of additional units of generating capacity. In fact TVA has received and opened bids for two new generating units and this legislation is needed in order that TVA can make firm awards for these units.

Historical growth of power use in the TVA area amply demonstrates that these additional units should be ordered promptly. During 1959, the year self-financing for TVA became a reality, the TVA area used almost 36.5 billion kilowatt-hours of electricity. This figure does not include power sold to the Atomic Energy Commission. In 1969 the area use of electricity, again excluding AEC, had risen to over 80 billion kilowatt-hours. Thus the use of electricity by the farms, homes, businesses, and industries of the TVA area more than doubled between 1959 and 1969. TVA estimates that by 1976 the use of electricity by these customers will increase by an additional 48 billion kilowatt-hours a year.

In giving these figures I purposely have

omitted the large AEC load served by TVA. This omission was made because AEC's use of electricity dropped from 18 billion kilowatt-hours a year in 1959 to about 12 billion kilowatt-hours in 1969. This reduction, however, has bottomed out and TVA estimates that by 1976 the AEC load will more than double to over 25 billion kilowatt-hours.

Thus in the next 6 years users of electricity will be utilizing about 60 billion kilowatt-hours more of electricity a year than they did in 1969. Much of this additional demand will be met with units now under construction. However, it takes at least 6 years to plan, order, and build generating units of the size now being built by TVA. Before these units can be ordered TVA must have in sight the financing to pay for them. Thus it can be seen that the additional borrowing authority is needed by TVA now if it is to place in service the generating capacity to meet the area's power needs in 1976 and later.

The requirements of AEC for electricity at its Paducah, Ky., and Oak Ridge, Tenn., plants was advanced by the Bureau of the Budget as a reason for increasing TVA's borrowing authority to only \$3.5 billion. In considering this question, together with the possibilities that other power growth in the TVA area might be less than estimated, the committee could find no disadvantages in providing an authorization of \$5 billion rather than \$3.5 billion.

If the AEC loads should be less than estimated it would simply mean that the borrowing authority provided in H.R. 18104 would last for a longer period of time. The committee questioned TVA witnesses on the timing of construction of generating capacity to serve AEC loads. This testimony revealed that such capacity would not be started until firm contracts covering additional AEC loads have been entered into. The provision of \$5 billion in borrowing authority therefore would in no way affect future decisions concerning the desirability of an increase in electric power utilization by the AEC plants.

On the other hand there is much that argues in favor of the \$5 billion ceiling provided for in this legislation. The best evidence available indicates that \$5 billion will enable TVA to operate for from 5 to 7 years before it needs to seek additional authority. If a ceiling of \$3.5 billion is set, TVA would be required to seek a further increase in from 2 to 4½ years—thus quite possibly requiring further legislation in the 92d Congress.

In addition a ceiling of \$3.5 billion would provide for a lesser period of system growth than either the original ceiling or the first increase was designed to achieve. The practicability of revenue bond financing for TVA has been demonstrated by the Authority's 11 years of operation under it. This record warrants sufficient congressional confidence to justify an increase adequate to last at least as long as the 5 to 7 years that the original 1959 authorization was designed to last.

A final argument in favor of the \$5 billion ceiling is the duty of Congress to provide the homeowners and businesses

of the Tennessee Valley the assurance that TVA will have the ability to meet the growing demands for power in its area for a reasonable length of time. It is not inconceivable that growth in demands for power might be at a higher rate than now estimated. In such an event, a \$3.5 billion ceiling could be exhausted in less than 2 years. The power users in the TVA area are entitled to plan with confidence on a longer range basis than that.

As we are considering this increase in TVA authority to borrow money let us consider some of the other things that the 1959 self-financing legislation provided. First, the self-financing bill required the people of the TVA area to repay \$1 billion of the appropriations invested in the TVA power system. In addition to repayments of principal TVA must pay to the Treasury each year a return on appropriation investment.

This return is calculated by applying to the outstanding balance of appropriations invested in the power system the Government's cost of money on its total marketable public obligations. It is important to note that this does not impose an obligation measured in the cost of money at the time the appropriation investment was made, but an obligation measured at the time the return is paid. The appropriation investments were for the most part made in the 1930's and 1940's when the cost of money to the U.S. Government was low—often below 3 percent.

In 1961, the first year a return was paid, the interest rate used in determining the return was 3.449 percent. In fiscal year 1971 the rate will be almost 6 percent. In 1961 TVA paid as a return on the appropriation investment \$41.4 million. In 1970, after repaying \$125 million of principal, the return was \$57.6 million. All told, since 1959 TVA has paid into the Treasury as repayment of the appropriation investment and as a return on the appropriation investment a total of \$573 million.

In authorizing TVA to sell bonds the 1959 self-financing act required TVA to go into the private money markets and compete with other borrowers for funds needed for capital investment. TVA has done this successfully. Its bonds receive the highest rating and when placed on the market sell quickly.

However, in competing for funds TVA must pay the going rate for money. In 1961 when the first bonds authorized by section 15d of the TVA Act were sold the interest cost to TVA was 4.44 percent. Since that time interest costs have risen generally and in June of this year the interest cost to TVA on a 25-year issue was almost 9.3 percent.

The rise in interest costs are not the only price increases that TVA has been faced with in the past 11 years. As we all know wages and salaries have increased sharply throughout the Nation. TVA must keep its pay scales competitive with these increases if it is to attract the skilled labor, engineers, and administrators it needs to build and operate its power system.

Besides wages the costs of other items that TVA uses has also grown. The indi-

vidual homeowner pays much more today than in the past for the appliances, automobiles, and furniture he needs to maintain an adequate standard of living. In a similar vein TVA pays more today for the turbines, towers, and other items that are needed to assure an adequate supply of electric power to the region it serves.

These price rises mean that each dollar of financing authority will provide less new generating capacity than it did 11 years ago. This is one of the reasons that an increase to \$5 billion in borrowing authority is not as great a rise as it may first seem.

A second reason involves the task of providing generating capacity to meet the growth in demand for power in TVA's area. Since 1959, although the rate of growth has fluctuated, the increase in demand for electricity on the TVA system has averaged about eight percent a year. In 1959 the capacity of the TVA system was about 11 million kilowatts. Today, the capacity of the system has grown to over 19 million kilowatts.

Thus in 1959 to provide an 8 percent yearly growth in generating capacity TVA would have had to put in service each year something less than 900,000 kilowatts of capacity. Today, to meet an 8 percent annual growth, TVA would have to put in service about 1.5 million kilowatts of generating capacity.

These two factors are key reasons why the increase to \$5 billion in TVA's borrowing authority will last only for from 5 to 7 years. This is approximately the same period of financing Congress intended to provide when TVA self-financing legislation was passed in 1959. The needs of the TVA area together with the self-financing record of TVA fully justify the increase which will be provided by enactment of H.R. 18104.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I am happy to yield to the distinguished gentleman from Tennessee.

Mr. EVINS of Tennessee. I want to thank my friend for yielding.

I wish to say that I want to associate myself with the remarks of the distinguished gentleman on this important legislation.

Mr. Chairman, I have introduced a companion bill to that of the gentleman from Alabama. I also wish to say that I am concerned about the increasing and escalating power rates for the Tennessee Valley area which the TVA has announced in recent months. I am advised that this has been made necessary in part by higher interest rates and that the last bonds sold in the New York market at a 9-percent rate.

Mr. JONES of Alabama. That is correct.

Mr. EVINS of Tennessee. It is largely because of these high interest rates that the power rates to the consumers and industry in the area have necessarily gone up, I am told. TVA announced a large rate increase for October 1 before an earlier announced increase had become effective August 1.

Mr. Chairman, I oppose this rate in-

crease and had intended to offer amendments to create a committee to study the reason for these rate increases and to make recommendations. I have talked to the distinguished gentleman from Alabama (Mr. JONES) and he has said that his committee will examine into these power rate increases and look at the power rate schedules of the Tennessee Valley Authority. I am advised also that the committee will look into power rates for publicly owned power utilities and private utilities as well—a full study of this matter. I understand the gentleman from Alabama is planning to do that. Is that correct?

Mr. JONES of Alabama. I will say to my distinguished friend from Tennessee no one has been a greater advocate or been stronger in his efforts to enhance and make useful the Tennessee Valley Authority than the gentleman who just addressed this inquiry to me.

I would say that the act of 1959, like every other public endeavor, needs to be reexamined from time to time. I think his suggestion is timely. It will give us an opportunity to look at the matter, because the Tennessee Valley Authority, as he knows, is clothed with many, many responsibilities. Consequently I think we ought to take into account the progress and the usefulness as well as the development of the Tennessee Valley Authority.

Mr. EVINS of Tennessee. The gentleman does plan to have this power rate increase study made by his committee?

Mr. JONES of Alabama. Yes, indeed.

Mr. EVINS of Tennessee. With that assurance and in that event, I will not offer the amendment which I had proposed to offer. I think there are several remedies that a study of this matter could bring out. A thorough study is needed to develop all the facts in this matter. We should look into the matter of rolling back the power rate increase or revising the formula of TVA repayments to the Federal Treasury which is based on escalative interest rates. I believe these rate increases are hurting the image of the Tennessee Valley Authority with its rate yardstick role and concept and the people of the TVA area do not approve of these rate increases.

Mr. Chairman, I certainly want to commend the gentleman from Alabama for his assurance that he will look into this matter. We need a thorough and complete study of this matter.

And with that assurance, I shall certainly support the additional authority which the gentleman proposes. I just hope and trust it will not mean further and additional power rate increases.

Mr. JONES of Alabama. I can reassure the gentleman from Tennessee. I want to also inform the gentleman, as well as the other members of the committee, that this bill was passed unanimously in the subcommittee, the full committee, and there was no complaint as to what is proposed.

Mr. EVINS of Tennessee. I thank the gentleman.

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

Mr. JONES of Alabama. I shall be happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Do I understand that there is presently outstanding by the TVA \$1.1 billion in bonds?

Mr. JONES of Alabama. That is correct.

Mr. GROSS. With an authorization of \$1.7 billion?

Mr. JONES of Alabama. Yes.

Mr. GROSS. What would be the reason for increasing the bonding capability by \$5 billion under this situation?

Mr. JONES of Alabama. I would say to the distinguished gentleman from Iowa, and as we say upon occasion, I am glad he asked me that question, for the simple reason that what is necessary under this self-financing arrangement is that the Authority have sufficient bonding capability to place firm contracts for needed generating capacity.

So, the amount of bonding authority that TVA has remaining is not sufficient for TVA to enter into firm contracts for generating capacity that should be ordered this year.

What I am saying is this: we are talking about enormous generating units of 1,200 to 1,300 megawatts that require 6 or more years to build. So, the bonding authority to make firm commitments has to be available today so that the people that are supplying TVA have assurance of an adequate power supply for a reasonable time in the future. There has to be this assurance that the TVA can take care of its obligations to supply power and run an efficient operation in order to make its bonds merchandisable.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Alabama. Yes, I yield further to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, I wish to join with the gentleman from Alabama in the explanation that these bonds are outside the Treasury debt. They are handled entirely by the TVA outside of the national debt.

I may add further that this is also in line with the recommendation in the budget of the President.

Mr. GROSS. Mr. Chairman, if the gentleman from Alabama will yield further, the so-called full faith and credit of the United States does not back these bonds?

Mr. JONES of Alabama. No, it does not.

Mr. GROSS. It does not?

Mr. JONES of Alabama. It is an obligation of the Authority itself. It is not an obligation of the Federal Government. It is not included in the public debt operations.

Mr. GROSS. How much did Congress appropriate in the past fiscal year in direct Federal funds for support of the TVA?

Mr. JONES of Alabama. For the operation of the electrical portion of it, not a penny.

Mr. GROSS. No; I am talking about the appropriation for the TVA for any and all purposes.

Mr. JONES of Alabama. My recollection is around \$52 million.

Mr. GROSS. Why do we still make this appropriation to the administra-

tive—I assume that is what it is—for the administrative expenses of TVA? Why do we still do this?

Mr. EVINS of Tennessee. Mr. Chairman, if the gentleman from Alabama will yield further, as chairman of the subcommittee familiar with TVA operations, I can say that they are required by law to pay a stipulated amount into the Treasury every year, to liquidate the entire power indebtedness, and that the appropriation is for navigation and flood control, the normal operation carried on by the Corps of Engineers such as the Bonneville Power Administration and other public works throughout the Nation.

The power program is self-sustaining and self-liquidating, and is separate in its bookkeeping from the navigation and flood control programs. The TVA has paid into the Treasury of the United States about \$1 billion. This year they have paid in about \$72 million. It is more than the annual appropriations. Of course we make appropriations to TVA for its nonpower programs. The power program is self-sustaining and self-liquidating, as I stated, and pays into the Treasury each year \$60, \$70, or \$80 million—\$72 million this year. It is the only agency of the Government that I know of that is paying annually such large sums into the Treasury of the United States.

Mr. GROSS. Mr. Chairman, if my friend, the gentleman from Alabama (Mr. JONES) will yield further for one brief comment, I would appreciate it.

Mr. JONES of Alabama. Yes.

Mr. GROSS. I still do not understand why, if this is the paying proposition that it is heralded to be, why it is not picking up all of its expenses. Why should there be any recourse to the Federal Treasury?

Mr. JONES of Alabama. For the same reason as the gentleman from Tennessee explained, that the Federal Government is expending funds for the control of the lower Mississippi River, the same reason as we are appropriating large sums of money on the Arkansas River, and on the Missouri River and its tributaries. These are rather unique operations.

Mr. GROSS. I would think that the TVA is probably the most unique of all.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Alabama. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, I would like to reemphasize that the power operations of the TVA are self-sustaining and self-liquidating, and making a profit and paying annually into the Treasury of the United States, as the gentleman from Alabama has said, TVA this year is scheduled to pay in \$72 million into the Treasury.

The navigation flood control and other programs are financed as are these programs in other Government services.

Mr. GROSS. I understand, but I just think they ought to take care of all their expenses.

Mr. EVINS of Tennessee. What about the Corps of Engineers and other great agencies, public works agencies?

What about the flood control programs

on the Nation's rivers, which is of much concern to the Nation?

Mr. JONES of Alabama. Mr. Chairman, I want to thank the members of the subcommittee, and in particular the gentleman from Tennessee (Mr. DUNCAN) who has worked so hard and so earnestly on this proposition, along with the ranking member of the subcommittee, the gentleman from California (Mr. DON H. CLAUSEN) and all of the other members for the thorough and exhaustive study that they have given to this matter.

Mr. EVINS of Tennessee. Mr. Chairman, if the gentleman would yield further, I might add that this legislation is supported by the Bureau of the Budget, and has the unanimous support of the Committee on Public Works. I certainly support the bill, Mr. Chairman, and my concern was prompted by my hope that TVA's power operation will be continued at a lower rate to the consumers. We have taken great pride in TVA's low power rates, but I fear we are beginning to lose this good image because of escalating power rate increases.

Therefore, I hope that the gentleman's committee will look into the matter, and correct the situation.

Mr. JONES of Alabama. We hope that we can make a comparison.

Mr. DUNCAN. Mr. Chairman, I would first like to yield to the ranking Republican member of the subcommittee, the gentleman from California (Mr. DON H. CLAUSEN), such time as he may consume.

Mr. DON H. CLAUSEN. Mr. Chairman, I believe the legislation has been adequately explained by the chairman, and has as its principal objective, increasing the revenue bond capacity and authorization for TVA from \$1.75 billion to \$5 billion.

Originally, consideration was given to extending it to \$3.5 billion, but during the testimony that was presented, the questions asked and the answers given, we found that the \$3.5 billion bonding authority would only provide for funding and acquisition of new generating capacity units to cover approximately 2 years, and TVA's lead time requirements revealed that it would be more realistic to extend this to the \$5 billion figure. Thus permitting them the 6-year lead-time that most of the witnesses under questioning indicated would be necessary. Therefore, Mr. Chairman, I join in supporting the distinguished chairman of the Subcommittee on Flood Control in endorsing H.R. 18104. The purpose of the bill, that is to increase the amount of revenue bonds which TVA may have outstanding to finance additions to its power system from \$1.75 billion to \$5 billion is necessary to assure that the Tennessee Valley region meets its anticipated power requirements in the future. Bond authorizations, which are limited, prevent the issuance of firm contracts for future units to provide additional capacity. The leadtime normally is approximately 6 years. Consequently, we should, in order to assure the continued availability of power, increase these revenue bonds now.

I should like also to point out that the cost of this legislation to the Federal Government is nil. This is an unusual

enough situation to invite to your attention where we have the opportunity to plan ahead, anticipate benefits, and have no direct cost to the United States.

Although the generating capacity to be financed by the increased authority provided by H.R. 18104 will not affect California, it will have a beneficial effect on power reliability far beyond the area directly served by TVA. Through interconnections with other systems TVA generating capacity is a factor in power service in all or part of 32 States.

The value of TVA's generating capacity to other areas of the country was demonstrated in the last couple of weeks when power generated by TVA was used to help meet an emergency in New York City caused by the accidental loss of Consolidated Edison Co. largest generating unit. This emergency assistance was possible because TVA had sufficient capacity to meet its own needs and was interconnected with other utilities in the eastern part of the Nation.

For a better understanding of the scope of these interconnections it might be well to point out just which States can be affected by TVA's ability to generate power. These 32 States include the seven States in which TVA operates. Portions of these seven States not supplied by TVA are closely interconnected with the TVA system.

In another 13 States electric service is provided by utilities which are members of groups having interchange facilities and contracts with TVA. These include Arkansas, Kansas, Louisiana, Oklahoma, and Texas to the south and west of the TVA area, the Midwestern States of Illinois, Indiana, Michigan, Missouri, and Ohio, as well as Florida, South Carolina, and West Virginia.

Another 12 States have electric service provided by utilities which receive a part of their power requirements from pools into which TVA power is placed through the groups I have just referred to. These include the six New England States, Wisconsin, and the Middle Atlantic States of New York, New Jersey, Pennsylvania, Delaware, and Maryland.

A perusal of this list clearly shows that additional borrowing authority provided to TVA by H.R. 18104 will have a definite effect on the power supply situation of a broad area of the country. This authority will enable TVA to build sufficient generating capacity to meet the needs of its own area, and only if TVA has such capacity can it continue to be an effective factor in the interconnected systems which provide service in these 32 States.

As was stated, the legislation that is now before the committee was unanimously endorsed not only by all of the members of the Tennessee delegation but also by the Committee on Public Works.

There is one significant point that I think should be made because this may be of concern to others, the point being that the legislation does not affect or expand the service area now covered by TVA and through the previously stated interchange facilities and contractual agreements now in existence with TVA.

Mr. DUNCAN. Mr. Chairman, I rise in support of the bill now before us to increase the revenue bond authority of the

Tennessee Valley Authority to \$5 billion. Having cosponsored this legislation which would authorize such, I urge my colleagues to vote for this measure.

The Tennessee Valley Authority is a success story in itself. Through its self-financing program it provides reasonably priced electricity for thousands of homes and businesses in the area and yet has money left over each year to return to the U.S. Treasury.

In order to continue its work and to plan its future power supply far enough in advance to take care of increasing demands for power we must raise its bonding ceiling now. Not only is this vital to the immediate area served by TVA, but it is important to all sections of the country with which the Tennessee Valley is linked electrically.

As you know in many areas this summer we are faced with power shortages and failures. This only points to the need to prepare ahead for future demands. In fact, the Federal Power Commission is now urging the Nation's electric utilities to plan ahead for at least 10 years.

Electric generating equipment and facilities cannot be produced and installed overnight. Much time must be spent in planning and constructing, and it often takes years from purchase order to installation of the generating equipment.

The Tennessee Valley Authority for over 37 years has played a significant role in development of the Tennessee Valley region. H.R. 18104, by providing additional borrowing authority for power purposes, will enable TVA to continue one aspect of this role—the provision of adequate electric power.

In considering the merits of this bill we should look at the changes that TVA has helped to bring about in this region. In 1933, when TVA was formed, the Tennessee Valley area was in the throes of an even deeper depression than was the country as a whole. A measure of the depressed conditions was per capita personal income which stood at \$168 a year—down from \$317 in 1929. This was only 45 percent of national per capita income.

By 1968 annual per capita income had risen to \$2,416 which was around 71 percent of the national figure. This dramatic increase, whether measured in dollars or as a gain on national income levels, was accomplished through a shift from an agricultural based economy to a highly industrialized one.

In 1933 agriculture accounted for 62 percent of employment in the Tennessee Valley region while manufacturing industries accounted for only 12 percent of the area's workers. By 1968 the farm sector provided jobs for slightly more than 11 percent of the work force. Manufacturing employment, on the other hand, accounted for more than 33 percent of the jobs in the region.

New sources of electricity provided through the TVA program was one of the important elements in the shift to manufacturing. When the TVA program was started the producers of electricity in the area had only 855,000 kilowatts of electrical generating capacity. By 1969 TVA had increased this capacity by more than 18 times to 18,239,000 kilowatts.

Over 8 million kilowatts of this capacity have been installed since the self-financing legislation was passed in 1959, and currently over 10 million kilowatts of capacity are under construction. This accelerating growth in installation of generating facilities is eloquent testimony to the effectiveness and validity of the self-financing principle as applied to TVA.

Furthermore this accelerating growth provides ample justification for passage of H.R. 18104. The new \$5 billion ceiling on TVA's borrowing authority will provide the financing for additional generating capacity that is needed in the next 5 years. Without the electricity produced by this new capacity the TVA region will not be able to maintain the gains in personal income and standard of living that the people of the region have achieved over the last 37 years.

There might be some question about the wisdom of providing this authority if it were to come from appropriations or would be a burden on the U.S. Treasury. But the self-financing aspect of the TVA Act, including this amendment, does not do that. The bonds to be sold under H.R. 18104 are payable solely by revenues from the TVA power system and they are not obligations of or guaranteed by the United States.

By passing H.R. 18104 we are saying to the people of the Tennessee Valley that we will let TVA borrow money for new generating capacity—but that that money is to be repaid by the residents of the area when they pay their power bills.

Mr. FULTON of Tennessee. Mr. Chairman, as a cosponsor of the legislation before us, the proposal to increase the Tennessee Valley Authority's self-financing authority, I have mixed emotions as I urge the Members of this body to give the bill their favorable consideration.

On the one hand I have a great deal of pride in the growth and economic development which the TVA has brought to the Tennessee Valley Region over four decades. It has helped create a land of growing prosperity out of a flood-ravaged wilderness. For this the Tennessee Valley Authority and the TVA Act is to be praised.

On the other hand, while the past history of the Tennessee Valley Authority has been one of partnership in growth and economic development the recent July 17, 1970 announcement of an approximate 23 percent increase in consumer rates has left me with a deep feeling of disappointment bordering on disillusionment.

On Tuesday of this week I expressed my concern over this rate increase in a press release issued from my Washington office and I include the release in the RECORD at this point:

NEWS RELEASE

WASHINGTON.—Charging that the Tennessee Valley Authority's recently announced rate increase has "sent an economic shock wave reverberating through the Tennessee Valley region, Congressman Richard Fulton today called for a Congressional probe of the rate hike.

"If this unprecedented increase in power rates is allowed to stand, Tennessee and other TVA-served States are threatened with the loss of millions of dollars in revenue

and thousands of jobs because of industrial shutdowns. A 23 percent increase in industrial power will delay planned expansion in some plants and simply force others to go under," Fulton said.

"It is inconceivable that any government-owned utility or private enterprise would at a time of tremendous inflationary pressure add to that pressure with such an exorbitant demand. If TVA gets its increase every power company in the country is going to follow suit."

"The Tennessee Valley Authority has cited a shortage of coal as a primary factor in raising its prices. But the Tennessee Valley Authority has for years been accused of driving small coal operators out of business by its buying policies."

The Tennessee Valley Authority has done a magnificent job of providing power for the development and industrialization of the Tennessee Valley Region. But it has, in the process, become seemingly myopic in that it is out to produce power and only power at any expense.

"In fact, a measurable percentage of the power now produced by the TVA is actually being transmitted out of the TVA area to other power companies. Thus, TVA power users within the TVA region are being asked by this rate increase to subsidize power which they will never use and which, if it were not being exported, might ease any legitimate need for a rate increase at this time.

"All this leads me to fear that the TVA authorities may be losing sight of the fact they are to serve the public in general and not just the TVA as some sort of insulated institution."

This latest rate increase should be thoroughly investigated by the Congress and I have written my Tennessee colleague, Hon. Joe L. Evins, urging that, as Acting Chairman of the Public Works Subcommittee of the House Appropriations Committee, he initiate such an investigation. I am also suggesting to Mr. Evins that such an investigation be particularly sensitive to the possibility of a full inquiry into the policies and procedures of the Tennessee Valley Authority in view of its seeming concentration on power production at the expense of continued and future economic viability within the TVA region, disregard of the public interest through ultra high inflationary rate increases, and actual and potential danger to the environment posed by its power producing methods and procedures.

"I know of no man in the Congress more able and qualified to conduct such an investigation and I am certain Mr. Evins will undertake appropriate and responsible action. He will have my full support."

Mr. Chairman, the morning following this statement I received a letter from the Honorable Frank E. Smith, Member of the Board of Directors of the Tennessee Valley Authority. I must say that this too, was a disappointment because in essence, Mr. Smith stated simply that the TVA authorities were "required by our oath of office to fulfill the terms of the law."

Mr. Chairman, Mr. Smith's letter exhibited a near callous indifference to the public interest in general and to the U.S. Congress in particular and I place it in the body of the RECORD at this point:

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., July 29, 1970.

HON. RICHARD FULTON,
House of Representatives,
Washington, D.C.

DEAR DICK: I have read in this morning's Knoxville Journal your statement protesting the TVA rate increase.

Let me suggest that you read the TVA Act, as amended by the self-financing bill of 1959. The law directly requires us to charge rates sufficient to meet our costs. If the Congress can subsidize any difference between costs and income, we will be happy to reduce the rates by the equivalent of the subsidy. We are required by our oath of office to fulfill the terms of the law, however, as I am sure you understand.

Our books are open now, as they always have been, for study or investigation by any Congressional committee. Let me remind you, however, that an inquiry of the nature which you suggest can only lead to pressures which will likely result in even higher TVA rates.

In the eight years I have been with TVA we have been involved in a constant struggle to keep our power rates down. Part of that struggle has made it necessary to reject many requests from good friends in Congress that would have occasioned greater costs for the TVA power system.

We are hopeful that no further rate raises of this amount will be necessary in the future, but there can be no guarantee as long as fuel and money costs continue to rise. I am confident, however, that when the current round of power rate increases going on all over the country is concluded that TVA rates will be in approximately the same proportion to those of private power companies as they have in the past.

I am puzzled by the statement attributed to you that TVA authorities "may be losing sight of the fact they are to serve the public in general and not just the TVA as some sort of insulated institution." We are fulfilling our responsibility to the public by fulfilling the law and refusing to heed advice which would invite financial disaster. The choice here is between continuation of TVA and its destruction.

Cordially,

FRANK E. SMITH,
Director.

Mr. Chairman, in my part of the country the Tennessee Valley Authority has done so much for us and become so important to us that it apparently has assumed the attitude that it should be immune to criticism and that any one who implies criticism either has not read the TVA Act as amended by the 1959 self-financing bill or is in conspiracy with those who would destroy TVA.

However, I felt compelled to respond immediately to Mr. Smith's letter and include a copy of that response in the RECORD at this point:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 30, 1970.

HON. FRANK E. SMITH,
Director Office of the Board of Directors,
Tennessee Valley Authority,
Knoxville, Tenn.

DEAR MR. SMITH: Thank you for your rapid response to my statement protesting the TVA rate increase which was carried in the July 29th edition of the Knoxville Journal.

Appreciate your suggestion that I read the TVA Act, as amended by the self-financing bill of 1959. I have. And certainly I am aware of the fact that you are required by your oath of office to fulfill the terms of the law. However, fulfilling the terms of the law and blindly tracking it are two different matters.

Frank, as a former Member of Congress, I am sure you are conscious of the public impact that a 20 to 25 percent increase in rates would have had during your service in the United States House of Representatives. Thus, in this highly inflationary period, you certainly must have anticipated the public anguish which this latest rate increase has created.

But to pass it off by simply saying "we are required by our oath of office to fulfill the terms of the law," is to take almost a "public be darned" attitude.

I say this because the Tennessee Valley Authority has made no attempt, to my knowledge, to inform the Congress or appropriate Committee members within the Congress that such a drastic rate increase was forthcoming. Had this been done discussion might have led to some alternative and the impact of increase reduced, not only in terms of public outrage but also in terms of percentage of rate increase.

Chairman Wagner discussed the possibility of rate increase with Rep. Joe L. Evins when Chairman Wagner testified before Mr. Evins' Public Works Subcommittee of the House Appropriations Committee. Certainly at that time you must have had certain knowledge that a big rate increase was forthcoming. The question was not "if" but "how much" and "when." TVA has had ample time to inform the Congress of its plight. It certainly was not hesitant to do so when it came to us requesting in detail an increase of \$5 billion in its bonding authority.

You also express confidence "... that when the current round of power rate increases going on all over the country is concluded that TVA rates will be in approximately the same proportion to those of private power companies as they have in the past." Are you saying that TVA now proposes to engage in a game of price increase leapfrog with private power producers? Your job is to hold back rates not set the pace for private power concerns so they can increase consumer costs and justify an increase in profit by saying: "See, TVA increased their rates so we must increase ours."

You express the hope no further "rate increases of this amount will be necessary in the future, but there can be no guarantee as long as fuel and money costs continue to rise." Chairman Wagner, in his letter to me of July 17 announcing the rate increases also cited fuel costs as a primary factor in the rate increase. Quoting from the announcement attached to his letter: "TVA said factors in this increase include the rising demand for coal and 'seller's market' price trends, the coal industry's costs of meeting mine safety and strip mine reclamation requirements, increased transportation costs and coal car shortages. . . ." Does not the TVA have long-term multi-year contracts with its coal suppliers? Have they all run out at one given point in time and must now be renewed or are your suppliers failing to honor their contracts? I would very much like to have an answer to these questions.

Frank, you are well aware of my strong support of the TVA and my effort to expose to the public the scheme to sell it to private power interests in October of 1963. I have always supported the TVA but my support has in the past been based on the belief that the TVA was a positive instrument of economic progress. This latest rate increase, as high as it is and with as little public justification as it has been given, just does not seem to fit the configuration of economic progress because it threatens to close down plants, curtail expansion in others, increase unemployment and create additional inflationary pressure.

Finally you state, "I am puzzled by the statement attributed to you that TVA authorities 'may be losing sight of the fact they are to serve the public in general and not just the TVA as some sort of insulated institution.'" Let me clarify that point for you. When any utility, public or private, increases consumer costs by an inflationary 20 to 25 percent without sensitivity to public opinion or to its authorizing body, in this case the United States Congress, then I cannot but

conclude that it is certainly an "insulated institution."

Sincerely,

RICHARD FULTON,
Member of Congress.

Mr. Chairman, once again I urge passage of this legislation before us today. Our chairman has stated the case of need for this legislation in clear and precise terms and I wish to be associated with his remarks in this regard.

However, I do not intend to permit the matter of this unprecedented rate increase by the Tennessee Valley Authority to pass without careful examination. I want to know the reasons behind the explanations given in justification of the increase and I intend to learn them.

Mr. KUYKENDALL. Mr. Chairman, it is a privilege to join my Tennessee colleagues in support of the measure before this body to increase the revenue bond authority of the Tennessee Valley Authority to \$5 billion. I urge a yeay vote from the House.

It is difficult, Mr. Chairman, to pick up a newspaper this summer without dire warnings of power shortages that our Nation may face. Many of these problems stem from the failure of someone to look ahead, to smell the emergency on its way, and to be prepared for it. The Federal Power Commission is now urging the utility companies to restructure their plans for the next decade.

TVA is anticipating all of this, by asking for this increase. Mr. Chairman, this is not just another request for Federal money. Look at TVA's record. This is one Government agency that pays its bills, that renders an invaluable public service and stays in the black while it is doing so. Sound management is its watchword, and this bill before you is an example of that management.

I need not dwell on the success story of TVA. You have all heard it before, and you know that less than 3 percent of my State's farmhouses had electricity before TVA came into being, and that less than 1 percent of them today do not have it.

TVA has weathered depressions and detractors, and its example has been copied around the world. Its critics, whose voices have dimmed to a whisper over the years, are unhappiest because they do not have it. It has served my region well, and it has served the rest of the country, too, in many ways.

Mr. Chairman this legislation is vital to the continued growth and prosperity of the Tennessee Valley. I urge its passage.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

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

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of section 15d of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. 831n-4, Supplement IV), is amended by striking out "\$1,750,000,000" and inserting in lieu thereof "\$5,000,000,000".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FULTON of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 18104) to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley authority, pursuant to House Resolution 1150, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

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

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

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just considered and include therein extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONFERENCE REPORT ON S. 1076, YOUTH CONSERVATION CORPS

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S. 1076) to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 28, 1970.)

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

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

Mr. PERKINS. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Kentucky give the benefit of his observations and comments on the conference report to the Members?

Mr. PERKINS. I shall be delighted to do so. First, let me state that there was no difference between the Senate and the House with regard to the authorization.

A total of \$10,500,000 is authorized over a 3-year period—in other words, \$3.5 million annually.

I am pleased to advise the House that the conference report before us which authorizes a conservation program involving our young people has been signed by 16 of the 17 House conferees and by all of the Senate conferees. There were very few differences between the House and Senate versions of this legislation and most of these were of a minor or technical nature.

The major difference between the two bills related to the minimum age for participation in the corps. The Senate bill set the minimum age at 14, whereas in the House bill it was 16. The conference report limits participation to youth who are 15 years of age or above.

Under the Senate bill the corps program could only be conducted on public lands and waters under the jurisdictions of the Department of the Interior and the Department of Agriculture. Under the House bill a program could be conducted on any Federal property. Since this is a pilot program the conference report follows the more limited provision of the Senate bill.

Both bills authorized contracting for lodging and subsistence and other services by components or as a package. The House amendment required that any organization contracted with must have been nonprofit and in existence for at least 5 years. Under the conference report the two House limitations are retained when a contract is entered into with a local educational agency or other public or private agency for the entire operation of a corps program. The limitations will not apply when the Departments contract for individual or component services for a program.

Finally, the Senate bill required preference be given to disadvantaged youth to become corpsmen and that preference be accorded in the selection of supervisory personnel for the corps to elementary and secondary and college teachers and college students pursuing studies in the education and natural resources disciplines. The conference report follows the House and does not contain these preferences. It was the theory of the House that, inasmuch as the bill was patterned after the original Civilian Conservation Corps, we should permit all segments of society to participate. This concept was protected. I wish to point out, however, that it was the feeling of the conferees that teachers and students in the conservation fields are extremely well qualified for supervisory positions in the corps and thus it is expected that very many of the supervisory positions will be filled by such personnel. It is our view, also, that the corps, through the provision of gainful summer employment, can make a significant contribution toward meeting the needs of disadvantaged youth. I urge the conference report be adopted.

Mr. GERALD R. FORD. Mr. Chairman, will the chairman of the committee, the gentleman from Kentucky, yield?

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

Mr. GERALD R. FORD. In the confer-

ence report are there any mandatory spending provisions?

Mr. PERKINS. There are no mandatory spending provisions in the conference report. I have always been a great believer in programs of this type. I personally feel that we are not doing enough in this area. I am hopeful that, after we give the pilot program a trial, we will be able to greatly expand this conservation program.

The SPEAKER. The question is on the conference report.

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

PROVIDING FOR CONSIDERATION OF H.R. 17880, AMENDING DEFENSE PRODUCTION ACT OF 1950

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 1168, Report No. 91-1355) which was referred to the House Calendar and ordered to be printed:

H. RES. 1168

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17880) to amend the Defense Production Act of 1950, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 17880, the Committee on Banking and Currency shall be discharged from the further consideration of the bill S. 3302, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 17880 as passed by the House.

Mr. COLMER. Mr. Speaker, I call up House Resolution 1168 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is: Will the House now consider House Resolution 1168?

The question was taken; and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 1168.

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

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority side to the very able and distinguished gentleman from Nebraska (Mr. MARTIN) pending which I yield myself such time as I may consume.

Mr. Speaker, I recognize this is a little unusual procedure to take up a rule and consider it on the same day that it

is reported, but I think, under the circumstances, that procedure is thoroughly justified because of the time element that is involved and certainly further because it is my understanding that the bill itself will not be considered, nor will any vote be taken on it today. In other words, the purpose is to expedite the business of the House.

Mr. Speaker, if I may have the attention of the House, I would like to make a few comments on this bill. The bill that the rule makes in order is a continuation of the Defense Production Act. The testimony before the Rules Committee indicated that there was no opposition in the Committee on Banking and Currency or in the Rules Committee to the extension of the act.

The testimony further disclosed that there was considerable controversy in the Committee on Banking and Currency as well as in the Committee on Rules with respect to title II of the bill, which in brief would authorize the President to have certain standby controls in the fight against inflation.

There developed considerable conflict of opinion, about this question of giving the President these controls.

Before I develop that further, permit me to say there will be 2 hours of general debate, under an open rule, whereby amendments can be offered.

Mr. Speaker, what I really wanted to address myself to here, and the reason for my taking this time of the House, is to emphasize my own feeling on this matter and particularly with reference to inflation.

Mr. Speaker, for the past 15 or possibly for 20 years I have said, if I may be pardoned a personal reference, from the well of this House, that in my judgment the greatest enemy facing this Nation is inflation. This thing of spending and spending and spending, with credit and credit and credit being extended, with deficit spending on the part of the Government itself, has resulted—it is not going to result; it has resulted—in ruinous inflation. In my judgment if this young Republic falls within the next few years it is going to fall as the result of inflation rather than some foreign enemy that we are worrying about here on the floor practically every day.

The 1939 dollar is now worth approximately 35 cents. Does that register with the Members? If it does not register with the Members of this House, it registers with the housewives and with the people whom we have the honor of representing when they go to the grocery store or anywhere else to make a purchase.

A suit of clothes which, in 1939, cost \$40 or \$50 now cost \$100 to \$150; and the prices of all other commodities have soared proportionately.

Inflation is the order of the day. Now, I have come to the conclusion, rather reluctantly, that this Congress is not going to do anything about stopping this deficit spending and therefore apply the brakes to inflation. Oh, we talk about it all the time, but we do not do anything about it. When this administration came into power we were told that we were going to have a surplus. Well, I think

everybody agrees now, including the administration, that we are going to have a deficit and a substantial deficit. I am certainly not going to try to put this on the back of the President of the United States. As I said before in this House, the administration, the President, cannot spend money that the Congress does not give him to spend. He sends down a budget recommendation here which the Congress proceeds to violate. The net result is between the combination of the administration and the Congress that we will possibly have from a \$15 billion to a \$25 billion deficit for this fiscal year rather than the surplus we have been told we were going to get.

Now, who is responsible for this situation I think both parties are responsible for it. The question was asked before the Committee on Rules this morning, who is going to get the blame, come the fall elections, for this inflation? Some people thought the administration was going to get it, but my thought was and is that the blame for the continuation of this great threat to this republic is going to result in both parties getting the blame. I do not think the people are going to be as partisan as some people think they are. When the fall elections come they are going to hold the people in power—and that goes for the Congress as well as the President—responsible for this situation. I think it behooves us and we ought to take note of this situation and try to do something about not only for our own political welfare but for benefit of our people and the preservation of the Republic.

Mr. Speaker, this bill authorizes standby controls, but it says that it is at the option of the President. I do not know whether the President wants it or not.

I am told that he possibly does not. So, there seems to be a little political stuff going on around here about this matter. I want to repeat that again—the politics of this situation should not be of prime consideration.

Mr. Speaker, I am interested in the results. The only criticism that I have of these standby controls is that they ought to be mandatory. I do not think that the Congress is meeting its responsibility when it says, "All right; we will just pass this on to the executive department."

Mr. Speaker, the people are being ruined by inflation. I am not interested, I repeat, in the partisanship of this thing. The people of this country are not interested in the partisanship of this. They are interested in getting some relief.

So, I would feel much better about the situation if the controls authorized here were mandatory rather than discretionary or optional. I am just that realistic about it.

Mr. Speaker, I have previously said this, but I want to repeat it and emphasize again that the greatest enemy facing this Republic is inflation. I say this because if that dollar continues to reduce in value, if it continues to be debased, we are finally going to reach the point that the people of Germany, of Italy, and of other countries reached in recent history when their currency, their medium of purchasing power, lost its

value, and then they lost their form of government.

So, once we reach that point to which we are headed now—oh, we are having a great time now; we are enjoying it; that is, the people who earn more than their daily wage—then we are indeed in deep trouble. When that time comes that our currency has lost its value, then the wheels of industry stop and then everything stops and then you will be taking that wheelbarrow load of money to the grocery store to bring back an armful of groceries, just as they did in those countries. Then is when the dreaded Communists or the "man on the horse" moves in and takes over your splendid form of government and we lose all of our cherished institutions of freedom and of self government.

No; I do not like price and wage controls. I was in Congress when we had them during the war. No one likes them, but we at least controlled runaway inflation then. Now, this is nothing new with me. I have talked about this for years. I think we are going to have to come to it and the day is going to arrive when we can no longer pass the buck from one side to the other, from one party to the other party, from the Congress to the administration or the administration to the Congress. So I think the time has come to stand up and meet the situation.

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

Mr. Speaker, we have a highly unusual situation confronting us today in that the Committee on Rules only reported out this resolution at about 12 o'clock today. Three hours later we are now giving consideration to the rule on this legislation, and I understand the bill is programmed for consideration today. This is perhaps one of the most important pieces of legislation that the House will consider in the entire year, because it involves price and wage controls.

Let me digress for a moment in regard to the rule which the able gentleman, the chairman of the Committee on Rules (Mr. COLMER) explained a few moments ago, and then I will get back to the bill itself.

House Resolution 1168 provides for 2 hours of debate, and an open rule for consideration of the bill H.R. 17880, to be read by titles.

The purpose of the bill is first to extend for 2 years, through June 30, 1972, the Defense Production Act. Second, to establish a Cost Accounting Standards Board appointed by the Comptroller General to recommend to Congress a set of uniform accounting standards to be used by industry in connection with its Government contract work, and third, to provide the President with authority to order a freeze on wages, prices, rents, and salaries.

Mr. Speaker, let me address myself first of all to the committee to be appointed by the Comptroller General to which there has been some objection by setting up this committee in this manner to study further cost accounting methods of the Department of Defense, and setting cost accounting standards. Over the years, Mr. Speaker, we have

had many such committees study this subject, not only in the Congress, but in the Department of Defense. I am told that the bill passed by the other body would set up standard cost accounting methods to be used by the Department of Defense. I am further told, according to the testimony of the chairman of the Committee on Banking and Currency, that they received testimony that if standard procedures are adopted by the Defense Department that savings ranging up to as high as \$2 billion could be accomplished. But yet the bill that we will have before us, which we will be considering under this rule, simply sets up another committee to make another study and make a report back to the Congress a year from now.

I think it is time for action. I am hopeful that when we get into the 5-minute rule and the consideration of this legislation that the section included in the other body's bill, will be adopted in preference to the one included in the House bill.

Let me address myself now for a few moments to this provision in title II in which the President is given discretionary powers until next February 28 to establish a freeze on prices, wages, and rents—and that is 7 months from now.

I have done some studying, Mr. Speaker, in regard to the experiences which we accumulated during World War II in regard to legislation of this nature. If we go back to 1942, shortly after we became involved in World War II, you will find that the rate of inflation in this country was at the highest point in the history of our Nation. You will also find that it far outdistanced the rate of inflation which we have experienced in the United States over the last 18 to 24 months.

Now what was the situation in 1942? We were engaged in an all-out war effort. All of our industry in this country was transformed from producing materials for the domestic economy to a war economy. Our factories and our industries were prohibited from further production of automobiles for use by our citizens in this country. The production of electric refrigerators, washing machines, and many hundreds and thousands of other items were also discontinued during that period.

So we immediately and quickly transformed from a peacetime economy to a wartime economy and stopped the production of consumer goods.

Now when we did this, the net result, of course, was that there was a great shortage of consumer goods in the United States. When you have a shortage, according to the law of supply and demand, prices go up, and that is exactly what happened.

So it was of tremendous importance that wage and price controls be enacted in that period.

The first method used was what is called selective controls or a selected type of wage and price controls of certain basic industries. It was felt that this might be successful. That went on for a few months, for a period of about 6 months, but prices continued to rise. It was not effective.

Then mandatory wage and price controls were put into effect. Then what happened? Well, it takes an army of men and women to enforce this sort of legislation. These controls take some time to get into operation. It takes weeks and even months to get this thing into operation.

If you go back and look at the economic statistics for that period, you will find it took from 9 to 12 months to get this price acceleration under control even after we went into a mandatory wage and price control economy.

This legislation in title II provides these powers to the President—from now until February 28—7 months from now.

If we go back to the experience of World War II, and I think you will agree with me, even if they were placed into effect by the President, that there would be little or no chance of any effective action resulting.

There is another point to which I wish to call attention. The legislative body of our Government has the responsibility to make the laws. The executive branch of our Government has the responsibility to carry out those laws.

Title II of the bill, in which the Congress would give to the President authority to set up wage and price controls, and which would put the responsibility into his hand is action which would abrogate the responsibilities and the duties of the legislative branch of our Government. I think it is time that the Congress took cognizance of this, and that we stood up on our hind feet and performed our duties as we should.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I am happy to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I wish to associate myself with the very excellent remarks that have been made this afternoon by my colleague on the Rules Committee. Because of my appearance in testimony before another subcommittee of this body, I could not be in the Rules Committee this morning and listen to the testimony that was offered in support of the resolution which would make this legislation in order. But I have had an opportunity to go over the hearings that were conducted before the Banking and Currency Committee.

I, for one, am absolutely convinced—and I do not say this to impugn the sincerity of the gentleman from Mississippi, who spoke earlier under the rule, because I know among all the Members of this body there is probably no one who is more concerned about the fiscal situation in the country than he. But I am convinced that there are some in this body who are putting forth this legislation as nothing other than a patently political gambit to embarrass the President of the United States, because when you look at the testimony of a reputable economist—even the Robert Roosas and the John Kenneth Galbraiths, they are not talking about a 7-months temporary freeze on wages and prices—which, as the gentleman has pointed out, could not possibly be effectively administered, given the

thousands of people who would probably have to be recruited to enforce that kind of program. They are talking about a policy that would be foisted on this country for years and years to come, not the kind of temporary palliative that is prescribed in this legislation.

So I make the charge this afternoon that this is politically inspired. If the Congress wants to enact wage and price control legislation, then let it have the courage to put it in language that would make it clear to the country that we have made that decision, not that we are giving the President something he does not want, that he has not asked for, and that he clearly will not use.

Mr. MARTIN. I thank the gentleman for his remarks. That was the point I was going to get to in a moment.

As I pointed out, and as the gentleman from Illinois just pointed out, this authority extends for only 7 months. Perhaps this is a subtle bit of political play, but I do not consider it too subtle because it just happens that the election is going to come next November 3, which is approximately halfway between now and when the President's power would expire under this legislation. So it does make quite an issue, I assume and presume, for some Members of the Congress in the campaign this fall.

The Congress, I feel, should have the courage, if it wants to enact legislation setting up mandatory wage and price controls, to come out and set them up as the law of the land, if the majority in this body and in the other body feel that way, and then send the bill down to the President for his signature or his veto. But, Mr. Speaker, I do not approve of the kind of action as exemplified in title II of this legislation in which we simply pass the buck over to the President and fail to show the courage and the responsibility that is expected of us in the Congress in this matter.

I want also to mention this afternoon that we were told in our hearings this morning that an amendment will be offered on the floor of the House tomorrow afternoon providing for mandatory wage and price controls. This is of tremendous significance and of great importance. I hope every Member of the House will be here tomorrow to consider this measure.

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

Mr. COLMER. Mr. Speaker, I have no further requests for time.

Mr. MARTIN. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

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

H.J. Res. 1328. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes; and H.J. Res. 1336. Joint resolution to extend the effectiveness of the Defense Production Act of 1950 to August 15, 1970.

DEFENSE PRODUCTION ACT EXTENSION AND ECONOMIC STABILIZATION ACT

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17880 to amend the Defense Production Act of 1950, and for other purposes.

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

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, in the opinion of the Chair, is the unanimous consent restriction on quorum calls and on votes put over until after 4 p.m. today, anent the return of those who would honor our departed colleague still in effect inasmuch as they have returned, and many of them are now on the floor?

The SPEAKER. The gentleman will restate his parliamentary inquiry.

Mr. HALL. Mr. Speaker, may I inquire, in view of the fact that there was an agreement as to quorum calls and roll-calls, whether or not we may see by a quorum call whether we have a quorum on the floor, in view of the importance of this bill, and in view of the fact that it was not scheduled, and in view of the fact that we were deferring until our colleagues returned from Ohio and the services for our departed colleague, Mike Kirwan.

The SPEAKER. The Chair will state there is no agreement that would prevent a point of order that a quorum is not present.

The Chair will further state that the action taken has been with the understanding of the leadership on both sides and with the further understanding that general debate on the bill will terminate at 4 o'clock.

Mr. HALL. Mr. Speaker, I appreciate the statement of the Chair. The Chair has answered my question. I thoroughly understand the problem, and I am interested in expediting the business of this House, but because of the importance of this bill and the national interest, I make the point of order that a quorum is not present.

Mr. PATMAN. Mr. Speaker, will the gentleman withhold his point of order so I may ask a question?

Mr. HALL. I will withhold my point of order.

Mr. PATMAN. Mr. Speaker, the understanding is that we will go ahead and at 4 o'clock we will stop, and then we will have the rollcalls, and then the question of proceeding will take place after that.

Mr. HALL. Mr. Speaker, I appreciate

that, but the importance as brought out during the discussion of the rule far transcends the importance of a lapsed agreement, or stopping at any time certain to resume the other rollcalls. I believe Members should be here and hear whether we should have a teller vote on whether we go into session, so I let my point of order stand.

The SPEAKER. The gentleman insists on his point of order?

Mr. HALL. I do, Mr. Speaker.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 241]

Addabbo	Fish	Montgomery
Alexander	Flynt	Nix
Ashbrook	Foley	Ottinger
Aspinall	Frelinghuysen	Pelly
Ayres	Fulton, Tenn.	Pollock
Baring	Gallagher	Powell
Barrett	Gialmo	Price, Tex.
Berry	Gilbert	Purcell
Blaggi	Griffiths	Rallsback
Bow	Gude	Rarick
Brock	Hathaway	Rees
Bush	Hays	Reid, N.Y.
Button	Hébert	Rogers, Colo.
Carey	Helstoski	Rooney, N.Y.
Celler	Horton	Roudebush
Clay	Ichord	Ryan
Conyers	Johnson, Pa.	Sebelius
Cunningham	Karth	Skubitz
Daddario	Kee	Stanton
Dawson	King	Stelger, Ariz.
Dennis	Kluczyński	Stuckey
Dent	Leggett	Teague, Calif.
Diggs	Lloyd	Tunney
Donohue	Long, La.	Van Deerlin
Dowdy	Lowenstein	Weicker
Dulski	Lukens	Wilson,
Edwards, Calif.	McEwen	Charles H.
Edwards, La.	MacGregor	Wyatt
Esch	Mann	Wyder
Eshleman	Matsunaga	Wyman
Evins, Tenn.	Meskill	Young
Fallon	Mikva	Zwach

The SPEAKER. On this rollcall 335 Members have answered to their names, a quorum.

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

RESIGNATION FROM A SELECT COMMITTEE

The SPEAKER laid before the House the following resignation from the Select Committee To Conduct an Investigation and Study of All Aspects of Crime in the United States:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 28, 1970.

HON. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Capitol Building,
Washington, D.C.

Sir: I beg respectfully to hereby resign from the House of Representatives Select Committee on Crime.

Respectfully,

ROBERT V. DENNEY,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT AS MEMBER OF A SELECT COMMITTEE

The SPEAKER. Pursuant to the provisions of House Resolution 17, 91st Congress, the Chair appoints as a member of the Select Committee To Conduct an Investigation and Study of all Aspects of Crime in the United States. The gentleman from Arizona (Mr. STEIGER), to fill the existing vacancy thereon.

CONFERENCE REPORT ON H.R. 15733, RAILROAD RETIREMENT ACT AMENDMENTS

The SPEAKER. The unfinished business is the question of the adoption of the conference report on the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

The question is on the conference report.

The question was taken; and on a division (demanded by Mr. SPRINGER) there were—ayes 177, noes 0.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 346, nays 0, not voting 84, as follows:

[Roll No. 242] YEAS—346

Abbitt	Burke, Fla.	Derwinski
Abernethy	Burke, Mass.	Dickinson
Adair	Burleson, Tex.	Diggs
Adams	Burlison, Mo.	Dingell
Addabbo	Burton, Calif.	Dorn
Albert	Burton, Utah	Downing
Alexander	Byrne, Pa.	Dulski
Anderson,	Byrnes, Wis.	Duncan
Calif.	Cabell	Dwyer
Anderson, Ill.	Caffery	Eckhardt
Andrews, Ala.	Camp	Edmondson
Andrews,	Carter	Edwards, Ala.
N. Dak.	Casey	Elberg
Annunzio	Cederberg	Erlenborn
Arendts	Celler	Evans, Colo.
Ashley	Chamberlain	Fascell
Beall, Md.	Chappell	Feighan
Belcher	Chisholm	Findley
Bell, Calif.	Clancy	Fisher
Bennett	Clark	Flood
Betts	Clausen,	Flowers
Bevill	Don H.	Foley
Blester	Clawson, Del.	Ford, Gerald R.
Bingham	Cleveland	Ford,
Blackburn	Collier	William D.
Blanton	Collins	Foreman
Blatnik	Colmer	Fountain
Boggs	Conable	Fraser
Boland	Conte	Frey
Bolling	Corbett	Friedel
Bow	Corman	Fulton, Pa.
Brademas	Coughlin	Fulton, Tenn.
Brasco	Cowger	Fuqua
Bray	Cramer	Gallfanakis
Brinkley	Crane	Garmatz
Brooks	Culver	Gaydos
Broomfield	Daniel, Va.	Gettys
Brotzman	Daniels, N.J.	Gibbons
Brown, Calif.	Davis, Ga.	Gilbert
Brown, Mich.	Davis, Wis.	Goldwater
Brown, Ohio	de la Garza	Gonzalez
Broyhill, N.C.	Delaney	Gooding
Broyhill, Va.	Dellenback	Gray
Buchanan	Denney	Green, Oreg.

Green, Pa.	May	Ruppe
Griffin	Mayne	Ruth
Gross	Meeds	St Germain
Grover	Melcher	Sandman
Gubser	Michel	Satterfield
Gude	Mikva	Saylor
Hagan	Miller, Calif.	Schadeberg
Haley	Miller, Ohio	Scherie
Hall	Mills	Scheuer
Halpern	Minish	Schmitz
Hamilton	Mink	Schneebell
Hammer	Minshall	Schwengel
schmidt	Mize	Scott
Hanley	Mizell	Shipley
Hanna	Mollohan	Shriver
Hansen, Idaho	Monagan	Sikes
Hansen, Wash.	Moorhead	Sisk
Harrington	Morgan	Skubitz
Harsha	Morse	Slack
Hastings	Morton	Smith, Iowa
Hathaway	Mosher	Smith, N.Y.
Hawkins	Moss	Snyder
Hébert	Murphy, Ill.	Springer
Hechler, W. Va.	Murphy, N.Y.	Stafford
Heckler, Mass.	Myers	Staggers
Henderson	Natcher	Steed
Hicks	Nedzi	Steiger, Ariz.
Hogan	Nelsen	Steiger, Wis.
Holifield	Nichols	Stephens
Horton	Obey	Stokes
Hosmer	O'Hara	Stratton
Hungate	O'Konski	Stubblefield
Hunt	Olsen	Stuckey
Hutchinson	O'Neal, Ga.	Sullivan
Jacobs	O'Neill, Mass.	Symington
Jarman	Ottinger	Talcott
Jonas	Passman	Taylor
Jones, Ala.	Patman	Teague, Tex.
Jones, N.C.	Patten	Thompson, Ga.
Jones, Tenn.	Pepper	Thompson, N.J.
Kastenmeier	Perkins	Thomson, Wis.
Kazen	Pettis	Tiernan
Keith	Philbin	Udall
Kleppe	Fickle	Ullman
Koch	Pike	Vander Jagt
Kuykendall	Pirnie	Vanik
Kyl	Poage	Vigorito
Kyros	Podell	Waggonner
Landgrebe	Poff	Waldie
Landrum	Preyer, N.C.	Wampler
Langen	Price, Ill.	Watkins
Latta	Price, Tex.	Watson
Leggett	Pryor, Ark.	Watts
Lennon	Pucinski	Whalen
Long, Md.	Quie	Whalley
Lowenstein	Quillen	White
Lujan	Randall	Whitehurst
McCarthy	Reid, Ill.	Whitten
McClary	Reuss	Widnall
McCloskey	Rhodes	Wiggins
McDade	Riegle	Williams
McDonald,	Rivers	Wilson, Bob
Mich.	Roberts	Winn
McFall	Robison	Wold
McKneally	Rodino	Wolf
McMillan	Roe	Wright
Macdonald,	Rogers, Fla.	Wylie
Mass.	Rooney, N.Y.	Yates
Madden	Rooney, Pa.	Yatron
Mahon	Rosenthal	Young
Mailliard	Rostenkowski	Zablocki
Marsh	Roth	Zion
Martin	Rousselot	Zwach
Mathias	Roybal	

NAYS—0

NOT VOTING—84

Anderson,	Esch	McClure
Tenn.	Eshleman	McCulloch
Ashbrook	Evins, Tenn.	McCaw
Aspinall	Fallon	MacGregor
Ayres	Farbstein	Mann
Baring	Fish	Matsunaga
Barrett	Flynt	Meskill
Berry	Frelinghuysen	Montgomery
Blaggi	Gallagher	Nix
Brock	Gilbert	Pelly
Bush	Griffiths	Pollock
Button	Harvey	Powell
Carey	Hays	Purcell
Clay	Helstoski	Rallsback
Cohelan	Howard	Rarick
Conyers	Hull	Rees
Cunningham	Ichord	Reid, N.Y.
Daddario	Johnson, Calif.	Reifel
Dawson	Johnson, Pa.	Rogers, Colo.
Dennis	Karth	Roudebush
Dent	Kee	Ryan
Devine	King	Sebelius
Donohue	Kluczyński	Smith, Calif.
Dowdy	Lloyd	Stanton
Edwards, Calif.	Long, La.	Taft
Edwards, La.	Lukens	Teague, Calif.

Tunney Wilson, Wydler
Van Deerlin Charles H. Wyman
Weicker Wyatt

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Dent with Mr. Ayres.
Mr. Rogers of Colorado with Mr. McCulloch.
Mr. Biaggi with Mr. Button.
Mr. Kluczynski with Mr. Pelly.
Mr. Carey with Mr. Fish.
Mr. Edwards of Louisiana with Mr. McClure.
Mr. Long of Louisiana with Mr. Lukens.
Mr. Evins of Tennessee with Mr. Lloyd.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Donohue with Mr. Cunningham.
Mr. Matsunaga with Mr. McEwen.
Mr. Charles H. Wilson with Mr. Pollock.
Mr. Aspinall with Mr. Harvey.
Mr. Hall with Mr. Ashbrook.
Mr. Johnson of California with Mr. Sebelius.
Mr. Daddario with Mr. Meskill.
Mr. Hays with Mr. Smith of California.
Mr. Purcell with Mr. Dennis.
Mr. Montgomery with Mr. Devine.
Mr. Barrett with Mr. Johnson of Pennsylvania.
Mr. Anderson of Tennessee with Mr. Esch.
Mr. Howard with Mr. King.
Mr. Helstoski with Mr. Nix.
Mr. Tunney with Mr. Conyers.
Mr. Karth with Mr. Powell.
Mr. Mann with Mr. Reifel.
Mr. Rarick with Mr. Bush.
Mr. Gallagher with Mr. Rallsback.
Mrs. Griffiths with Mr. Reid of New York.
Mr. Flynt with Mr. MacGregor.
Mr. Farbstein with Mr. Clay.
Mr. Ichord with Mr. Brock.
Mr. Baring with Mr. Roudebush.
Mr. Van Deerlin with Mr. Berry.
Mr. Kee with Mr. Stanton.
Mr. Dowdy with Mr. Taft.
Mr. Edwards of California with Mr. Teague of California.
Mr. Wyman with Mr. Weicker.
Mr. Rees with Mr. Wyatt.
Mr. Ryan with Mr. Wydler.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF PROGRAMS FOR TRAINING IN THE ALLIED HEALTH PROFESSIONS

The SPEAKER. The further unfinished business is on the question of the passage of the bill H.R. 13100, which the Clerk will report by title.

The Clerk read the title of the bill.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 343, nays 1, not voting 86, as follows:

[Roll No. 243]

YEAS—343

Abbt Anderson, Bell, Calif.
Abernethy Tenn. Bennett
Adair Andrews, Ala. Betts
Adams Andrews, Beville
Addabbo N. Dak. Biester
Albert Annunzio Bingham
Anderson, Arends Blackburn
Calif. Ashley Blanton
Anderson, Ill. Belcher Biatnik

Boggs Griffin
Boland Gross
Bolling Grover
Bow Gubser
Brademas Gude
Brasco Hagan
Bray Haley
Brinkley Hall
Brooks Halpern
Broomfield Hamilton
Brotzman Hammer-
Brown, Calif. schmidt
Brown, Mich. Hanley
Brown, Ohio Hanna
Broyhill, N.C. Hansen, Idaho
Broyhill, Va. Hansen, Wash.
Buchanan Harrington
Burke, Fla. Harsha
Burke, Mass. Hathaway
Burlison, Tex. Hawkins
Burlison, Mo. Hébert
Burton, Calif. Hechler, W. Va.
Burton, Utah Heckler, Mass.
Byrne, Pa. Helstoski
Byrnes, Wis. Henderson
Cabell Hicks
Caffery Hogan
Camp Hollifield
Carter Horton
Casey Hosmer
Cederberg Howard
Celler Hungate
Chamberlain Hunt
Chappell Hutchinson
Chisholm Jacobs
Clancy Jarman
Clark Jonas
Clausen, Jones, Ala.
Don H. Jones, N.C.
Clawson, Del. Jones, Tenn.
Cleveland Kastenmeier
Cohelan Kazen
Collier Keith
Collins Kleppe
Colmer Koch
Conable Kuykendall
Conte Kyl
Corbett Kyros
Corman Landgrebe
Coughlin Landrum
Cowger Langen
Cramer Latta
Crane Lennon
Culver Long, Md.
Daniel, Va. Lowenstein
Daniels, N.J. Lujan
Davis, Ga. McCarthy
Davis, Wis. McClory
de la Garza McCloskey
Delaney McClure
Dellenback McDade
Denney McDonald,
Derwinski Mich.
Dickinson McFall
Diggs McKneally
Dingell McMillan
Dorn Macdonald,
Downing Mass.
Dulski Madden
Duncan Mahon
Dwyer Mailliard
Eckhardt Marsh
Edwards, Ala. Martin
Elberg May
Evans, Colo. Mayne
Fascell Meeds
Feighan Melcher
Findley Michel
Fisher Mikva
Flood Miller, Calif.
Flowers Miller, Ohio
Foley Mills
Ford, Gerald R. Minish
Ford. Mink
William D. Minshall
Foreman Mize
Fountain Mizell
Fraser Mollohan
Frey Monagan
Friedel Moorhead
Fulton, Pa. Morgan
Fulton, Tenn. Morse
Fuqua Morton
Gallifanakis Mosher
Garmatz Moss
Gaydos Murphy, Ill.
Gettys Murphy, N.Y.
Gialmo Myers
Gibbons Natcher
Gilbert Nedzi
Goldwater Nelsen
Gonzalez Nichols
Goodling Obey
Gray O'Hara
Green, Oreg. O'Konski
Green, Pa. Olsen

O'Neal, Ga. Yates
O'Neill, Mass. Yatron

Yates
Yatron

Young
Zablocki

Zion
Zwachs

NAYS—1

Schmitz

NOT VOTING—86

Alexander Evins, Tenn. Meskill
Ashbrook Fallon Montgomery
Aspinall Farbstein Nix
Ayres Fish Pelly
Baring Flynt Pollock
Barrett Frelinghuysen Powell
Beall, Md. Gallagher Purcell
Berry Griffiths Rallsback
Biaggi Harvey Rarick
Brock Hastings Rees
Bush Hays Reid, N.Y.
Button Hull Reifel
Carey Ichord Rhodes
Clay Johnson, Calif. Rogers, Colo.
Conyers Johnson, Pa. Roudebush
Cunningham Karth Ryan
Daddario Kee Sebelius
Dawson King Smith, Calif.
Dennis Kluczynski Stanton
Dent Leggett Taft
Devine Lloyd Teague, Calif.
Donohue Long, La. Tunney
Dowdy Lukens Van Deerlin
Edmondson McCulloch Weicker
Edwards, Calif. McEwen Wilson,
Edwards, La. MacGregor Charles H.
Erlenborn Mann Wyatt
Esch Mathias Wydler
Eshleman Matsunaga Wyman

So the bill was passed.
The Clerk announced the following pairs:

Mr. Dent with Mr. Ayres.
Mr. Rogers of Colorado with Mr. McCulloch.
Mr. Biaggi with Mr. Button.
Mr. Kluczynski with Mr. Pelly.
Mr. Carey with Mr. Fish.
Mr. Edwards of Louisiana with Mr. Beall of Maryland.
Mr. Long of Louisiana with Mr. Lukens.
Mr. Evins of Tennessee with Mr. Lloyd.
Mr. Alexander with Mr. Eshleman.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Donohue with Mr. Cunningham.
Mr. Matsunaga with Mr. McEwen.
Mr. Charles H. Wilson with Mr. Pollock.
Mr. Aspinall with Mr. Harvey.
Mr. Hull with Mr. Ashbrook.
Mr. Johnson of California with Mr. Sebelius.
Mr. Daddario with Mr. Meskill.
Mr. Edmondson with Mr. Rhodes.
Mr. Hays with Mr. Smith of California.
Mr. Purcell with Mr. Dennis.
Mr. Montgomery with Mr. Devine.
Mr. Barrett with Mr. Johnson of Pennsylvania.
Mr. Leggett with Mr. Esch.
Mr. Hastings with Mr. King.
Mr. Dawson with Mr. Nix.
Mr. Tunney with Mr. Conyers.
Mr. Karth with Mr. Powell.
Mr. Mann with Mr. Reifel.
Mr. Rarick with Mr. Bush.
Mr. Gallagher with Mr. Rallsback.
Mrs. Griffiths with Mr. Reid of New York.
Mr. Flynn with Mr. MacGregor.
Mr. Farbstein with Mr. Clay.
Mr. Ichord with Mr. Brock.
Mr. Baring with Mr. Roudebush.
Mr. Van Deerlin with Mr. Berry.
Mr. Kee with Mr. Stanton.
Mr. Dowdy with Mr. Taft.
Mr. Edwards of California with Mr. Teague of California.
Mr. Wyman with Mr. Weicker.
Mr. Rees with Mr. Wyatt.
Mr. Ryan with Mr. Wydler.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3586) to amend title VII of the Public

Health Service Act to establish eligibility of new schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, and podiatry for institutional grants under section 771 thereof, to extend and improve the program relating to training of personnel in the allied health professions, and for other purposes.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3586

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Health Training Improvement Act of 1970".

DECLARATION OF POLICY

SEC. 2. It is the policy of the Congress to advance the public welfare by promoting the expansion and improvement of the health professions in order to meet the growing and critical health needs of our expanding population.

TITLE I—SCHOOLS OF MEDICINE, DENTISTRY, OSTEOPATHY, PHARMACY, OPTOMETRY, VETERINARY MEDICINE, AND PODIATRY

INSTITUTIONAL GRANTS

SEC. 101. (a) Section 771 of the Public Health Service Act (42 U.S.C. 295f-1) is amended by adding at the end thereof the following new subsection:

"(d) In the case of an application for a grant under this section for a new school of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, or podiatry, the provisions of subsection (b) (1) and subparagraphs (A) and (B) of subsection (a) (1) of this section shall not apply. In lieu of such provisions, the Secretary shall by regulations prescribe criteria (1) for enrollment increases to be met by the applicants for such grants, and (2) for determining the amounts of each such grant in excess of the \$25,000 authorized by subsection (a) (1) of this section."

(b) The amendment made by subsection (a) of this section shall be effective only with respect to sums available for grants under section 771 of the Public Health Service Act from appropriations under section 770 of such Act for the fiscal years ending after June 30, 1970.

GRANTS TO MEDICAL AND DENTAL SCHOOLS IN FINANCIAL DISTRESS

SEC. 102. Title VII of the Public Health Service Act is amended by adding after section 799a thereof (as added by section 209 of this Act) the following new part:

"PART H—GRANTS TO MEDICAL AND DENTAL SCHOOLS IN FINANCIAL DISTRESS

"FINDINGS OF FACT AND DECLARATION OF POLICY

"SEC. 799k. (a) The Congress hereby finds and declares that—

"(1) the Nation's economy, welfare, and security are adversely affected by the acute financial crisis which threatens the survival of medical and dental schools which provide the highest quality of teaching, medical and dental research and the delivery of health care for the Nation; and

"(2) the financial straits of these institutions, placing many on the brink of disaster, are in substantial measure the result

of their affirmative response to national health policy (as established or approved by the Congress) that such institutions (A) extend their enrollment through major expansion of training capacity to increase the supply of adequately trained health professions personnel or to improve facilities for the conduct of research in the sciences related to health, (B) establish special facilities for, extend, or improve the quality and delivery of, health care and services to disadvantaged persons in urban or rural areas, (C) provide high quality health care and services to the massive number of individuals who are beneficiaries of programs established by or pursuant to titles XVIII and XIX of the Social Security Act, or (D) maintain present enrollments, and maintain or enhance the quality of training provided, despite costs that are increasing more rapidly than school income from all sources.

"(b) It is therefore the purpose of this part to provide these medical and dental schools with emergency financial assistance to enable them to continue and expand the services, programs, and activities which are in response to national health policy (as described in subsection (a) (2)).

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 799l. For the purpose of enabling the Secretary to make grants under this part, there is authorized to be appropriated \$100,000,000 for the fiscal year ending June 30, 1971. Sums so appropriated shall remain available until expended.

"GRANTS BY SECRETARY

"SEC. 799m. (a) From the sums appropriated pursuant to section 799l, the Secretary is authorized to make grants, in accordance with the provisions of this part.

"(b) In order to be eligible for a grant under this part, an institution must be a public or nonprofit school of medicine or dentistry (as defined in section 724(4) and which is accredited as provided in section 721(2) (1) (B) or section 773(b) (2)).

"(c) No grant shall be made to any institution under this part except pursuant to application therefor which is approved by the Secretary.

"APPLICATION FOR GRANTS

"SEC. 799n. (a) The Secretary shall not approve any application for a grant unless the application is submitted by or on behalf of a public or nonprofit institution which is eligible (as prescribed by section 799m(b)) for a grant under this part, and the Secretary finds that—

"(1) such institution has made an affirmative response to one or more of the elements of national health policy (as described by section 799k(a) (2));

"(2) such institution is in financial distress;

"(3) the financial distress of such institution is attributable, in substantial degree, to such institution's having performed, engaged in, or undertaken, one or more of the functions, policies, programs, or activities referred to in paragraph (1);

"(4) the financial distress of such institution (if not relieved by a grant under this part) will oblige such institution either to discontinue or curtail its performance of, engagement in, or undertaking with respect to, one or more of the functions, policies, or activities referred to in paragraph (1); and

"(5) such institution has a plan (and submits such plan with or as a part of its application for grants) which provides a reasonable assurance that, if such grant is made, such institution will be able, during and after the period with respect to which the grant is made, to continue or expand its performance of, engagement in, or undertaking with respect to, any of the functions, policies, or activities (referred to in para-

graph (1)) with respect to which a grant is sought in such application.

"(b) Grants under this part shall be in such amounts and subject to such limitations and conditions as the Secretary may determine to be proper to carry out the purposes of this part.

"(c) Amounts paid by the Secretary to an institution under this part shall be used only for the purpose for which paid, may be paid in advance or by way of reimbursement, and in such installments as the Secretary may determine.

"(d) In the case of any medical school or dental school which owns or is affiliated with a hospital or dental clinic and such hospital or dental clinic is utilized by such school in connection with its major teaching programs, the facilities, activities, and programs of such hospital or dental clinic shall, insofar as they are a part of or are used in connection with such teaching programs, be deemed for purposes of this part to be facilities, activities, or programs of such school."

TITLE II—ALLIED HEALTH PROFESSIONS

GRANTS FOR CONSTRUCTION OF TEACHING FACILITIES FOR ALLIED HEALTH PROFESSIONS PERSONNEL

SEC. 201. (a) Section 791(a)(1) of the Public Health Service Act (42 U.S.C. 295h (a) (1)) is amended (1) by striking out the "and", and (2) inserting immediately before the period at the end thereof the following: "; \$20,000,000 for the fiscal year ending June 30, 1971; \$25,000,000 for the fiscal year ending June 30, 1972; \$30,000,000 for the fiscal year ending June 30, 1973; \$35,000,000 for the fiscal year ending June 30, 1974; and \$40,000,000 for the fiscal year ending June 30, 1975".

(b) Section 791(b)(1) of such Act (42 U.S.C. 295(b)(1)) is amended by striking out "July 1, 1969" and inserting in lieu thereof "July 1, 1974".

GRANTS TO IMPROVE THE QUALITY OF TRAINING FOR ALLIED HEALTH PROFESSIONS

SEC. 202. (a) Section 792(a) of the Public Health Service Act (42 U.S.C. 295h-1(a)) is amended by striking out "and \$20,000,000" and all that follows down to but not including the period at the end thereof and inserting in lieu thereof the following: "\$20,000,000 for the fiscal year ending June 30, 1970; and \$15,000,000 for each of the next five fiscal years; for basic improvement grants under this section to assist training centers for the allied health professions to improve the quality of their educational programs".

(b) Section 792(a) of such Act is further amended (1) by inserting "(1)" immediately after "(a)", and (2) by adding at the end thereof a new paragraph (2) as follows:

"(2) There are authorized to be appropriated \$20,000,000 for the fiscal year ending June 30, 1971; \$25,000,000 for the fiscal year ending June 30, 1972; \$30,000,000 for the fiscal year ending June 30, 1973; \$35,000,000 for the fiscal year ending June 30, 1974; and \$40,000,000 for the fiscal year ending June 30, 1975; for special project grants under this section to assist public or nonprofit private agencies, institutions, and organizations in providing or maintaining existing programs or planning or establishing new programs for training or retraining of allied health personnel."

(c) Section 792(b) of such Act (42 U.S.C. 295h-1(b)) is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1975".

(d) (1) Section 792(c) of such Act (42 U.S.C. 295h-1(c)) is amended to read as follows:

"(c) From the sums appropriated under subsection (a) (2) of this section for any fiscal year, the Secretary is authorized to

make special project grants under this section to public or nonprofit private agencies, institutions, and organizations to (A) plan, develop, or establish new programs for the training or retraining of allied health personnel, (B) effect significant improvements in the curriculums of programs for the training or retraining of such personnel, (C) expand training capacity in programs for the training or retraining of such personnel, or (D) establish special curriculums, in programs for the training or retraining of allied health personnel, designed to meet the needs of, and encourage and facilitate participation in such programs by individuals who are economically or culturally deprived, are returning veterans of the Armed Forces of the United States with training or experience in or related to the allied health fields, or are reentering or interested in reentering the allied health fields."

(2) The heading to such section 792 (c) is amended by striking out "IMPROVEMENT" and inserting in lieu thereof "PROJECT".

(e) Section 792 (d) (2) (A) of such Act (42 U.S.C. 295h-1 (d) (2) (A)) is amended by inserting "in the case of an application for a basic improvement grant," immediately after "(A)".

(f) The amendments made by this section shall be effective only with respect to grants made under section 792 of the Public Health Service Act from sums appropriated under such section for fiscal years ending June 30, 1970.

TRAINESHIPS FOR ADVANCED TRAINING OF ALLIED HEALTH PROFESSIONS PERSONNEL

SEC. 203. (a) Section 793 (a) of the Public Health Service Act (42 U.S.C. 295h-2 (a)) is amended (1) by striking out "and" after "June 30, 1969" and (2) by inserting after "June 30, 1970;" the following: "\$8,000,000 for the fiscal year ending June 30, 1971; \$9,000,000 for the fiscal year ending June 30, 1972; \$10,000,000 for the fiscal year ending June 30, 1973; \$11,000,000 for the fiscal year ending June 30, 1974; and \$12,000,000 for the fiscal year ending June 30, 1975;".

(b) Section 793 (b) of such Act (42 U.S.C. 295h-2 (b)) is amended by striking out "training centers for allied health professions" and inserting in lieu thereof "agencies, institutions, and organizations".

(c) Section 793 (c) of such Act (42 U.S.C. 295h-2 (c)) is amended by striking out "centers" and inserting in lieu thereof "public and nonprofit agencies, institutions, and organizations".

DEVELOPMENT OF NEW METHODS

SEC. 204. (a) Section 794 of the Public Health Service Act (42 U.S.C. 295h-3) is amended (1) by striking out "and" after "June 30, 1969;" (2) by inserting after "June 30, 1970;" the following: "\$6,000,000 for the fiscal year ending June 30, 1971; \$8,000,000 for the fiscal year ending June 30, 1972; \$10,000,000 for the fiscal year ending June 30, 1973; \$12,000,000 for the fiscal year ending June 30, 1974; and \$14,000,000 for the fiscal year ending June 30, 1975;" and (3) by inserting "or contracts with" immediately after "grants to".

(b) Such section 794 is further amended (1) by inserting "(1)" after "projects", and (2) by inserting immediately before the period at the end thereof the following: "(2) to study and develop mechanisms for determining the equivalency and proficiency of previously acquired knowledge and skills related to the allied health professions, (3) to develop, experiment with, and demonstrate new teaching methods and curriculums relating to the allied health professions, and (4) to develop, demonstrate, and evaluate new means of recruitment, retraining, or retention of allied health personnel".

ENCOURAGEMENT OF FULL UTILIZATION OF EDUCATIONAL TALENT FOR THE ALLIED HEALTH PROFESSIONS

SEC. 205. Part G of title VII of the Public Health Service Act is amended by adding immediately after section 794 thereof the following new sections:

"GRANTS AND CONTRACTS TO ENCOURAGE FULL UTILIZATION OF EDUCATIONAL TALENT FOR ALLIED HEALTH PROFESSIONS

"SEC. 794a. (a) To assist in meeting the need for additional trained personnel in the allied health professions, the Secretary is authorized to make grants to State or local educational agencies or other public or nonprofit private agencies, institutions, and organizations, or enter into contracts without regard to section 3709 of the Revised Statutes (41 U.S.C. (5)), for the purpose of—

"(1) identifying individuals of financial, educational, or cultural need with a potential for education or training in the allied health professions, including returning veterans of the Armed Forces of the United States with training or experience in the health field, and encouraging and assisting them, whenever appropriate, to (A) complete secondary school, (B) undertake such postsecondary training as may be required to qualify them for training in the allied health professions, and (C) undertake postsecondary educational training in the allied health professions, or

"(2) publicizing existing sources of financial aid available to persons undertaking training or education in the allied health professions.

"(b) For the purpose of carrying out the provisions of this section, there is hereby authorized to be appropriated \$750,000 for the fiscal year ending June 30, 1971; \$1,000,000 for the fiscal year ending June 30, 1972; \$1,250,000 for the fiscal year ending June 30, 1973; \$1,500,000 for the fiscal year ending June 30, 1974; and \$1,750,000 for the fiscal year ending June 30, 1975.

"SCHOLARSHIP GRANTS

"SEC. 794b. (a) The Secretary is authorized to make (in accordance with such regulations as he may prescribe) grants to public or nonprofit private agencies, institutions, and organizations with an established program for training or retraining of personnel in the allied health professions or occupations for (1) scholarships to be awarded by such agency, institution, or organization to students thereof, and (2) scholarships in retraining programs of such agency, institution, or organization to be awarded to allied health professions personnel in occupations for which such agency, institution, organization determines that there is a need for the development of, or the expansion of, training.

"(b) Scholarships awarded by an agency, institution, or organization from grants under subsection (a) shall be awarded for any year only to individuals of exceptional financial need who require such assistance for such year in order to pursue a course of study by such agency, institution, or organization.

"(c) Grants under subsection (a) may be paid in advance or by way of reimbursement and at such intervals as the Secretary may deem appropriate and with appropriate adjustments on account of overpayments or underpayments previously made.

"(d) Any scholarship awarded from grants under subsection (a) to any individual for any year shall cover such portion of the individual's tuition, fees, books, equipment, and living expenses as the agency, institution, or organization awarding the scholarship may determine to be needed by such individual for such year on the basis of his requirements and financial resources; except that the amount of any such scholarship

shall not exceed \$2,000, plus \$600 for each dependent (not in excess of three) in the case of any individual who is awarded such a scholarship.

"(e) For the purpose of carrying out the provisions of this section, there is authorized to be appropriated \$6,000,000 for the fiscal year ending June 30, 1971; \$7,000,000 for the fiscal year ending June 30, 1972; \$8,000,000 for the fiscal year ending June 30, 1973; \$9,000,000 for the fiscal year ending June 30, 1974; and \$10,000,000 for the fiscal year ending June 30, 1975.

"WORK-STUDY PROGRAMS

"SEC. 794c. (a) The Secretary is authorized to enter into agreements with public or nonprofit private agencies, institutions, and organizations with established programs for the training or retraining of personnel in the allied health professions under which the Secretary will make grants to such agencies, institutions, and organizations to assist them in the operation of work-study programs for individuals undergoing training or retraining provided by such programs.

"(b) Any agreement entered into pursuant to this section with a public or nonprofit private agency, institution, or organization shall—

"(1) provide that such agency, institution, or organization, will operate a work-study program for the part-time employment of its students or trainees either (A) in work for such agency, institution, or organization or (B) pursuant to arrangements between such agency, institution, or organization and another public or private nonprofit agency, institution, or organization, in work which is in the public interest for such other agency, institution, or organization;

"(2) provide that any such work-study program shall be operated in such manner that its operation will not result in the displacement of employed workers or impair existing contracts for employment;

"(3) provide that any such work-study program will provide conditions of employment, for the students or trainees participating therein, which are appropriate and reasonable in light of such factors as type of work performed, prevailing wages in the area for similar work, and proficiency of the individual in the performance of the work involved;

"(4) provide that no Federal funds made available to such agency, institution, or organization pursuant to such agreement shall be used for the construction, operation, or maintenance of any facility or part thereof which is used or is to be used for sectarian instruction or as a place for religious worship;

"(5) provide that Federal funds made available to such agency, institution, or organization pursuant to such agreement shall be used only to make payments to its students or trainees performing work in the work-study program operated by such agency, institution, or organization; except that such agency, institution, or organization may use a portion of such funds to meet administrative expenses connected with the operation of such program, but the portion which may be so used shall not exceed 5 per centum of that part of such funds which is used for the purpose of making payments, to such students or trainees, for work performed for a public or private nonprofit agency, institution, or organization other than the agency, institution, or organization receiving such Federal funds pursuant to such agreement;

"(6) provide that such agency, institution, or organization, in selecting students or trainees for employment in such work-study program, will give preference to individuals from low-income families, and that

no individual will be selected for employment in such program unless he (A) is in need of the earnings from such employment in order to pursue a course of study (whether on a full-time or part-time basis) for training or retraining of personnel in the allied health professions provided by such agency, institution, or organization, (B) is capable, in the opinion of such agency, institution, or organization, of maintaining good standing in such course of study while employed under such work-study program, and (C) in the case of any individual who at the time he applies for such employment is a new student or trainee, has been accepted for enrollment in such course of study on a full-time basis or part-time and, in the case of any other individual, is enrolled in such course of study on such a basis and is maintaining good standing in such course of study;

"(7) provide that such agency, institution, or organization shall, in the operation of such work-study program, provide all individuals desiring employment therein an opportunity to make application for such employment and that, to the extent that necessary funds are available, all eligible applicants will be employed in such program; and

"(8) include such other provisions as the Secretary may deem necessary or appropriate to carry out the purposes of this section.

"(c) The Secretary shall not approve any grant under this section unless the applicant therefor provides assurances satisfactory to the Secretary that funds made available through such grant will be so used as to supplement and, to the extent practical, increase the level of non-Federal funds which would, in the absence of such grant, be made available for the purpose for which such grant is requested.

"(d)(1) Funds provided through any grant made under this section shall not be used to pay more than—

"(A) 90 per centum, in the case of the three-year period commencing on the date of the enactment of this section,

"(B) 85 per centum, in the case of the one-year period which immediately succeeds the period referred to in clause (A),

"(C) 80 per centum, in the case of the one-year period which immediately succeeds the period referred to in clause (B), nor

"(D) 75 per centum, in the case of any period after the period referred to in clause (C),

of the costs attributable to the payment of compensation to students or trainees for employment in the work-study program with respect to which such grant is made.

"(2)(A) In determining (for purposes of paragraph (1)) the amounts attributable to the payment of compensation to students or trainees for employment in any work-study program, there shall be disregarded any Federal funds (other than such funds derived from a grant under this section) used for the payment of such compensation.

"(B) In determining (for purposes of paragraph (1)) the total amounts expended for the payment of compensation to students or trainees for employment in any work-study program operated by any agency, institution, or organization receiving a grant under this section, there shall be included the reasonable value of compensation provided by such agency, institution, or organization to such students or trainees in the form of services and supplies (including tuition, board, and books).

"(e) For the purpose of carrying out the provisions of this section, there is authorized to be appropriated \$2,000,000 for the fiscal year ending June 30, 1971, \$4,000,000 for the fiscal year ending June 30, 1972, \$6,000,000 for the fiscal year ending June 30, 1973, \$8,000,000 for the fiscal year ending June 30,

1974, and \$10,000,000 for the fiscal year ending June 30, 1975.

"LOANS FOR STUDENTS OF THE ALLIED HEALTH PROFESSIONS

"Sec. 794d. (a) (1) The Secretary is authorized (in accordance with such regulations as he may prescribe) to enter into an agreement for the establishment and operation of a student loan fund in accordance with this section with any public or private nonprofit agency, institution, or organization which has an established program for the training or retraining of personnel in the allied health professions.

"(2) Each agreement entered into under this subsection shall—

"(A) provide for establishment of a student loan fund by such agency, institution, or organization for students or trainees enrolled in such program;

"(B) provide for deposit in the fund of (i) the Federal capital contributions paid under this section to the agency, institution, or organization by the Secretary, (ii) and additional amount from other sources equal to not less than one-ninth of such Federal capital contributions, (iii) collections of principal and interest on loans made from the fund, (iv) collections pursuant to subsection (b) (6), and (v) any other earnings of the fund;

"(C) provide that the fund shall be used only for loans to students or trainees enrolled in such program of the agency, institution, or organization in accordance with the agreement and for costs of collection of such loans and interest thereon;

"(D) provide that loans may be made from such fund to students pursuing a course of study (whether full time or part time) in such program of such agency, institution, or organization and that while the agreement remains in effect no such student who has attended such program of such agency, institution, or organization before July 1, 1971, shall receive a loan from a loan fund established under section 204 of the National Defense Education Act of 1958; and

"(E) contain such other provisions as are necessary to protect the financed interests of the United States.

"(b) (1) The total of the loans for any academic year (or its equivalent, as determined under regulations of the Secretary) made by agencies, institutions or organizations from loan funds established pursuant to agreements under this section may not exceed \$1,500 in the case of any student. The aggregate of the loans for all years from such funds may not exceed \$6,000 in the case of any student.

"(2) Loans from any such student loan fund by any agency, institution or organization shall be made on such terms and conditions as it may determine; subject, however, to such conditions, limitations, and requirements as the Secretary may prescribe (by regulation or in the agreement with the agency, institution, or organization) with a view to preventing impairment of the capital of such fund to the maximum extent practicable in the light of the objective of enabling the student to complete his course of study; and except that—

"(A) such loan may be made only to a student who (i) is in need of the amount of the loan to pursue a part-time or full-time course of study at the agency, institution, or organization, and (ii) is capable, in the opinion of the agency, institution, or organization, of maintaining good standing in such course of study;

"(B) such loan shall be repayable in equal or graduated periodic installments (with the right of the borrower to accelerate repayment) over the ten-year period which begins nine months after the student ceases to pursue a part-time or full-time course of study

in a program for the training or retraining of personnel in the allied health professions at an agency, institution, or organization approved by the Secretary, excluding from such ten-year period all (i) periods (up to three years) of (I) active duty performed by the borrower as a member of a uniformed service, or (II) service as a volunteer under the Peace Corps Act, and (ii) periods (up to five years) during which the borrower is pursuing a full-time course of study at a school leading to a baccalaureate or associate degree or the equivalent of either or to a higher degree in one of the allied health professions;

"(C) not to exceed 50 per centum of any such loan (plus interest) shall be canceled for full-time employment in any of the allied health professions (including teaching any such profession or service as an administrator, supervisor, or specialist in any such profession) in any public or private nonprofit agency, institution, or organization, or in a rural area with an individual practitioner of medicine or dentistry if such service is approved by a local county health department or its equivalent at the rate of 10 per centum of the amount of such loan plus interest thereon, which was unpaid on the first day of such service, for each complete year of such service, except that such rate shall be 15 per centum for each complete year of service in such a profession in a public or other nonprofit hospital, other health service facility or health agency which is determined, in accordance with regulations of the Secretary, to have a substantial shortage of persons rendering service in such profession, and for purposes of any cancellation at such higher rate, an amount equal to an additional 50 per centum of the total amount of such loans plus interest may be canceled;

"(D) the liability to repay the unpaid balance of such loan and accrued interest thereon shall be canceled upon the death of the borrower, or if the Secretary determines that he has become permanently and totally disabled;

"(E) such a loan shall bear interest on the unpaid balance of the loan, computed only for periods during which the loan is repayable, at the rate of 3 per centum per annum;

"(F) such a loan shall be made without security or endorsement, except that if the borrower is a minor and the note or other evidence of obligation executed by him would not, under the applicable law, create a binding obligation, either security or endorsement may be required; and

"(G) no note or other evidence of any such loan may be transferred or assigned by the agency, institution, or organization making the loan except that, if the borrower transfers to another agency, institution, or organization participating in the program under this section, such note or other evidence of a loan may be transferred to such other agency, institution, or organization.

"(3) When all or any part of a loan, or interest, is canceled under this subsection, the Secretary shall pay to the agency, institution, or organization an amount equal to its proportionate share of the canceled portion, as determined by the Secretary.

"(4) Any loan for any year by an agency, institution, or organization from a student loan fund established pursuant to an agreement under this section shall be made in such installments as may be provided in regulations of the Secretary or such agreement and, upon notice to the Secretary by the agency, institution, or organization that any recipient of a loan is failing to maintain satisfactory standing, any or all further installments of his loan shall be withheld, as may be appropriate.

"(5) An agreement under this section with any agency, institution, or organization shall include provisions designed to make loans

from the student loan fund established thereunder reasonably available (to the extent of the available funds in such fund) to all eligible students in the agency, institution, or organization in need thereof.

"(6) Subject to regulations of the Secretary, an agency, institution, or organization may assess a charge with respect to a loan from the loan fund established pursuant to an agreement under this section for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment of the loan under paragraph (2) (B) or cancellation of part or all of the loan under paragraph (2) (C), for any failure to file timely and satisfactory evidence of such entitlement. The amount of any such charge may not exceed \$1 for the first month or part of a month by which such installment or evidence is late and \$2 for each such month or part of a month thereafter. The agency, institution, or organization may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the agency, institution, or organization not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

"(7) An agency, institution, or organization may provide, in accordance with regulations of the Secretary, that during the repayment period of a loan from a loan fund established pursuant to an agreement under this section payments of principal and interest by the borrower with respect to all the outstanding loans made to him from loan funds so established shall be at a rate equal to not less than \$15 per month.

"(c) There are authorized to be appropriated to the Secretary for Federal capital contributions to student loan funds pursuant to subsection (a) (2) (B) (i) \$1,500,000 for the fiscal year ending June 30, 1971, \$3,000,000 for the fiscal year ending June 30, 1972, \$8,000,000 for the fiscal year ending June 30, 1973, \$12,000,000 for the fiscal year ending June 30, 1974, and \$16,000,000 for the fiscal year ending June 30, 1975, and there are also authorized to be appropriated such sums for the fiscal year ending June 30, 1976, and each of the two succeeding fiscal years as may be necessary to enable students who have received a loan from any academic year ending before July 1, 1975, to continue or complete their education. Sums appropriated pursuant to this subsection for any fiscal year shall be available to the Secretary (1) for payments into the funds established by subsection (f) (4), and (2) in accordance with agreements under this section, for Federal capital contributions to schools with which such agreements have been made, to be used together with deposits in such funds pursuant to subsection (a) (2) (B) (ii), for establishment and maintenance of student loan funds.

"(d) (1) From the sums appropriated pursuant to subsection (c) for any fiscal year, the Secretary shall allot to each agency, institution, or organization, which has an established program or programs for the training or retraining of personnel in the allied health professions approved by the Secretary, an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in such program or programs in such agency, institution, or organization approved by the Secretary bears to the total number of persons enrolled on a full-time basis in such programs in all such agencies, institutions, or organizations in all the States. The number of persons enrolled, in such a program, on a full-time basis in such agencies, institutions, or organizations for purposes of the subsection shall be determined by

the Secretary for the most recent year for which satisfactory data are available to him. Funds available in any fiscal year for payment to agencies, institutions, or organizations under this section (whether as Federal capital contributions or as loans under subsection (f)) which are in excess of the amount appropriated pursuant to subsection (c) for that year shall be allotted among agencies, institutions, or organizations approved by the Secretary in such manner as the Secretary determines will best carry out the purposes of this section.

"(2) The Secretary shall from time to time set dates by which agencies, institutions, or organizations must file applications for Federal capital contributions and for loans pursuant to subsection (f).

"(3) The Federal capital contributions to a loan fund of an agency, institution, or organization approved by the Secretary under this section shall be paid from time to time in such installments as the Secretary determines will not result in unnecessary accumulations in its loan fund.

"(e) (1) After June 30, 1979, and not later than September 30, 1979, there shall be a capital distribution of the balance of the loan fund established under an agreement pursuant to subsection (a) (2) by each agency, institution or organization approved by the Secretary as follows:

"(A) The Secretary shall first be paid an amount which bears the same ratio to such balance in such fund at the close of June 30, 1979, as the total amount of the Federal capital contributions to such fund by the Secretary pursuant to subsection (a) (2) (B) (1) bears to the total amount in such fund derived from such Federal capital contributions from funds deposited therein pursuant to subsection (a) (2) (B) (ii).

"(B) The remainder of such balance shall be paid to the agency, institution, or organization approved by the Secretary.

"(2) After September 30, 1979, each agency, institution or organization approved by the Secretary with which the Secretary has made an agreement under this section shall pay to the Secretary, not less often than quarterly, the same proportionate share of amounts received by it after June 30, 1979, in payment of principal and interest on loans made from the loan fund established pursuant to such agreement (other than so much of such fund as relates to payments from the revolving fund established by subsection (f) (4)) as was determined for the Secretary under paragraph (1).

"(f) (1) (A) During the fiscal year ending June 30, 1971, and each of the next four fiscal years, the Secretary may make loans, from the revolving fund established by paragraph (4), to any public or private nonprofit agency, institution or organization approved by him, to provide all or part of the capital needed by any such agency, institution or organization for making loans to students under this subsection (other than capital needed to make the institutional contributions required of agencies, institutions or organizations by subsection (a) (2) (B) (ii)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in subsection (b). The requirements in subsection (a) (2) (B) (ii) with respect to institutional contributions by agencies, institutions, or organizations to student loan funds shall not apply to loans made to agencies, institutions, or organizations under this subsection.

"(B) A loan to an agency, institution, or organization approved by the Secretary under this subsection may be made upon such terms and conditions, consistent with applicable provisions of subsection (a), as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this subsection will be achieved, these terms and conditions may

include provisions making the obligation of the agency, institution, or organization to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (i) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this subsection, and (ii) probable losses.

"(2) If an agency, institution, or organization approved by the Secretary borrows any sums under this subsection, the Secretary shall agree to pay to it (A) an amount equal to 90 per centum of the loss to it from defaults on student loans made from such sums, (B) the amount by which the interest payable by it on such sums exceeds the interest received by it on student loans made from such sums, (C) an amount equal to the amount of collection expenses authorized by subsection (a) (2) (C) to be paid out of a student loan fund with respect to such sums, and (D) the amount of the principal which is canceled pursuant to subsection (b) (2) (C) or (D) with respect to student loans made from such sums. There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to carry out the purposes of this paragraph.

"(3) The total of the loans made in any fiscal year under this subsection shall not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and the difference between \$35,000,000 and the amount of Federal capital contributions paid under this section for that year.

"(4) (A) There is hereby created within the Treasury an allied professions training fund (hereinafter in this paragraph referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for the purposes of this subsection. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847-849) for wholly owned Government corporations.

"(B) The fund shall consist of appropriations paid into the fund pursuant to subsection (c), appropriations made pursuant to this paragraph, all amounts received by the Secretary as interest payments or repayments of principal on loans under this subsection, and any other moneys, property, or assets derived by him from his operations in connection with this subsection (other than paragraph (2)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interest or participations in assets, of the fund.

"(C) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this subsection (other than paragraph (5)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participation in obligations acquired under this subsection. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this subsection, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be

determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonable prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"(g) The Secretary may agree to modifications of agreements or loans made under this section, and may compromise, waive, or release right, title, claim, or demand of the United States arising or acquired under this section."

DEFINITION OF NONPROFIT AGENCY, INSTITUTION, OR ORGANIZATION

SEC. 206. Section 795 of the Public Health Service Act is amended by inserting after "professions", in paragraph (3) thereof, the following: ", or any agency, institution, or organization."

SEC. 207. Section 798 of the Public Health Service Act is amended to read as follows:

STUDY

"Sec. 798. (a) The Secretary shall conduct a study of the administration of—

"(1) the provision of this part,
 "(2) other provisions of this Act which relate to the allied health professions or the training of individuals to prepare them to engage in any of such professions; and
 "(3) provisions of law which are administered by the Commissioner of Education and which relate to the allied health professions or the training of individuals to prepare them to engage in any of such professions; with a view to determining the adequacy of such provisions and the programs established pursuant thereto to meet the needs of the Nation for allied health professions personnel."

ADVANCE FUNDING

SEC. 208. Part G of title VII of the Public Health Service Act is further amended by adding after section 798 thereof the following new section:

"ADVANCE FUNDING

"Sec. 799. Sums authorized to be appropriated for any fiscal year for grants, contracts, or other payments, under this part are hereby authorized to be included in the appropriation Act for the fiscal year preceding such fiscal year."

LICENSURE REPORT

SEC. 209. Part G of title VII of the Public Health Service Act is further amended by adding after section 799 (as added by section 208 of this Act) the following new section:

"LICENSURE REPORT

"Sec. 799a. The Secretary shall prepare and submit to the Congress, prior to July 1, 1971, a report identifying the major problems associated with licensure, certification, and other qualifications for practice or employment of health personnel (including group practice of health personnel), together with summaries of the activities (if any) of Federal agencies, professional organizations, or other instrumentalities directed toward the alleviation of such problems and toward maximizing the proper and efficient utilization of health personnel in meeting the health needs of the Nation. Such report shall include specific recommendations by the Secretary for steps to be taken toward the solution of the problems so identified in such report."

AMENDMENT OFFERED BY MR. STAGGERS

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

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 3586 and insert in lieu thereof the provisions of H.R. 13100, as passed.

The amendment was agreed to.

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

The title was amended so as to read: "To amend the Public Health Service Act to extend for three years the programs of assistance for training in the allied health professions, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13100) was laid on the table.

DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT OF 1970

The SPEAKER. The further unfinished business is the question of the passage of H.R. 14237, which the Clerk will report by title.

The Clerk read the title of the bill.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 339, nays 0, not voting 91, as follows:

[Roll No. 244]
 YEAS—339

- | | | |
|----------------|-----------------|-----------------|
| Abbutt | Camp | Ford, |
| Abernethy | Casey | William D. |
| Adair | Cederberg | Foreman |
| Adams | Chamberlain | Fountain |
| Addabbo | Chappell | Frey |
| Albert | Chisholm | Friedel |
| Alexander | Clancy | Fulton, Pa. |
| Anderson, | Clark | Fulton, Tenn. |
| Ill. | Clausen, | Fuqua |
| Anderson, | Don H. | Garmatz |
| Tenn. | Clawson, Del | Gaydos |
| Andrews, Ala. | Cleveland | Gettys |
| Andrews, | Cohelan | Gialmo |
| N. Dak. | Collier | Gibbons |
| Annunzio | Collins | Gilbert |
| Arends | Colmer | Goldwater |
| Ashley | Conable | Gonzalez |
| Beall, Md. | Conte | Goodling |
| Belcher | Corbett | Gray |
| Bell, Calif. | Corman | Green, Oreg. |
| Bennett | Coughlin | Green, Pa. |
| Betts | Cowger | Griffin |
| Beverly | Cramer | Gross |
| Bieber | Crane | Grover |
| Bingham | Culver | Gubser |
| Blackburn | Daniel, Va. | Gude |
| Blatnik | Daniels, N.J. | Hagan |
| Boggs | Davis, Ga. | Haley |
| Boland | Davis, Wis. | Hall |
| Bolling | de la Garza | Halpern |
| Bow | Delaney | Hamilton |
| Brademas | Dellenback | Hammer- |
| Brasco | Denney | schmidt |
| Bray | Derwinski | Hanley |
| Brinkley | Dickinson | Hanna |
| Brooks | Diggs | Hansen, Idaho |
| Broomfield | Dingell | Hansen, Wash. |
| Brotzman | Dorn | Harrington |
| Brown, Calif. | Downing | Harsha |
| Brown, Mich. | Duiski | Hastings |
| Brown, Ohio | Duncan | Hathaway |
| Broyhill, N.C. | Dwyer | Hawkins |
| Broyhill, Va. | Edmondson | Hébert |
| Buchanan | Edwards, Ala. | Hechler, W. Va. |
| Burke, Fla. | Eilberg | Heckler, Mass. |
| Burke, Mass. | Evans, Colo. | Helstoski |
| Burleson, Tex. | Evins, Tenn. | Henderson |
| Burtilson, Mo. | Fascell | Hicks |
| Burton, Calif. | Felghan | Hogan |
| Burton, Utah | Findley | Holifield |
| Byrne, Pa. | Fisher | Horton |
| Byrnes, Wis. | Flood | Hosmer |
| Cabell | Flowers | Howard |
| Caffery | Foley | Hungate |
| | Ford, Gerald R. | Hunt |

- | | | |
|----------------|----------------|----------------|
| Hutchinson | Murphy, N.Y. | Scott |
| Jacobs | Myers | Shipley |
| Jarman | Natcher | Shriver |
| Jonas | Nedzi | Sikes |
| Jones, N.C. | Nelsen | Sisk |
| Jones, Tenn. | Nichols | Skubitz |
| Kastenmeier | Obey | Slack |
| Kazen | O'Hara | Smith, Iowa |
| Keith | O'Konski | Smith, N.Y. |
| Kleppe | Olsen | Snyder |
| Koch | O'Neal, Ga. | Springer |
| Kuykendall | O'Neill, Mass. | Stafford |
| Kyl | Ottinger | Staggers |
| Kyros | Passman | Steed |
| Landgrebe | Patman | Steiger, Ariz. |
| Landrum | Patten | Steiger, Wis. |
| Langen | Pepper | Stephens |
| Latta | Perkins | Stokes |
| Lennon | Pettis | Stratton |
| Long, Md. | Philbin | Stubblefield |
| Lowenstein | Pickle | Stuckey |
| Lujan | Pike | Sullivan |
| McCarthy | Pirnie | Symington |
| McClory | Poage | Taylor |
| McClure | Podell | Teague, Tex. |
| McDade | Poff | Thompson, Ga. |
| McDonald, | Preyer, N.C. | Thompson, N.J. |
| Mich. | Price, Ill. | Thomson, Wis. |
| McFall | Price, Tex. | Tiernan |
| McKneally | Pryor, Ark. | Udall |
| McMillan | Pucinski | Ullman |
| Macdonald, | Quie | Vander Jagt |
| Mass. | Quillen | Vanik |
| Madden | Randall | Vigorito |
| Mahon | Reid, Ill. | Waggonner |
| Mailliard | Reuss | Waldie |
| Marsh | Riegle | Wampler |
| Martin | Rivers | Watkins |
| May | Roberts | Watson |
| Mayne | Robison | Watts |
| Meeds | Rodino | Whalen |
| Melcher | Roe | Whalley |
| Michel | Rogers, Fla. | White |
| Mikva | Rooney, N.Y. | Whitehurst |
| Miller, Calif. | Rooney, Pa. | Whitten |
| Miller, Ohio | Rosenthal | Widnall |
| Mills | Rostenkowski | Wiggins |
| Minish | Roth | Williams |
| Mink | Rousselot | Wilson, Bob |
| Minshall | Roybal | Winn |
| Mize | Ruth | Wolf |
| Mizell | St Germain | Wolff |
| Mollohan | Sandman | Wright |
| Monagan | Satterfield | Wylie |
| Moorhead | Saylor | Yates |
| Morgan | Schadeberg | Yatron |
| Morse | Scherle | Young |
| Morton | Scheuer | Zablocki |
| Mosher | Schmitz | Zion |
| Moss | Schneebell | Zwach |
| Murphy, Ill. | Schwengel | |

NAYS—0

NOT VOTING—91

- | | | |
|-----------------|-----------------|----------------|
| Ashbrook | Farbstein | Montgomery |
| Aspinall | Fish | Nix |
| Ayres | Flynt | Pelly |
| Baring | Fraser | Pollock |
| Barrett | Frelinghuysen | Powell |
| Berry | Gallianakis | Purcell |
| Biaggi | Gallagher | Rallsback |
| Blanton | Griffiths | Rarick |
| Brock | Harvey | Rees |
| Bush | Hays | Reid, N.Y. |
| Button | Hull | Relfel |
| Carey | Ichord | Rhodes |
| Carter | Johnson, Calif. | Rogers, Colo. |
| Celler | Johnson, Pa. | Roudebush |
| Clay | Jones, Ala. | Ruppe |
| Conyers | Karth | Ryan |
| Cunningham | Kee | Sebelius |
| Daddario | King | Smith, Calif. |
| Dawson | Kluczynski | Stanton |
| Dennis | Leggett | Taft |
| Dent | Lloyd | Talcott |
| Devine | Long, La. | Teague, Calif. |
| Donohue | Lukens | Tunney |
| Dowdy | McCloskey | Van Deerlin |
| Eckhardt | McCulloch | Weicker |
| Edwards, Calif. | McEwen | Wilson, |
| Edwards, La. | MacGregor | Charles H. |
| Erlenborn | Mann | Wyatt |
| Esch | Mathias | Wyder |
| Eshleman | Matsunaga | Wyman |
| Fallon | Meskill | |

So the bill was passed.

The Clerk announced the following pairs:

- Mr. Dent with Mr. Ayres.
- Mr. Rogers of Colorado with Mr. McCulloch.
- Mr. Biaggi with Mr. Button.

Mr. Kluczynski with Mr. Pelly.
Mr. Carey with Mr. Fish.
Mr. Edwards of Louisiana with Mr. Mathias.

Mr. Long of Louisiana with Mr. Lukens.
Mr. Blanton with Mr. Lloyd.
Mr. Eckhardt with Mr. Eshleman.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Donohue with Mr. Cunningham.
Mr. Matsunaga with Mr. McEwen.
Mr. Charles H. Wilson with Mr. Pollock.
Mr. Aspinall with Mr. Harvey.
Mr. Hull with Mr. Ashbrook.
Mr. Johnson of California with Mr. Sebelius.

Mr. Daddario with Mr. Meskill.
Mr. Celler with Mr. Rhodes.
Mr. Hays with Mr. Smith of California.
Mr. Purcell with Mr. Dennis.
Mr. Montgomery with Mr. Devine.
Mr. Barrett with Mr. Johnson of Pennsylvania.

Mr. Leggett with Mr. Esch.
Mr. Rees with Mr. King.
Mr. Dawson with Mr. Nix.
Mr. Tunney with Mr. Conyers.
Mr. Karth with Mr. Powell.
Mr. Mann with Mr. Reifel.

Mr. Rarick with Mr. Bush.
Mr. Gallagher with Mr. Railsback.
Mrs. Griffiths with Mr. Reid of New York.
Mr. Flynt with Mr. MacGregor.
Mr. Farbstein with Mr. Clay.
Mr. Ichord with Mr. Brock.
Mr. Baring with Mr. Roudebush.

Mr. Van Deerlin with Mr. Berry.
Mr. Kee with Mr. Stanton.
Mr. Dowdy with Mr. Taft.
Mr. Edwards of California with Mr. Teague of California.

Mr. Wyman with Mr. Weicker.
Mr. Fraser with Mr. Wyatt.
Mr. Ryan with Mr. Wylder.
Mr. Galifianakis with Mr. Coates.
Mr. Jones of Alabama with Mr. Ruppe.
Mr. Talcott with Mr. McCloskey.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1131, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill S. 2846.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

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

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the bill S. 2846 and to insert in lieu thereof the provisions of H.R. 14237, as passed.

The motion was agreed to.

The Senate bill, as amended, was ordered to be read a third time, was read the third time and passed.

The title was amended so as to read:

To amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 14237) was laid on the table.

LEGISLATIVE PROGRAM

The SPEAKER. The Chair desires to inform the Members that a conference report on the legislative appropriation bill will be offered for consideration.

PERSONAL ANNOUNCEMENT

Mr. EDMONDSON. Mr. Speaker, on rollcall No. 243, on the bill H.R. 13100, to amend the Public Health Service Act to extend for three years the programs of assistance for training in the allied health professions, and for other purposes, I was unavoidably absent from the House when the roll was called. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GALIFIANAKIS. Mr. Speaker, on rollcall No. 244, I was unavoidably detained. Had I been present, I would have voted "yea."

CONFERENCE REPORT ON H.R. 16915, LEGISLATIVE BRANCH APPROPRIATIONS, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, I call up the conference report on the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

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

The SPEAKER. The gentleman from Alabama is recognized.

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

Mr. ANDREWS of Alabama. I yield to my friend, the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. I thought perhaps the gentleman would make a brief explanation.

Mr. ANDREWS of Alabama. If the gentleman will permit me, I will.

Mr. GROSS. I will be glad to.

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

Mr. Speaker, the conference report on this bill is printed in this morning's CONGRESSIONAL RECORD and is available in leaflet form at the Clerk's desk. You have just heard the Clerk read the statement of the managers explaining conference action on each of the Senate amendments.

There were 45 Senate amendments and 36 of those amendments relate solely to Senate housekeeping matters. Of the remaining 9, one relates to the House, one to the Joint Economic Committee, two to the Joint Committee on Printing, four to the Library of Congress, and one to the General Accounting Office.

One of the amendments, No. 39 is for the extension of an additional Senate office building site and involves an appropriation of \$510,000 to purchase the Plaza Hotel and adjoining parking lot. This is a Senate housekeeping matter and the Senate conferees stated that the property can be purchased at a lower price now than would be possible if private interests purchased the hotel and renovated it.

The conference report contains two joint items—the Joint Economic Committee and the Joint Committee on Printing. The Senate has added \$50,000 for the Joint Economic Committee. The conference agreement provides \$30,000 additional or a total of \$572,900. The Senate added \$36,133 to the House bill for the Joint Committee on Printing. The conference agreement provides an increase of \$17,000 which is to cover expenses of compiling the revised edition of the "Biographical Directory of the American Congress," and the total for the Joint Committee on Printing is \$253,110.

The conference agreement allows a number of additional positions for the Library of Congress—50 for the main expense appropriation, including 25 added by the Senate; five for the Copyright Office, also added by the Senate; and 40 for the Legislative Reference Service. The Senate proposed 50, an increase of 25 over the House allowance.

The General Accounting Office will have 200 new average positions under the terms of the conference agreement. The House had allowed 175 and the Senate proposed 260.

SUMMARY OF CONFERENCE TOTALS

The conference agreement provides a total of \$413,054,220 for the operation of the Congress and related activities during fiscal year 1971. As with all other appropriation bills for 1971, funds for pay increases effective January 1, 1970, are not included. The additional money necessary to meet these costs will be considered with similar requests from all other agencies in a supplemental bill next year.

The conference agreement is \$835,433 under the Senate bill.

The conference agreement is \$66,404,990 over the House bill, as, of course, the House bill did not include any of the Senate housekeeping items.

The conference agreement is \$8,360,679 below the budget estimates.

The conference agreement is \$52,029,893 above the 1970 appropriations including those in the Second Supplemental, 1970.

I will insert in the RECORD, when I revise my remarks, a tabulation summarizing these figures by major activities in the bill:

LEGISLATIVE BRANCH APPROPRIATION BILL, FISCAL YEAR 1971 (H.R. 16915)

CONFERENCE SUMMARY

Conference action compared with—

Item (1)	Conference action compared with—									
	New budget (obligational) authority, fiscal year 1970 (2)	Budget esti- mates of new budget (obligational) authority, fiscal year 1971 (3)	New budget (obligational) authority recommended in House bill (4)	New budget (obligational) authority recommended in Senate bill (5)	New budget (obligational) authority recommended by conference action (6)	New budget (obligational) authority, fiscal year 1970 (7)	Budget esti- mates of new budget (obligational) authority, fiscal year 1971 (8)	New budget (obligational) authority recommended in House bill (9)	New budget (obligational) authority recommended in Senate bill (10)	
Senate.....	\$59,358,500	\$60,929,114		\$60,929,464	\$60,929,464	+\$1,570,964	+\$350	+\$60,929,464		
House of Representatives.....	108,156,980	110,413,210	\$110,441,455	110,483,955	110,526,455	+2,369,475	+113,245	+85,000	+\$42,500	
Joint items.....	13,345,347	15,339,575	14,511,775	14,597,908	14,558,775	-1,213,428	-780,800	+47,000	-39,133	
Architect of the Capitol.....	24,476,300	36,425,200	31,987,200	36,568,126	36,568,126	+12,091,826	+142,926	+4,580,926		
Botanic Garden.....	623,800	672,800	672,800	672,800	672,800				+49,000	
Library of Congress.....	46,077,000	51,846,000	49,942,000	50,505,400	50,396,600	+4,319,600	-1,449,400	+454,600	-108,800	
Government Printing Office.....	40,345,400	71,039,000	65,382,000	65,382,000	65,382,000	+25,036,600	-5,657,000			
General Accounting Office.....	68,641,000	74,750,000	73,712,000	74,750,000	74,020,000	+5,379,000	-730,000	+308,000	-730,000	
Grand total, new budget (obligational) authority.....	361,024,327	421,414,899	346,649,230	413,889,653	413,054,220	+52,029,893	-8,360,679	+66,404,990	-835,433	
Consisting of—										
1. Appropriations.....	360,964,327	421,414,899	346,559,730	413,675,153	412,839,720	+51,774,393	-8,575,179	+66,279,990	-835,433	
2. Reappropriations.....	60,000		89,500	214,500	214,500	+254,500	+214,500	+125,000		
Appropriations to liquidate contract authorization.....	(407,000)	(50,000)	(50,000)	(50,000)	(50,000)	(-357,000)				
Memorandum: 1. Appropriations and reappropriations including appropriations for liquidation of contract authorizations.....	361,431,327	421,464,899	346,699,230	413,939,653	413,104,220	+51,672,893	-8,360,679	+66,404,990	-835,433	

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

Mr. ANDREWS of Alabama. I yield to my friend from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

The gentleman has referred to a figure to which I should like particularly to call attention; that is, \$52 million above the appropriation for the same purposes last year. To me, this is a startling increase in the housekeeping costs of running the Congress. I wonder what constitutes the bulk of, or at least some part of, this \$52 million increase over last year.

Mr. ANDREWS of Alabama. I would say that almost half of the increase is for the Government Printing Office; \$22,000,000 is to provide additional reimbursable working capital in the revolving fund to finance increases in the volume of business and to replenish existing cash revenues to meet current operating expenses. All of it is reimbursable, but sometimes the Government agencies are a little slow in paying their bills. We hope that situation will be corrected.

Mr. GROSS. The gentleman says that is almost half of it. Then there is another \$25 million, let us say, to be accounted for.

Mr. ANDREWS of Alabama. I will give the gentleman the increases. The Senate has an increase of \$1.5 million-plus. The House has \$2.3 million. Joint items are \$1.2 million. The Architect of the Capitol has \$12,091,826. That includes \$15,610,000 to begin construction of the James Madison Memorial Library Building.

Mr. GROSS. The library construction over here on the vacant lot?

Mr. ANDREWS of Alabama. For the so-called long-lead items, such as stone, excavation and construction up to the first floor.

Mr. GROSS. What is the salary increase in this bill?

Mr. ANDREWS of Alabama. The salary increase?

Mr. GROSS. Yes. This is the first full

year, is it not, for the last substantial salary increase?

Mr. ANDREWS of Alabama. It is the same as it was last year, and the same as for all agencies downtown.

Mr. GROSS. But we did not have a full year of the salary increase last year.

Mr. ANDREWS of Alabama. Yes, the bill includes funds to annualize the increased salaries for officers and employees effective July 1, 1969. The funds for the last increase will be considered in a supplemental. And perhaps there will be some more requests if the Congress increases salaries again.

Mr. GROSS. Would the gentleman anticipate that such a fate is about to befall the taxpayers of this country?

Mr. ANDREWS of Alabama. I have reached the point that I anticipate nothing around here.

Mr. GROSS. I take it the statement should be that the gentleman from Iowa hopes for the best and fears for the worst?

Mr. ANDREWS of Alabama. The gentleman from Alabama shares his hope.

Mr. GROSS. Not my hope; my fear.

Mr. ANDREWS of Alabama. I also share the fear.

Mr. GROSS. I thank the gentleman.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. GROSS. The next question will involve the subject called comity.

Mr. ANDREWS of Alabama. That has been with us for years.

Mr. GROSS. I know.

Mr. ANDREWS of Alabama. There is nothing this committee can do about it.

Mr. GROSS. I understand. Do I correctly understand there is a substantial amount of money in this bill for the purchase of some more property for a new Senate office building?

Mr. ANDREWS of Alabama. I do not know that it will be for a new building. It could be a parking lot. But there is \$510,000 in the conference agreement to buy a piece of property over on the Senate side.

Mr. GROSS. Is that the foot in the door, or may we say that that is the total?

Mr. ANDREWS of Alabama. The gentleman's guess about that is as good as mine. When we offered objection in conference to that amount of money for that type of project, they immediately reminded us of the Rayburn Building, and said that they raised no objection and let us build that building on our side. How could we answer an objection like that?

Mr. GROSS. Of course, I am reminded that there are 435 of us and 100 of them. I wonder if we cannot say something, just a little bit, about the disparity, if there be a disparity?

Mr. ANDREWS of Alabama. That is under the Constitution, and so far it has not been changed.

Mr. GROSS. I will say to the gentleman that if we are going to continue to increase the housekeeping bills of Congress by \$52 million a year, there is not much hope for the taxpayers of this country. I just do not see how it can be done. I got a letter the other day that the dining room facilities were being closed on Saturdays and perhaps Fridays regardless of whether Congress is in session or not. Perhaps that is a good thing. I do not know.

Mr. ANDREWS of Alabama. I will say, if the gentleman will yield to me further, the sole purpose of closing that dining room is to save money. Does the gentleman object to that?

Mr. GROSS. Not at all. If the costs are out of hand or out of reach, of course I do not. But I say we are cutting down, yet the bill goes up by \$52 million this year.

Mr. ANDREWS of Alabama. Well, we are trying to keep up with the unprecedented rate of inflation.

Mr. GROSS. The way we ought to keep up with that, it seems to me, is to cut spending and to cease buying property for more new buildings around here. As long as we keep buying the property such

as these hotels, tear them down, take them off the tax rolls of the District of Columbia, and then put up new Government buildings on the sites, I do not see how we are doing very much about inflation, I will say to my friend from Alabama.

Mr. ANDREWS of Alabama. I thank the gentleman for his contribution.

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

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

Mr. HOLIFIELD. I have been listening to this colloquy for some time and enjoying it as usual, but I believe the increase in the cost of the operation of the legislative branch of the Government in both Houses, as you said, was based pretty much on the increase in salaries. Was it not?

Mr. ANDREWS of Alabama. That is right plus the two large one-time items for the Printing Office and the Library Building.

Mr. HOLIFIELD. And that legislation was passed by this House to increase their salaries.

Mr. ANDREWS of Alabama. The gentleman is correct. And a large portion of the increase is for the Government Printing Office. The cost of printing has gone up.

Mr. HOLIFIELD. And the increase in wages is reflected in that.

Mr. ANDREWS of Alabama. Yes.

Mr. HOLIFIELD. And, of course, that includes all of the quorum calls that some Members are prone to make around here. How much a page does the RECORD cost?

Mr. ANDREWS of Alabama. If I remember correctly, about \$125. That is a page. We put it in the RECORD every year.

Mr. HOLIFIELD. So every time we have an unnecessary quorum call we are spending \$125 of the public money for printing it, or engage in colloquy such as we are dealing in now.

Mr. ANDREWS of Alabama. It is \$125 a page. We put it in the RECORD every year, but it does not seem to have any effect.

Mr. SAYLOR. Mr. Speaker, maybe I ought to make a point of order that a quorum is not present. All of this great colloquy should be heard by the remainder of our colleagues.

Mr. HOLIFIELD. Mr. Speaker, if we have a quorum call, will that cost another \$125 to have that printed in the RECORD?

If the gentleman will yield further, I wanted to go into the increase in the price of operating the executive branch of the Government. This House voted for Reorganization Plan No. 2 to give the President the power to make political appointees in a high bracket to supersede all of the Cabinet levels.

Mr. ANDREWS of Alabama. I cannot answer the gentleman's question on this because the Legislative Branch Subcommittee does not handle appropriations for the executive departments.

Mr. HOLIFIELD. Where do they get the money?

Mr. ANDREWS of Alabama. The other

subcommittee of the Appropriations Committee handles those budgets.

Mr. HOLIFIELD. We will have to ask them, then, next year.

Mr. Speaker, I yield now to the gentleman from Ohio (Mr. Bow).

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

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

Mr. BOW. Mr. Speaker, I am in agreement with this conference report, I signed it.

As we know, our expenses in the House have gone up and primarily because of salary increases for our employees. Consequently, our budget is now at a higher figure than last year.

I might also say that—point out that this bill is \$8,360,679 under the budget.

Mr. Speaker, I believe this is a good report and I hope it will be adopted.

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

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

Mr. ANDREWS of Alabama. Mr. Speaker, inasmuch as amendments Nos. 1 through 31 pertain solely to housekeeping operations of the other body and amendments 36 through 40 also pertain to the other body, under the Architect of the Capitol, the longstanding practice has been that we leave those matters to the other body.

Therefore, in order to save time, I ask unanimous consent that amendments Nos. 1 through 22, and Nos. 24 through 31, and Nos. 37 and 38 and No. 40 be considered en bloc.

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

There was no objection.

The SPEAKER. The Clerk will report the amendments referred to under the unanimous-consent request.

The Clerk read as follows:

(Senate amendments:)

SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCE OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

COMPENSATION OF THE VICE PRESIDENT AND SENATORS

For compensation of the Vice President and Senators of the United States, \$4,707,200.

MILEAGE OF THE PRESIDENT OF THE SENATE AND OF SENATORS

For mileage of the President of the Senate and of Senators, \$58,370.

EXPENSE ALLOWANCE OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

For expense allowance of the Vice President, \$10,000; Majority Leader of the Senate, \$3,000; and Minority Leader of the Senate, \$3,000; in all, \$16,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation with-

out regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For clerical assistance to the Vice President, \$367,263.

OFFICE OF THE PRESIDENT PRO TEMPORE

For office of the President Pro Tempore, \$44,165: *Provided*, That, effective August 1, 1970, the President Pro Tempore is authorized to appoint a Comptroller of the Senate at a salary of \$36,000 per annum, and the Comptroller may appoint a Secretary to the Comptroller at a salary of not to exceed \$13,688 per annum, which appointments shall be in lieu of the two appointments authorized by the second proviso contained in the paragraph "Office of the Secretary" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1970: *Provided further*, That the Comptroller of the Senate shall prepare budgets and amendments to the budgets of the Senate and shall audit all financial records of the Senate relating to the expenditure of appropriated funds. The Comptroller shall have complete access to all information as may be necessary to carry out his budget and auditing duties.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For offices of the Majority and Minority Leaders, \$176,514.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For offices of the Majority and Minority Whips, \$90,228.

OFFICE OF THE CHAPLAIN

For office of the Chaplain, \$18,615: *Provided*, That effective July 1, 1970, the compensation of the Chaplain shall be \$10,208 per annum and the compensation of the secretary to the Chaplain may be fixed at not to exceed \$8,584 per annum.

OFFICE OF THE SECRETARY

For Office of the Secretary, \$1,816,240, including \$68,145 required for the purpose specified and authorized by section 74b of title 2 United States Code: *Provided*, That effective August 1, 1970, the Secretary may employ and fix the compensation of an administrative assistant at not to exceed \$22,040 per annum, an assistant legislative clerk at not to exceed \$27,376 per annum a second assistant legislative clerk at not to exceed \$20,648 per annum, a special assistant at not to exceed \$16,704 per annum, a receptionist at not to exceed \$12,528 per annum in lieu of an assistant secretary at not to exceed \$12,528 per annum, and an assistant legislative analyst in the library at not to exceed \$11,832 per annum in lieu of a custodian of records at \$11,832 per annum: *Provided further*, That any specific rate of compensation established by law, as such rate has been increased or may hereafter be increased by or pursuant to law, for any position under the jurisdiction of the Secretary shall be considered as the maximum rate of compensation for that position, and the Secretary is authorized to adjust the rate of compensation of an individual occupying any such position to a rate not exceeding such maximum rate.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, \$4,420,734.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, \$127,239.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, \$127,239.

ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS

For administrative and clerical assistants to Senators, \$27,909,141.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For Office of Sergeant at Arms and Doorkeeper, \$5,713,520: *Provided*, That effective July 1, 1970, the Sergeant at Arms may employ a video engineer at \$20,880 per annum, an assistant video engineer at \$17,632 per annum, three automatic typewriter repairmen at \$10,672 per annum each in lieu of one automatic typing repairman at \$10,672 per annum, a driver-messenger for attending physician at \$10,672 per annum, eight laborers in the service department, at \$6,728 per annum each, five additional sergeants, police force at \$10,904 per annum each if not qualified as provided by section 105 of the Legislative Branch Appropriation Act, 1969 or \$11,600 per annum each if qualified as provided therein, four additional pages at \$6,960 per annum each, a night foreman, duplicating department at \$10,904 per annum, three additional offset press operators at \$9,976 per annum each, one additional mimeograph operator at \$7,424 per annum, one additional inserting machine operator at \$7,656 per annum, and the per annum compensation of the following positions shall be increased as indicated: superintendent of press gallery \$21,576 in lieu of \$19,256; first assistant superintendent of press gallery \$19,256 in lieu of \$17,400; second assistant superintendent of press gallery \$15,080 in lieu of \$13,920; third assistant superintendent of press gallery \$13,456 in lieu of \$12,064; fourth assistant superintendent of press gallery \$10,672 in lieu of \$9,744; secretary, press gallery \$9,744 in lieu of \$8,120; superintendent of radio press gallery \$21,576 in lieu of \$19,024; first assistant superintendent in radio press gallery \$19,256 in lieu of \$14,848; second assistant superintendent in radio press gallery \$15,080 in lieu of \$12,992; third assistant superintendent in radio press gallery \$13,456 in lieu of \$11,136; superintendent, periodical press gallery \$19,256 in lieu of \$17,400; assistant superintendent, periodical press gallery \$13,456 in lieu of \$11,136; superintendent, press photographers gallery \$19,256 in lieu of \$14,848; and assistant superintendent, press photographers gallery \$13,456 in lieu of \$10,440.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For offices of the Secretary for the Majority and the Secretary for the Minority, \$216,372.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the office of the Legislative Counsel of the Senate, \$415,180.

CONTINGENT EXPENSES OF THE SENATE

SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, \$261,430 for each such Committee; in all, \$522,860.

AUTOMOBILES AND MAINTENANCE

For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, \$55,220.

FURNITURE

For service and materials in cleaning and repairing furniture, and for the purchase of furniture, \$31,190:

Provided, That the furniture purchased is not available from other agencies of the Government.

FOLDING DOCUMENTS

For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding \$2.99 per hour per person, \$51,015.

MAIL TRANSPORTATION

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$16,560.

MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of labor, \$6,188,736, including \$497,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87-82, approved July 6, 1961.

POSTAGE STAMPS

For postage stamps for the offices of the Secretaries for the Majority and Minority, \$240; Comptroller, \$100; and for air mail and special delivery stamps for the office of the Secretary, \$350; office of the Sergeant at Arms, \$215; Senators and the President of the Senate, as authorized by law, \$119,328; in all, \$120,233.

STATIONERY (REVOLVING FUND)

For stationery for Senators and the President of the Senate, \$363,600; and for stationery for committees and officers of the Senate, \$14,500; in all, \$378,100.

ADMINISTRATIVE PROVISIONS

Effective August 1, 1970, the last paragraph under the heading "Senate" in the First Deficiency Act, fiscal year 1926 (2 U.S.C. 64a) is amended to read as follows:

"In the event of the death, resignation, or disability of the Secretary of the Senate, the Financial Clerk of the Senate shall be deemed his successor as a disbursing officer, under his bond as Financial Clerk, and he shall serve as such disbursing officer until the end of the quarterly period during which a new Secretary shall have been elected and qualified, or such disability shall have been ended."

Effective July 1, 1970, and thereafter, the contingent fund of the Senate is made available, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate, for the reimbursement to Senators and the President of the Senate of strictly official telephone and telegraph communications charges incurred by them or on their behalf, not exceeding \$150 per annum each, to be in addition to reimbursement or payment authority contained in any other law.

Not to exceed \$125,000 of the unobligated balance of the appropriation under this head for the fiscal year 1970 is hereby continued available until June 30, 1971.

SENATE OFFICE BUILDINGS

For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at \$1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), prevention and eradication of insect and other pests without regard to section 3709 of the Revised Statutes as amended; to be expended under the control and supervision of the Architect of the Capitol; in all, \$3,855,000, of which \$250,000 shall remain available until expended and of which \$80,000 shall remain available until June 30, 1972.

SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, \$80,000.

Mr. ANDREWS of Alabama (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed

with and that they be printed in the RECORD.

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

There was no objection.

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendments of the Senate numbered 1 through 22, and nos. 24 through 31, and nos. 37 and 38, and no. 40, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23; Page 8, line 3, insert the following:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including \$456,625 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, \$7,341,580."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including \$456,625 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, \$7,341,580, including \$200,000, to be available for obligations incurred in fiscal year 1970."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: On page 10, line 12, insert the following:

"For payment to Dorothy H. St. Onge, widow of William L. St. Onge, late a Representative from the State of Connecticut, \$42,500, to be immediately available."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein with an amendment, as follows: At the end of said amendment, add a new paragraph as follows: "For payment to Alice C. Kirwan, widow of Michael J. Kirwan, late a Representative from the State of Ohio, \$42,500, to be immediately available."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 35: Page 17, line 23, insert: "; and for salaries and expenses of compiling, preparing, and indexing material for the 1970 edition of the Biographical Congressional Directory \$17,000; in all, \$272,243;"

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: In lieu of the sum of \$272,243 proposed by said amendment insert: "\$253,110".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 39: Page 25, line 22, insert:

"EXTENSION OF ADDITIONAL SENATE OFFICE BUILDING SITE

"To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to acquire on behalf of the United States, in addition to the real property heretofore acquired under the provisions of the Second Deficiency Appropriation Act, 1948, approved June 25, 1948 (62 Stat. 1028), as a site for an additional office building for the United States Senate, and under Public Law 85-591, approved August 6, 1958 (72 Stat. 495-496) and Public Law 85-429, approved May 29, 1958 (72 Stat. 148-149), for purposes of extension of such site or for additions to the United States Capitol Grounds, and authorized to be acquired for such purposes by Public Law 91-145, approved December 12, 1969 (83 Stat. 352-353), by purchase, condemnation, transfer, or otherwise, for purposes of further extension of such site or for additions to the United States Capitol Grounds, all privately owned property contained in lots 845 and 832 in square 724 in the District of Columbia, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act: Provided, That any proceeding for condemnation brought under this Act shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351-1368): Provided further, That for the purposes of this Act, square 724 shall be deemed to extend to the outer face of the curbs surrounding such square: Provided further, That, notwithstanding any other provision of law, any parts of streets contained within the curblines surrounding square 724 shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol: Provided further, That, upon acquisition of any real property pursuant to this Act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith: Provided further, That the jurisdiction of the Capitol Police shall extend over any real property acquired under this Act and such property shall become a part of the United States Capitol Grounds; and the Architect of the Capitol, under the direc-

tion of the Senate Office Building Commission, is authorized to enter into contracts and to make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this appropriation; \$510,000, to remain available until expended."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 41: Page 29, line 22, insert:

"Provided, That these funds shall be transferred by the Architect of the Capitol to the Librarian of Congress for expenditure in accord with Public Law 91-280, approved June 12, 1970."

MOTION OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS of Alabama moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the legislative branch appropriations conference report just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. COHELAN. Mr. Speaker, on roll-call No. 242 on this afternoon I was temporarily absent from the Chamber. Had I been present I would have voted "aye."

FABULOUS FARM SUBSIDIES

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

Mr. MADDEN. Mr. Speaker, the Members of the House next week will have an opportunity to again limit the fabulous payments which large corporation farms have been receiving from the American taxpayer during the last few years for idle acres on their farms.

One year ago the House of Representatives wisely placed a \$20,000 limit to any one-farm operation for participating in the so-called idle land subsidy

under the farm bill. When the legislation was considered by the other body the \$20,000 annual limitation was defeated. Two weeks ago the other body evidently had heard from many farmers in their various States and they placed a \$20,000 a year limitation for any one-farm operation under the farm bill which is up for debate during the coming week.

Members should consult the folks back home and tell them that this is a great opportunity to support the President in his effort to save many millions of dollars for the American taxpayer by upholding the Senate's \$20,000 limitation and also to reenact their decision of a year ago when this body placed a \$20,000 limitation on all farm subsidy grants.

The following two editorials—one from the Washington Daily News of last Thursday and the other from the New York Times—amply extends to the membership some facts and suggestions for the House of Representatives to consider next week when they debate the annual farm legislation:

[From the Washington (D.C.) Daily News, July 23, 1970]

FARM BILL SHENANIGANS

Two weeks ago the Senate decided to clamp a \$20,000-a-year lid on the amount any farmer could get from the government for taking part in the federal crop control program. It was a good idea, calculated to save the taxpayers \$300 million to \$400 million a year.

But now the bill is in the House of Representatives—and some rather strange (if predictable) things are happening.

Instead of a \$20,000 lid, the House Agriculture Committee has recommended a \$55,000 lid of the next three years. And instead of \$20,000 per farmer, the lid would be \$55,000 per crop.

Thus, a farmer—theoretically at least—could get \$55,000 for not raising wheat, \$55,000 for not raising feed grains.

Save \$300 million? The latest estimate is \$58 million, and even that is doubtful if the big corporate farmers find ways to divide their land and collect separate subsidies for each parcel.

Already exempted from the proposed lid by the House committee are the farms owned by states and municipalities. This means, for example, that Montana could continue to get \$640,000 a year from Uncle Sam for not planting crops on state-owned land.

There is always the chance, of course that the \$20,000 subsidy limit approved by the Senate will be accepted by the House, as it should be. In fact, the House has accepted (and the Senate rejected) a \$20,000 limit twice before.

But the chairman of the House Agriculture Committee, Rep. W. R. Poage, D-Tex., says the big guns of both parties favor the higher figure.

And Agriculture Secretary Clifford M. Hardin, who apparently speaks for the Administration, says he'll oppose any lid lower than \$55,000 per crop.

Even a \$55,000 ceiling is better than the present unlimited subsidy program, which permitted seven corporate farms to collect more than \$1 million apiece (one collected more than \$4 million) from the taxpayers last year.

But the shenanigans will continue as long as the federal government spends billions (\$3.7 billion last year) to jack up farm prices by keeping crops out of production.

At some point, Congress is going to have to phase out the subsidy program and let the farm markets find its own level. There

won't be any need to build loopholes into the law.

[From the New York Times, July 22, 1970]
CURBING FARM SUBSIDIES

The Senate has voted to set a \$20,000 limit on the subsidy payments that the Federal Government can make next year to an individual farmer or farm-operating corporation. While that limit is still too high—and may be circumvented by farm splitting—the Senate's move is important in demonstrating that the influence of wealthy farm proprietors in Congress may be running out.

The farm-subsidy program has for years been a national disgrace; on the whole it makes the rich richer while the rural poor get relatively little. A few farm operators have received Federal handouts running as high as \$4 million in a single year. In Mississippi, where Senator Eastland is the most famous of the cotton growers, 817 large farms got \$38.3 million in direct Federal farm subsidies in one recent year, while Federal payments to the state for aid to all dependent children was only \$10 million.

The \$20,000 limit voted by the Senate will certainly not right all that is wrong with the farm program. At most it will save \$200 million a year, while total farm subsidies still run close to \$3.5 billion. But the limit may be important as the start of much-needed reform of farm legislation.

A spokesman for the Department of Agriculture, which has become closely identified with the interests of well-to-do farmers, contends that while the \$20,000 limit may save \$200 million "on paper," the actual savings may amount to no more than \$30 to \$60 million, because large farm owners would divide their farms and change their leasing practices.

Farm splitting to collect bigger subsidies can be reduced in several ways. One is simply to police it carefully, as the Internal Revenue Service does the splitting of corporations into separate operating units to avoid taxes.

The wisest course would be to reduce the subsidy figure to a much lower level than \$20,000. But if the \$20,000 limit is accepted by the House of Representatives—as appears likely—there is no reason why in succeeding years the limit should not be pushed lower.

Farm subsidies as they are carried on today are in no sense a welfare program for the poor but a bonanza for the rich. Apart from the \$3.5 billion that farm subsidies are costing taxpayers, they are raising food bills of American consumers by \$4 billion or more each year. Nevertheless, the Administration apparently means to resist the reduction in the subsidy limit voted by the Senate. Congressman Poage of Texas quotes Secretary of Agriculture Hardin as saying that the Administration might support a \$55,000 ceiling on subsidies to any individual farm. This would leave the subsidy payout unchanged for all but about 1,500 of the very largest farms.

Expenditures intended to help rural America in the years ahead would be better channeled away from the various subsidy programs, which ought to be gradually reduced, and toward greater emphasis on food stamps, rural housing, job training, industrial relocation and direct payments to those at the bottom of the income ladder, not those at the top.

CONGRESS MUST ACT ON FURTHER CRIME LEGISLATION

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

Mr. TAYLOR. Mr. Speaker, yesterday while signing the District of Columbia crime bill, President Nixon emphasized

again that he submitted 12 additional pieces of law-enforcement legislation to Congress more than a year ago and that Congress has not taken action on them. The legislation referred to deals with organized crime, narcotics, dangerous drugs, and pornography. This is a serious charge. It leaves Congress with the image of dragging its feet on important crime control legislation and of being insensitive to the crime crisis facing our Nation. We do have a crime crisis, because we cannot go on with crime increasing 11 times as fast as our population is growing.

The people whom I represent are demanding action on crime control measures. On this issue, they are on the President's side, and I believe that applies to most of the people whom other Congressmen represent.

In a questionnaire mailed to all boxholders of North Carolina's 11th Congressional District 6 weeks ago, the question was asked:

Do you favor legislation authorizing preventive detention pending trial of dangerous criminals, police officers entering homes, and tapping telephones (with court approval) as a means of curbing crime?

Of those responding, 73.3 percent said "Yes."

Another question was:

Should we spend more, the same, or less money for crime control?

Eighty-five and six-tenths percent said spend more. In contrast, 64 percent said spend less on space, and 88 percent said spend less on foreign aid.

Now Congress is being justly criticized for inaction on the President's recommended crime control legislation. We Democrats constitute the majority party, and we are getting and will continue to get the majority of the criticism. I have written a letter to Congressman EMANUEL CELLER, chairman of the House Judiciary Committee, requesting that the committee take action without more delay on these bills, and thereby permit them to come to the floor of the House. I urge other concerned Congressmen to do likewise. These bills should reach the House floor soon and be voted up or down. We cannot defend inaction on this legislation.

ADMINISTRATION ATTACK ON THE MERIT SYSTEM

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

Mr. HANLEY. Mr. Speaker, recently, I have become aware of a growing number of complaints that politics is playing a heavy role in the appointment and promotion procedures of the Federal civil service system.

Evidence is growing every day that political background checks are being made on thousands of middle-level career employees. The political checks are not being made for policy, or schedule C jobs, but for positions which have heretofore been firmly embedded in the merit system. In some cases, I am told that the long arm of politics is reaching as low as the GS-11 and GS-12 levels.

This attack on the merit system is reaching unprecedented proportions. Not content with thousands of jobs in which political considerations are legitimately involved, the Nixon administration is now casting a covetous eye on the jobs of loyal civil servants who have served all administrations impartially.

This is an extremely dangerous precedent to set. An impartial career civil service is essential to the stability of government. Any overt or covert steps to weaken the merit system can have no other result than to ultimately weaken the fabric of government itself. The cost through loss of morale—which is already creeping through the civil service because of these machinations—would in itself be staggering.

Mr. Joseph Young, author of the Federal Spotlight column in the Washington Evening Star, highlighted another administration proposal which would further weaken the merit system. The column, which appeared on July 16, is reprinted below. All of us who respect the merit principle should read it with alarm. It follows:

CUTTING MIDDLE-LEVEL JOBS FROM CIVIL SERVICE STUDIED

(By Joseph Young)

The Civil Service Commission's professional staff has proposed that thousands of federal middle-management career jobs be taken out of civil service and be made available for political appointments.

The recommendation, now under study by the three civil service commissioners, could—if adopted—revolutionize the government's personnel system.

The proposal involves GS-13 through 15 jobs that pay salaries of \$16,760 to \$29,752 a year.

The staff report contends that any national administration is hampered in carrying out its policies by the fact that some key career jobs are staffed by people unsympathetic or antagonistic to a president and his administration.

It proposes that in middle-grade jobs where an administration feels that it needs people of its own choice to carry out its policies, these positions would be removed from Civil Service.

Appointees to these jobs would have to meet CSC job standards of competence and experience, but they would not have to compete with others for the positions.

Such employes would not have career status. When a particular administration went out of power, their tenure of employment would end. A new administration then would have similar authority to appoint its own people in these jobs.

The proposal is certain to stir great controversy.

Those advocating it contend that by making a clean demarcation between civil service career jobs and political positions it will save the merit system from vast political raids in the future. Also, they assert that it will result in more responsive government by giving any President the key people he needs to carry out his policies.

Those opposed to the plan feel it would be the beginning of the end for the merit system. They feel that eventually most middle-grade jobs would be placed under political patronage. And they argue that it would destroy incentive and initiative among younger employes who aspire to key jobs in the federal career service.

They also see something ominous in the fact that the new Office of Management and Budget created by President Nixon's reorganization plan will now have the authority

for the selection, training, evaluation and assignment of key government career jobs.

Meanwhile, the CSC staff recently proposed a new system of dealing with government supergrade jobs—those in grades GS-16 through 18 which pay \$26,547 to \$35,505 a year. It was proposed that employees in these jobs sign five-year contracts, at the end of which time their contracts would either be renewed or they would be demoted to GS-15 positions. This, too, would give the administration in power much greater freedom to choose its own people.

This proposal is also under study by the commission.

A PROBLEM IN THE FEDERAL SERVICE

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

Mr. HENDERSON. Mr. Speaker, Mr. Joe Young, an excellent reporter who writes the column "Federal Spotlight" in the Evening Star, has pointed up what I consider a real problem in the Federal service.

In recent years, we have had a large number of young people working as interns in Government offices during the summer months, both in the executive and the legislative branches. Many of these young people are political activists and I suppose few of us were really surprised when some of them became engaged in such activities as inviting in leftwing speakers to address their seminars and putting out underground-type newspapers and bulletins. In the House, at least, we took some steps to stop this sort of thing when the Speaker denied the use of a caucus room to a group which had a militant speaker.

But the actions of temporary student interns is one thing, and the activities of regular Federal employees is something else.

Last year, a number of young attorneys in the Justice Department were openly critical of the administration's policies.

This year, a group of employees in HEW is not only critical of the administration's policies, but in an unofficial publication called the Advocate, is very personally critical of the President.

I am inserting in the RECORD a copy of the Young column. I am likewise inserting the entire contents of the July 1970 Advocate.

Certainly we do not want to make second-class citizens of Federal employees, to stifle their freedom of speech or their right of dissent.

At the same time, when people are employed by the executive branch of the Government to help implement and carry out its policies and the programs enacted by Congress, it strikes me that for these same people to be engaged in activities designed to oppose these policies; and when they engage in personal and sarcastic criticism of the President, they have overstepped the limits of reasonable dissent and have entered into an area of open conflict of interest.

We have considered amendments to the Hatch Act to broaden the permitted

political activities by Federal employees, and I favor such action.

But we must have limits. Maybe I am a bit narrow in my viewpoint since on Capitol Hill, our employees must have complete loyalty to do an effective job. Somehow, for lower echelon departmental employees to put out publications ridiculing the President of the United States strikes me as very wrong.

If this trend continues, it may be necessary for the House Post Office and Civil Service Committee to give consideration to establish some legislative guidelines in this area.

The referred to material follows:

[From the Washington Star, July 20, 1970]
THE FEDERAL SPOTLIGHT: EMPLOYEE GROUP AT NIH CRITICIZES NIXON'S WORK

(By Joseph Young)

Not only are groups of federal employees openly criticizing President Nixon's policies, they are starting to make personal attacks on him.

For example, the Vietnam Moratorium Committee at National Institutes of Health, in the latest issue of its publication, satirizes and ridicules Nixon's performance as President in a mock performance appraisal identical to that to which all Health, Education and Welfare employes are subjected. NIH is a part of HEW.

Under Nixon's performance appraisal is a caricature of him as a little boy, sucking his thumb and holding the American flag in his other hand.

The performance appraisal consists of a number of evaluation standards on which an employe is judged by his supervisor, who checks off one of a multiple series of answers to each question.

Nixon's performance as President was judged as the following:

Quality of work—"His work frequently contains an unacceptable percentage of error or shows poor judgment."

Interest in work—"Appears bored with his work."

Attendance and punctuality—"Takes longer or more frequent breaks than most; tends to take advantage of leave privileges."

Subordination of personal interests—"Puts his own interests first, frequently to the detriment of his work."

Flexibility—"Very rigid and opinionated; once he gets an idea, it's almost impossible to change him."

Resourcefulness—"Has considerable difficulty in dealing with anything out of the ordinary routine."

Judgment—"Very erratic in his ability to reach logical conclusions."

Knowledge required by the job—"Handicapped quite often in his work because of his lack of knowledge, understanding or information."

Degree of supervision required—"Requires constant supervision or direction."

Initiative—"Seems to aspire to nothing higher; frequently shirks responsibility."

Productivity—"Tends to be a bottleneck in getting the work out."

Persistence—"Frequently falls to finish work he has started."

Attempts to improve—"Content to drift; generally unresponsive to efforts to help him develop."

The last part of the "performance appraisal" contains the "reviewing officers" comments, including:

"He has had no new idea in 22 years . . . Talks in clichés . . . Progress on many national problems (e.g., hunger, poverty, racism, pollution, health, etc.) is being held up . . . Requires, but, unfortunately, does not get good supervision or direction . . .

"He has always put Richard Nixon first. His 'Southern strategy' means that he puts his re-election ahead of racial justice . . . His Cambodia speech was very illogical, clutching at every rationale and excuse in sight to justify his intervention . . . In particular, his having Spiro Agnew smear opponents shows that he has learned nothing in the past 22 years."

The lampooning of Nixon raises the question as to how far government employees can go in expressing opposition to administration policies on Vietnam, desegregation, health, etc., and whether as government workers they have the right to criticize the President personally.

It is not an easy problem to solve. The question of freedom of speech and expression is involved, and federal employes as American citizens seek to exercise these rights.

On the other hand, as federal employes do they have an obligation to their government to refrain from criticizing it publicly by identifying themselves as government workers? And should they be allowed to make personal attacks on the President, who is their boss and the man elected by the people of the United States to run the government?

It raises still another question. Just how much leeway does civil service status give employes to criticize publicly the President and the administration they serve?

Civil Service Commission and administration officials are conferring about the situation, hoping to find a solution that will not be oppressive to free speech but at the same time minimize public dissent by federal workers.

[Independently Printed by a Group of HEW Employees, Vol. 3, No. 5, July 1970]

THE ADVOCATE

THE HOUSING CRISIS VS. POLITICAL THOUGHT

President Nixon blasted the Congress in June for its failure to pass the Emergency Home Financing Act which he insisted was introduced on February 2, 1970. He also claimed authorship.

"On February 2, I sent to the Congress a message asking for enactment of the Emergency Home Finance Act of 1970. You will note that I described this as the 'Emergency' Home Finance Act of 1970. Four months have passed and the Congress has yet failed to act."

The facts are: to date, the President has not delivered a single message to Congress on the subject of housing legislation.

Rep. Wright Patman maintains that "the only thing that happened on housing on Feb. 2 was the opening of hearings in the House Banking and Currency Committee."

Press Secretary Ron Ziegler contends that the President sent his budget message to Congress on February 2 and this "contained references" to housing.

It was not until late February that Administration officials appeared before Patman's Committee, merely endorsing parts of a bill before the Committee and reiterating the Administration's desire to persuade lenders to put more money into housing voluntarily.

Patman claims that it is the President who has "blocked—not just delayed—legislation which would put new sources of funds into home-building." The President and the Budget Director have "insisted on various gimmicks to provide subsidies, not to home buyers, but to lenders." Patman stated.

Finally, as for authorship of the Emergency Home Finance Act of 1970 it was Senate Banking Committee Chairman John Sparkman who named and piloted the legislation through the Senate, and won it Senate approval (72-0) on April 16.

Thus, the President was wrong on both

accounts. For a man who preens for photos in which he is studiously doing his homework in the rose garden or by the Lincoln fireplace, this must have brought a slow burn over the incompetent staff work. For the Secretary of Housing and Urban Development (who was at the President's side before and after the press conference) to permit such an erroneous public statement to go uncorrected, makes one wonder just what kind of tobacco he is using in his zig-zag papers these days.

A more likely explanation for such ineptitude is political expediency. The facts of the statement were wrong, but it and the Republicans made the right primetime newscasts that night. The Nixon administration has once again side-stepped the big issues and forsaken principle for "southern strategy". (The President's most tangible solution to the housing crisis is apparently to provide business for Harry Dent's brother, Billy in South Carolina, by making loans readily available to his construction company which is building housing for Negroes . . . and picking up a few Black votes on the side.)

The issue of housing is too critical to be treated as a pawn in a politician's media game.

HUD's programs to meet the minimum shelter needs of poor people continues to be short 6 million units. Ninety percent of the welfare recipients must depend on a rapidly deteriorating supply of private rental housing.

Steps to foster improved housing have been proposed—proposed by our own Department. In 1969 at the request of Chairman Wilbur Mills of the House Ways and Means Committee, HEW made a major report to Congress entitled "The Role of Public Welfare in Housing." The housing needs of recipients in all 50 states were surveyed and analyzed in the report.

A major finding of the Report revealed that over \$1.1 billion in public funds is spent each year by welfare recipients for shelter, most of it substandard. More bluntly put, the Government is spending over a billion a year to subsidize slums. This is considerably more than what the Government through HUD spends to clear slums and build new housing for low income families.

Right after the Report was made to Congress, an Office for Housing and Community Improvement was established to implement the Report's recommendations. The Office was located in the immediate office of the SRS administrator. Recently as a result of one of those infamous SRS reorganizations, the Office was transferred and nearly buried under the bureaucratic rag heap, i.e., HEW, SRS, Community Services Administration, Office for Service Development, Community Development Group, Office for Housing and Community Improvement.

8,715,969 welfare recipients and this is the priority we give to their housing! We bury our only people-focused housing program 5 layers deep in the bureaucracy and tell them they have no funds, but nevertheless, be Activists in what you advocate!

While Sec. Richardson was participating in a very lovely installation ceremony in the East Garden of the White House, welfare rights advocates were tearing down the local D.C. Welfare doors and demanding such basics as furniture for their federally-subsidized slums.

The question arises as to how long we can continue to ignore the really difficult areas of concern which require radically different approaches—approaches which must necessarily alter some of our most sacred institutions if they are to succeed.

Specifically, the Report points out that under existing authority HEW can stimulate and encourage the following changes and restructuring of our bureaucracy:

a. Provide adequate funds so that public

assistance recipients and other low-income families can afford decent shelter.

b. Coordinate welfare services more effectively with those of local housing authorities and take active part in developing suitable housing codes and enforcement measures.

c. Use purchase of services authority to provide recipients with consultation and counseling, legal aid, relocation services, and other self-help, home management services.

d. Increase Federal aid to repair recipient's homes.

e. Develop and fully use community experience in low-cost housing programs.

These points demand advocacy at the highest level, the advocacy of the Secretary. Four minutes away from the downtown HEW buildings are public housing units (the residue of the S.W. urban renewal showcase which expose a degree of human misery which of us will never experience. The Secretary is challenged to drive through these slums and not come away with the conviction that housing and related social services should be his top priority.

The challenge is to redress and restructure—which means more than R & D projects of mini progress for people and maxi reputation for R & D professionals. This is Mr. Richardson's challenge within the housing authority of the Department.

Within the federal establishment, the problem lies with the error of expediency. What is needed is more than the correction of erroneous publicity as to who authors and introduces what bill. It is even more than the exposure of the political gimmick of "a lender be", which to date has been the Administration's bill of goods for housing.

What is needed is leadership willing and able to hold out at the White House for what is right. Finching on housing decisions under the Dent of pressure from the White House won't do.
—Linda Newhall.

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Help print the Advocate. Make checks payable to E. Erb.

JUNE 24—HEW EMPLOYEES' ACTION FOR PEACE AND SOCIAL PRIORITIES

On Wednesday, June 24, about 300 HEW employees participated in a rally in the main HEW auditorium to protest the interminable war in Indochina and the misallocation of priorities. A smaller group carried its protest before the White House and participated in workshops in Lafayette Park on the repercussions of the war on HEW.

For us June 24 was a pilot demonstration. Certain positive results were achieved: (1) The auditorium of HEW headquarters was used for an antiwar rally. (2) New people were involved in the action, thus increasing the base of the peace movement within HEW. (3) Contacts were strengthened with other Federal peace groups; the cooperation especially between HEW downtown and NIH should lay the groundwork for future coordinated action. (4) Plans were initiated to sustain a full-time organizer and coordinator of HEW employees for social action. (5) The opposition of Government workers to the war received nation-wide attention. Between 20 and 30 newsmen were present, and many stayed with us throughout the day. Federal employees demonstrating against the war apparently have more impact than almost any other population group. (6) The fact that no reprisals have been taken against any participants is an especially encouraging result of the activity.

It would be a pity to waste the momentum

generated by the June 24 action by failing to follow it up in the near future with a larger-scale, coordinated mobilization of various Federal agencies. We think that part and parcel of such a coordinated peace action against the repression of minority people at home, since the war itself is part and parcel of such repression. Concrete goals of practical concern to HEW workers can also be tied to such actions. To effectively organize and coordinate the efforts of HEW employees for such purposes requires an individual who can devote his or her time exclusively to them. Plans are now being made to sustain such a full-time coordinator and organizer through regular titling of concerned HEW employees.

—Gary Grassl.

FILMS ON BLACK HISTORY

The CBS film series, "Of Black America" will be shown several times a week through the end of July. For more information contact Les Hausrath, X35085.

LETTER TO THE EDITOR

DEAR ADVOCATE STAFF: As a former contributor to The Advocate and an HEW employee at the time when a small group of us were referred to as "young" [turks] (the term "radical" would have meant that they took us seriously). I have followed activities of HEW employees through your letter with great interest since I left Washington two years ago. Your persistent efforts to make an unwilling bureaucracy respond to the needs of those it is paid serve as well as those it employs has not gone unnoticed, even here in the wilds of Ithaca at Cornell University.

It was with a particular sense of satisfaction that I joined with the 4,000 person Cornell contingent on the Ellipse in May in applauding the arrival of the Federal Employees for Peace. Right on!

Sincerely,

NANCY K. BEREANO.

HEW AND CRY

California non-union grapes are, once again in the cafeteria. They were removed by order of Secretary Finch over a year ago after effective brown-bag boycott which was preceded by leafletting, picketing and general turmoil on the part of angry HEW employees. It is rumored that if the scab grapes continue to be sold the activist AFGE Local will set up a picket line outside the cafeteria. Will Richardson take any action [before] the issue comes to a head.

On June 30th, Richardson called John Ehrlichman, Special Counsel to the President and demanded "Don't ever do that to me again." The White House, continuing in its tradition of keeping HEW in the dark failed to inform the new Secretary of White House deliberation over vetoing the Hill-Burton appropriation bill. Richardson read about it over the press wire service.

No bureaucratic resistance was offered the wide distribution of the "Honor America Day" posters. In fact "safety-minded" General Service chiefs Dale Thompson and G. Huddleston, Jr. didn't seem to mind that posters were officially stuck on doors (blocking vision) and placed on un-manned tables directly in front of entrances and exits. The posters, only an eyebrow away from being partisan political advertisement were given different treatment than unions, anti-war, NWRO, or environmental material of those things put up merely on bulletin boards and never near doorways or on tables.

Any of those few HEW professionals who ventured forth to see the special light . . . on July 2nd should know that they got these pictures taken by internal and external security freaks who, from the auditorium call booth, carefully photographed everything and everybody that appeared. The light show people, paid \$500 to do their uncensored political thing for the OE summer folks, thought it was the normal course of events for the agents to appear and did not protest.

The college students here for the summer appear to be a bit more subdued than those who came the previous couple of years. It's a question of whether they're purposely screening-out the radicals or just that politically-minded young people aren't as willing to work for the Feds.

OPEN LETTER TO HEW EMPLOYEES, JULY 1970

DEAR COLLEAGUE: During the past few months we have seen too many friends and fellow HEW employees leave the federal government. Those of us who have chosen to remain must find new, concerted and constructive ways of pooling our energies and our concerns. In the past we have seen small victories won, some concessions made, but all too often the momentum of our efforts dies and there is no "follow-through."

A number of HEW employees have decided that one-shot, sporadic duplication of effort-type programs are simply not the way to achieve much-needed Departmental and societal changes. Thus, we have outlined a number of objectives we would like to see accomplished and have decided to establish a permanent organization to work toward achieving them. Some of the objectives we've considered include:

- Setting up an HEW Day Care Center.
- Creating an HEW Ombudsman.
- Democratizing the credit union.
- Creating better opportunities for women employees.
- Mobilizing HEW employees to end the war in Viet Nam.
- Supporting the efforts of custodial and other low paid employees.
- Setting up a loan fund to assist employees who are fired because of their controversial or political beliefs.

To accomplish these and other ends, we need a full-time organizer(s) and a group of committed HEW employees to help plan strategies for implementing these goals.

A number of us have already agreed to contribute a minimum of \$1.00 per pay period to help support the staff for this kind of endeavor. We have suggested the following guidelines for contributions:

- GS 1-5: \$1.00 per pay period.
- GS 6-8: \$3.00 per pay period.
- GS 9-above: \$5.00 per pay period.

In order for what we are tentatively calling the HEW Action Project to be a success, we need your support. Please contribute whatever you can afford. If you are interested, we can arrange to have contributions deducted from your paycheck. Contact Jeff Schwartz (546-9533). Thank you.

Jeff Starkweather, Michael Tabor, Linda Newhall, Madeleine Golde, Gary Grassl, Roy Morgan.

Barry Katz, Stephen Long, Bruce Miller, John Martin, Jeff Schwartz.

The following items are not true:

The new HEW building now being constructed on Independence and Third Streets, S.W. will have adequate spaces for everyone.

Secretary Richardson has announced the dismemberment of the HEW Office of Internal Security. In a TV interview, the Secretary announced that the Office, a vestige of the Joe McCarthy error and composed of ex-FBI agents, has long outlived its usefulness and has no place in an "open administration."

A number of day care facilities are being readied for occupancy by August 1st. The Department announced that it can no longer ignore the needs of its secretaries, custodial workers and working women.

THURSDAY DISCUSSION GROUP

Every Thursday at 11:45 am in the HEW North Building, Room G-751. Bring your own brown bag lunch. The press is encouraged not to come, as the meetings are off-the-record.

July 9—A number of architects who are attempting to "humanize" the new HEW building will come with plans in hand for

the purpose of getting our reactions and inputs.

July 16—Toby Moffett, our friend and former colleague will return to HEW to reminisce about his job with the Nixon administration.

July 23—Ron Israel, former AID and HUD employee, now known as SAKI, will also return to provide us with a lunchtime of [song] and cheer related to his govt. experience.

July 30—Rennie Davis of the Conspiracy will appear.

August 6—Sammy Abbott & Lew Robinson.

LET US SAVE THE "DELTA QUEEN"

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

Mr. MOLLAHAN. Mr. Speaker, on November 2, about 3 months from today, a small part of American heritage will disappear—disappear, that is, unless the Congress can act now to preserve it.

I am speaking of the only overnight paddlewheel steamboat now plying the waters of the Mississippi and the Ohio Rivers; It is called the *Delta Queen* and, as its name indicates, it is well worth our attention.

According to Coast Guard interpretation of the "safety-at-sea" law passed in 1966, the mighty *Delta Queen*, which would not know sea water if it splashed against her bow, is categorized with ocean-going vessels and is considered a fire hazard.

The average citizen who knows the splendor and the beauty of the *Queen* is aghast at the Government's overly strict interpretation of the 1966 law. I include myself in that group.

They point out that the boat hugs the shoreline most of the time and its river pilot claims his ship is not further than 4 minutes from shore during any part of the trip.

Mr. Speaker, in this age of our fast-changing society, we must not allow the *Delta Queen* to slip away into mere memory.

Our distinguished colleague from Missouri (Mrs. SULLIVAN) has a bill now before the House Merchant Marine and Fisheries Committee which would exempt the *Queen* from the 1966 safety law which was meant to apply only to ocean-going ships.

The Senate also is considering action and has attached a similar amendment to its pending maritime bill.

If no action is taken before November 2, the *Delta Queen* will cease to exist as a living tradition. She will be permanently retired.

In our rush to advance ourselves technologically as a nation we have lost or destroyed much along the way.

We now have a new way-of-life and a new standard-of-living. We no longer have with us enough of the symbols of the traditions which made this country the strong and independent Nation that it is today.

This strength and independence is exemplified in the *Delta Queen* and in the hearts of the men who pilot her up and down the Mississippi and Ohio Rivers. She is a part of our heritage that should be preserved.

HAMBURGER, UTILITY BEEF AND IMPORTS

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

Mr. MONAGAN. Mr. Speaker, the Special Studies Subcommittee of the Committee on Government Operations, of which I am chairman, because of complaints it had received, examined the behavior of retail beef prices last year in an effort to ascertain the reasons for the sharp rise in such prices. In the early part of this year, this subcommittee approved a draft report on the subject, which the full committee this spring referred back "for further study."

I am sure that other Members have received letters on the subject of retail beef prices, our meat supply and imports from cattle growers, public officers, housewives, and business consumers. As we all know, the fast foods franchise industry has grown in recent years and its increased utility of the lean grades of beef has increased the demand for such beef.

Interestingly enough, the price of hamburger, according to the Bureau of Labor Statistics, did not decline last fall until 2 months after the higher priced beef cuts began to decline. This year the BLS figures show, as of the end of May, that the retail prices of hamburger at 66.7 cents per pound is higher by 1.1 cents than the high point of September 1969. The June price is practically the same as that in May.

The Department of Agriculture reports show that utility cows were and have been higher in 1970 than for the comparable 1969 period, through the middle of July. The price of boning utility cow beef has far exceeded any 1969 prices through the middle of July.

I believe that the above figures have some bearing on whether the supply of lean beef necessary for hamburger and manufacturing is in fact adequate to meet the demand. We are all cognizant of the recent action of the President by which the quota import figure for 1970 was set at 1.14 billion pounds. This was done at a time when imports for the first half of 1970 were approximately 600 million pounds. This quota figure leaves only 540 million pounds which can be imported for the second half of 1970, a reduction of 10 percent from the rate of the first half.

My position with respect to imports is one of supporting variable import limitations. I have not, contrary to published reports, asked for the repeal of restrictions on meat imports. These imports are basically the "hamburger" or "processing" grade of beef. I have tried to suggest that consideration be given to adjusting meat imports to meet the gap, if any, between the demand for lean beef and the domestic production of such beef.

The Ways and Means Committee is now working on a draft bill which would impose quotas on the manufactured products to be covered by that bill. It is reported that the pending proposal would impose a quota on a particular product when imports of that product exceed 15 percent of its domestic consumption.

This percentage is to be compared with the present import restriction on beef of 6.7 percent of domestic production. Certainly if the 1964 Meat Import Quota Law were amended to allow imports to meet the gap between the demand for lean beef and the domestic production of such beef, it would still be more restrictive than the Ways and Means Committee's tentative formula for manufactured products.

I have given expression to this in a letter to a constituent of mine, a businessman, who as a consumer, is strongly exercised about retail beef prices. I include my letter to him as part of my remarks at this point in the RECORD.

JULY 20, 1970.

Mr. A. R. MARTINO,
Waterbury, Conn.

DEAR TONY: Your letter of July 10, 1970 and the copy of your note of June 26, 1970 to the Department of Agriculture, have been read by me with much interest.

The hearings held by me last fall with respect to the sharp rise in the retail price of beef, to which your letter refers, show the problems facing the consumer. The adequacy of the supply of beef, including the relationship of import quotas and the consequent effect on prices to the consumer were one of the major phases of that hearing. Since then there have been, as you mentioned, revelations as to the inadequacy of domestic meat inspection and the unguarded use of antibiotics in feeding cattle, presenting dangers to consumers.

While the cattle growers trumpet their claim that they can provide enough beef to meet the demand of the American consumer, I am somewhat dubious insofar as lean beef is concerned. This is the beef that is used in combination with the fatty parts of the choice carcass for making hamburger and other manufactured meat products. The figures show that the wholesale price of beef used for manufacturing purposes is higher than it was last year. In addition, the retail price of hamburger for May, according to the Bureau of Labor Statistics, was higher than it was last year at its highest point. All the statistics available to me with respect to prices for beef animals slaughtered for manufacturing purposes, mostly cows, lead me to believe that it is a strong reflection of an inadequate domestic supply of such beef as against the increasing demand for it. Without going into the complexities of the cow-calf and feeding industry and its time-cycle of over 2½ years, the supply of domestic lean beef cannot be accelerated without adverse effects on the production of choice beef.

The President, on June 30, 1970, performed the miraculous feat of increasing the amount of beef, mostly used for processing, which could be imported, while actually cutting back the rate of such imports. Under the 1964 Meat Imports Quota Law, the amount of meat which could be imported in 1970 without imposing a quota was 1098 million pounds, 110% of the quota. Imports for the first half of 1970 were approximately 600 million pounds, strongly indicating that the 110% figure would be exceeded long before the end of the year.

As required by law, the President imposed a quota of 998 million pounds, and in the same document, suspended it, allowing imports to equal 1140 million pounds. As 600 million pounds were already imported, the second half imports can total only 540 million pounds or a reduction of 10% over the first half of the year.

I intend to watch closely the effect of this governmental action on the retail price of beef. It may be doubted that it will prove highly beneficial to the consumer.

My reason for all this detail on the most

recent happenings in the beef picture is because of your interest in the matter. I fully appreciate your support of my work as your representative in Congress.

Sincerely,

JOHN S. MONAGAN,
Chairman.

THE FARMER AND THE AMERICAN HOUSEWIFE

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

Mr. POAGE. Mr. Speaker, the interesting comments of the gentleman from Connecticut suggested to me that the House should give a little more consideration to the bargain the housewife is now getting in the way of food, and the extent to which the farm program reduces her cost of food.

As the gentleman pointed out, it is perfectly true that the cost of food, like all other costs, is going up due to inflation. But it is also true that the American housewife is today buying food for her family with a far smaller percentage of her disposable income—actually 16½ percent—than have the people of any other nation in the world, at any time in the history of the world. That, as I see it, is the greatest compliment that could ever be paid to the American farmer and to our farm program which will come up for renewal next week.

If you take \$3.5 billion out of the farmers' income—the \$3.5 billion which he is now getting as a result of the farm program—you will add, not \$3.5 billion to the cost of the American housewife, but approximately \$10.5 billion, because every time you run an item of food through the grocery store, the cost multiplies by at least three times.

To the extent that we reduce the Government supplements to the income of the farmer we must increase the marketplace costs by at least three times that amount, because there is no way of putting the needed food on the grocery shelf without putting enough money into farm income to pay all the costs of production. If the Government subsidy is withdrawn, you can anticipate paying, not \$3.5 billion more, but some \$10.5 billion more for food next year.

ANNOUNCEMENT BY ARMY OF DUMPING OF NERVE GAS OFF CAPE CANAVERAL

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

Mr. ROGERS of Florida. Mr. Speaker, I impose upon the House at this time because of an announcement that has been issued today by the Department of the Army concerning the dumping of nerve gas some 250 miles east of Cape Canaveral, Fla.

Mr. Speaker, I am distressed to hear this news. I am very much concerned about it, and I am contacting the Secretary of Defense to ask that no action be taken to dump this gas, which is now scheduled to be dumped on the 10th of August, until the Subcommittee on Oceanography as well as other commit-

tees have an opportunity to look into it.

I have been assured by Chairman LENNON of the Subcommittee on Oceanography that hearings will be held this next week. I would urge the Secretary to withhold any action until this has been done.

TRIBUTE TO THE HONORABLE AUGUSTUS HAWKINS

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

Mr. LOWENSTEIN. Mr. Speaker, everyone who knows him knows that when the word "Honorable" is appended to the name AUGUSTUS HAWKINS it is not merely a customary title, a politeness, an act of protocol. It is a description, a statement of fact, almost a synonym for the name itself. He is in fact one of the best men here, honest, able, compassionate, intelligent—in short, what all of us ought to strive to be. Anyone who seeks to impugn the integrity of GUS HAWKINS simply calls his own integrity into question. I am sure the gentleman from Illinois was misinformed or misquoted and will want to set the record straight on this matter.

Many of us have remarked over the past few weeks that we are especially indebted to Congressmen HAWKINS and WILLIAM ANDERSON and to Mr. Tom Harkin for their diligence and courage in bringing the situation at Con Son to the attention of the Nation. I rise today simply to reiterate my thanks to these remarkable men for bringing credit to this House and adding to the honor of their country.

HEARINGS CONDUCTED BY SENATE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY WERE A CHARADE AND A SHAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. WATSON) is recognized for 15 minutes.

Mr. WATSON. Mr. Speaker, I believe all of you will agree that the gentleman in the well prides himself in trying to keep his patience, and that likewise he recognizes that we have some difficulties and everything is not perfect in the Southland. But at the same time I believe there is a point beyond which a person's patience begins to break. Further, that there is a point when a person will stand up and speak out against those who would maliciously malign the great Southland.

Mr. Speaker, in a statement this past Thursday I said that the hearings conducted by the Senate Select Committee on Equal Educational Opportunity under the chairmanship of the junior Senator from Minnesota were a charade and a sham. As further proof of the ridiculous and misleading nature of these hearings, the chairman just made a brief visit to four Southern communities in three States and returned with a scathing denunciation of the entire South and its education system.

Mr. Speaker, this is comparable to

someone from the South going to the Senator's home State for a few days, and not finding any Negroes in four randomly selected communities of that State, deciding that Minnesota has outlawed integration.

Now, the Senator's report upon completion of his fact-finding tour represents a personal insult to the people of the South, and it is an insult to the intelligence of every thinking American, regardless of region. It is an insult that must be challenged, and I challenge it here and now.

Mr. Speaker, I call upon the Senator from Minnesota to explain the real reason why he has singled out the Southern part of this country for a much-publicized tour, especially in view of his well-known record of anti-Southern prejudices. Are there not serious problems crying for solution in other areas, even the District of Columbia? Why does the Senator direct attention away from these areas as well as his own State's problems?

Mr. Speaker, there are few, if any, people in this country less qualified than the Senator from Minnesota to speak on the subject of Southern education, or anything else down our way for that matter. The South is not obligated to listen to such rank insults and distorted, prejudiced views of our section of the country. His voice is that of a totally discredited and outdated philosophy, and this Nation should no more heed his advice than physicists should listen to the advice of the president of the "Flat Earth Society."

It is obvious to me that the Senator is attempting to capitalize on the frustrations of people for his own political gain. Since an extended visit to the South would not enlighten the Senator because of biased views already held, it is certain that a few days tour would leave him appallingly short of information. Therefore, his brief visit was totally without probative value and can only be interpreted as a grandstand play. But in all fairness I do understand he sent a few of his staff underlings into the South, even South Carolina, to "survey" the situation—yet these people could not tell the difference between a school house and a filling station.

For generations the South has had to bear the cross of gratuitous criticism from uninformed outsiders. These breastbeaters strike holier-than-thou poses and lament conditions in the South in words revealing their paucity of knowledge on the subject. They add to their scarce knowledge certain wrong-headed notions supplied by their prejudices and go forth to propagandize another generation of their constituents in the age-old obsession of South-hating.

At a time when divisiveness is deplored by liberals and blamed on conservative attitudes and actions, professional South-haters foster and cultivate the rankest and most blatant divisiveness in this country. The Senator's tirade against our section of the country is the same old political demagoguery reminiscent of Thaddeus Stevens days over a century ago.

What the Senator called an investigation of three Southern States was in fact the typical whirlwind tour which is a requirement for anti-South propagandists prior to the periodic unleashing of their prejudices. The investigation is designed to lend credence to whatever the objective is. The southern evils which such investigations reveal and the repressions which are typically discovered are in fact attitudes and beliefs long-harbored in the mind of the South-hater currently holding forth in the other body.

The question begs: Why must we of the South endure any longer charades unethically described as investigations and political attacks piously couched in moralistic tones?

If honesty will not silence the likes of the Senator from Minnesota in their criticism of the South, it would seem that the plight of their own citizens would.

I direct his attention to rampant crime which is largely a Northern problem. I direct his attention to epidemic drug addiction which is almost exclusively a problem of States outside the South. I direct his attention to the proliferation of pornography which originates outside the South and which threatens to contaminate our area. I direct his attention to large-scale race riots which are predominantly a northern and western problem and not one of the South. I direct his attention to organized crime which is strangling life from his and many other sections of the country.

Senator, your people need help. Get to work on your own problems!

Senator, it is easy to see now what motivates you. Is it that you direct attention elsewhere, so your people will not become too alarmed about their lives and conditions? That will not "wash" any longer. Senator, I advise you to get on your not-so-white charger and return to face the very real problems of your own area. Certainly your political fortunes are not contingent upon your vilification of the South.

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

Mr. WATSON. I yield to my distinguished friend and leader, the gentleman from South Carolina (Mr. RIVERS).

Mr. RIVERS. Mr. Speaker, I wholeheartedly associate myself with the remarks of the gentleman from South Carolina.

I want to add this. I read this so-called report by the junior Senator from Minnesota. It emanated only from a politically sick mind, a frustrated mind, an ambitious mind, who would stop at nothing to fan the seeds of sectionalism and racism to further his own political gain. He is one of those whom Vice President AGNEW aptly referred to as playing Russian roulette with the safety and security of this country.

I would say as Roosevelt once said: Plague on his house and plague on him. That is not fitting to be said of one who calls himself a Senator of the United States.

Mr. WATSON. Mr. Speaker, I thank the gentleman for his contribution.

As usual, the gentleman has said it more directly and eloquently than I.

NAFEC FACILITY ONE OF WORLD'S FINEST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. SANDMAN) is recognized for 10 minutes.

Mr. SANDMAN. Mr. Speaker, I should like to call the attention of the House to several glaring inaccuracies in a report filed with the House by the Government Operations Committee. This report, dated July 16, 1970, contains findings affecting the Federal Aviation Administration in its development of an air traffic control system. These deficiencies exist on page 30 and page 56 of the report. The erroneous findings are used in an attempt to justify the recommendation of a phaseout of the research and development work presently performed at the National Aeronautics Facilities Experimental Center near Atlantic City, N.J., and the transfer of these functions to the former NASA facilities at Cambridge, Mass.

Whoever gave the committee this information is grossly in error. It could be that he is trying to revitalize the white elephant at Cambridge rather than make an improvement in the whole system itself. At any rate, let me point out some of the inadequacies. The facility at NAFEC to start with is one of the finest of its kind in the world. The physical plant at the air field is capable of testing all kinds of aircraft regardless of size. No such facility as this exists at Cambridge, Mass. The electronics equipment installed at the field is in tiptop condition, the result of millions of dollars already expended by the Federal Government. The hangers at this installation rank with the very best we have. In fact, improvements to these facilities have been constant and have kept them up to date.

When a report says that the research and development facility at Atlantic City is woefully inadequate, it would be a good idea to point out exactly what the inadequacies are. The report does not point to these at all. It is only in the third paragraph on page 30 that a feeble attempt is made to disqualify what exists at the Atlantic City facility. It points out that the barracks are of World War II vintage. This may be so, but the barracks referred to are a tiny part of the entire installation and have very little to do with the overall efficiency of the operation. The report goes on and says:

The rural location deprives young engineers and technicians of the opportunity to attend colleges and universities to advance their technical capabilities. Philadelphia, the closest metropolitan area, is too far away for day-after-day commuting.

This assertion leads me to believe that whoever supplied this information to the committee did not even visit NAFEC to start with. For the committee's information, the Atlantic City Expressway that connects this area with Philadelphia facilitates 70 miles per hour traffic. The Atlantic City Expressway Authority invested some \$60 million in this excellent highway, none of which was Federal money. It takes exactly 40 minutes

to travel from NAFEC to the heart of Philadelphia. If you do not want to go by car, we have 10 flights a day from Atlantic City to Philadelphia. Traveling time for this trip is 20 minutes. If you do not like to fly, there are commuter trains that make the same trip. Philadelphia has some of the finest institutions of higher learning of any city in the world. There are 14 major institutions of higher learning in the Philadelphia area. I do not think any city in the United States can boast of a higher number. To mention only a few: Drexel Institute of Technology, the University of Pennsylvania, Temple University, Villanova University, and I can go on and on.

The worst inaccuracy is the last sentence of paragraph three:

FAA contractors have also experienced difficulty in recruitment of employees to work at Atlantic City.

This statement is completely inaccurate. I can show the committee lists of people with all kinds of technical skills that are on waiting lists waiting to get a job at NAFEC. A similar list can be produced for any FAA contractor who wants one, for any trade in which the FAA contractor may be interested.

In summary, the investment at NAFEC referred to in the committee report runs into the many millions of dollars. There is absolutely nothing wrong with the facility, whether it be for testing or research and development. If there is something wrong with the output at the installation it certainly is not related to physical facilities or location. It would have to be related to those in charge of the operation. If we are going to make an improvement in the FAA's operation along this line, replacements of personnel can be made just as easily at NAFEC as at Cambridge, Mass. There is a question whether the white elephant at Cambridge, Mass., should ever have been built in the first place. I wonder why NASA abandoned it. If it is going to be activated for some governmental purpose, then I would suggest that we find another field of endeavor, rather than disrupt or phase out the installation at NAFEC at Atlantic City, which has performed many invaluable services to aviation and the people of the country.

SUPERMARKET AND FOOD MANUFACTURER PRESSURE ON NEWSPAPERS AND THE BROADCAST MEDIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTAIN) is recognized for 30 minutes.

Mr. FARBSTAIN. Mr. Speaker, the news media represents the main source through which the public can secure information on consumer and other questions. Such information influences the manner in which the individual spends his money, on what he spends it, his degree of satisfaction with the prices, and the quality and safety of the items he buys.

In looking to the news media to perform this function, there has always been the assumption that the media

operated more or less independently and under the guise of objectivity; it was able to tell it like it is. I fear that this premise may no longer hold.

According to Statistical Abstract and Advertising Age figures, in the neighborhood of \$2 billion in news media revenue comes from food industry advertising. The import of this advertising figure is dramatized by the fact that over 65 percent of television advertising revenue comes from the food industry.

I have uncovered more than 20 case histories of supermarkets and food manufacturers attempting to use their advertising to eliminate unfavorable coverage, and to secure favorable publicity under the guise of news. Some examples involve withdrawal of advertising; others, boycotting of subject areas to which food advertisers may object; still others, the killing of stories as a result of food advertiser objection.

There are instances of pressure to see that something is not reported. Food advertiser pressure appears to be applied as well in the other direction: to see that items not intrinsically newsworthy are reported. These include use of recipes utilizing certain products, free promotional coverage; that is, the opening of new supermarkets, the home life of the meat market manager, how XYZ store sells quality food and why, canned editorials, and so forth.

The result of this type of pressure is that the public cannot look to the news media for full and balanced coverage of consumer questions.

I believe this situation will continue unless the Federal Communications Commission investigates the pressure, exposes it, and takes steps to neutralize it. I have, therefore, requested the Chairman of the Federal Communications Commission, Dean Burch, to look into this situation as it falls within his agency's jurisdiction.

The situation which first led me to investigate this question was that of the Miami News. The News is a financially weak paper, facing competition from the strong and larger Herald. It is in young hands and has been attempting to try new and exciting things. It ran a three-part series on food dating on June 30, July 1, and July 2. Unlike many other newspapers which have written on the subject, it neither came out editorially for my legislation to require the open dating of food nor was it overly critical of local practices. The day following the conclusion of the series, Publix supermarkets called up to announce that without explanation it was withdrawing its advertising beginning the following Monday. The following Tuesday, Winn Dixie—the president of Winn Dixie, B. L. Thomas, is chairman of the board of National Association of Food Chains, which is the main opponent of my food dating bill—called to say it would stop advertising after July 16 "because of a reallocation of resources." A third supermarket chain, Lucky, which had never advertised nor cooperated with the paper's reporters in the past, called to reiterate that it would not cooperate with the paper's reporters in the future. A fourth chain, A. & P., it was learned

later, had reversed a decision to begin advertising in the News. The advertising department of the News hopes the Publix and Winn Dixie decisions are not final and that the paper will be able to get back these two advertisers. But in any event, the News intends to stand behind its series.

Small and economically unstable stations or papers, such as the Miami News, are more vulnerable than large papers which are needed by advertisers. An action against a major paper, such as that taken by GM in 1957 in temporarily dropping advertising in the Wall Street Journal because the paper carried a sneak preview of its new models, is extremely rare. But so are actions by the major papers and radio and television stations in standing up to an advertiser, such as that of the managing editor of the Milwaukee Journal before World War II in dropping a department store advertiser for 6 months because it attempted to suppress an unfavorable story.

Other case histories range from securing the boycotting of particular issues or major surgery on stories to getting recipes and promotional stories printed under the guise of objective news.

Five California dailies: the Bakersfield Californian, Los Angeles Herald Examiner, Oakland Tribune, San Pedro News Pilot, and the South Bay Breeze, which had advertising from Safeway Supermarkets boycotted grape boycott news. Safeway is the largest retailer of grapes in California.

A number of stories on food coding surveys in Chicago newspapers have been killed or greatly modified as a result of food chain pressure. A recent Chicago Sun Times article exposing conditions on one particular store was substantially rewritten after complaints from executives of Jewel Food Stores. Another story written for the Chicago Daily News was scrapped altogether. Chainstore advertising accounts for about 10 percent of all advertising lineage sold by afternoon Chicago papers.

Following a morning meeting with Coca-Cola, NBC made deletions and additions to its documentary on the migrant farm worker, which were favorable to Coke. The NBC program showed conditions in Florida, where Coca-Cola—which owns Minute Maid—is the major citrus grower and employer of migrant labor. The vice president of NBC admitted to my office that the network met with representatives of Coke the morning before the film was to be shown. He said that Coke was unhappy with the documentary for two reasons: First, the documentary unfairly projected Coke as the pace setter for industry treatment of farm workers; and, second, the documentary ignored things Coke planned to do to correct the situation. The network vice president admitted that before the film was shown that evening a sentence saying that Coke set the pace for the industry was deleted and one added to the effect that Coke had a plan for improving conditions.

Food and cooking editors, many of whose offices are located in the advertising departments of newspapers, get tons of trade and advertiser releases each

week and are under great pressure to use them. Also, trade associations run all expense paid forums at which food editors are fed the industry line.

Advertisers will rarely admit that they are applying pressure or have withdrawn advertising because of unfavorable press although they are usually able to get their message across.

A not too subtle example of pressure was a call from a National Food Store's representative to a WBBM-FM Chicago radio commentator that his consumer program was being monitored by them. On another occasion someone from the same food chain called the publisher of a suburban Chicago newspaper, the Des Plaines Suburban Times, to criticize him for carrying an article on their store. Oddly enough, that paper had no National advertising and was the only one of four to send a reporter to a demonstration in front of a National store, which gave more than perfunctory coverage to the event.

A not too subtle example of withdrawal of advertising in the case of a New York City television station where, in May 1969 an advertising agency complained about a news slip which mentioned their product, pulled, without explanation, prime-time sponsorship of a program 2 days later, and then called the day after to say there was no relationship between the two incidents.

The objective of the food industry's pressure is to keep the consumer in the dark as to existing abuses and the need for legislative remedies. The classic example of this came during the fight over the Fair Packaging and Labeling Act. In 1963, the president of the Grocery Manufacturers Association demanded before the annual convention of the Television Bureau of Advertising that TV and radio stations, benefiting from food industry advertising, blackout coverage of and oppose the then pending legislation.

The magazine people, he said, had understood. They had begun to run articles to create "a favorable public attitude" toward food advertisers. He regretted, however, that he could not say "similar nice things about the relations of advertisers with television." Television stations received, he pointed out, "about 65 percent of their advertising revenue from GMA members." He said, further:

These advertisers have seen some television newscasts where they seemingly took great delight in bellowing out stories that were critical of this industry.

The broadcasters, it appeared, responded, for except for a mention on NBC's "Huntley-Brinkley Report" and a reference on that network's program "Calendar," television apparently paid no attention to the subsequent Senate hearings on the legislation. On radio only the labor-sponsored commentator, Edward P. Morgan—ABC—gave news about them.

Look responded by printing a four-page article under the byline of an advertiser, Charles G. Mortimer, chairman of General Food Corp., as the author of an article, "Let's Keep Politics Out of the Pantry." The article followed the industry theme that the American housewife was satisfied with the food industry

and saw little need for fair packaging and labeling legislation. Look refused to grant Senator PHILIP HART or Esther Peterson, who were specifically named in the article, equal time to reply or even to have letters to the editor appear in the magazine.

The editors of several of the women's magazines even asked to testify before the National Commission on Food Marketing in opposition to the Fair Packaging and Labeling Act.

Many of the Nation's women's magazines which operate under the guise of consumer objectivity are little more than pawns of food chains, which once owned Woman's Day and represent the major source of revenue and sales outlets.

The success of the food industry's pressure in large part accounts for the ineffectiveness of the law enacted. The same kind of pressure appears to be building with respect to my food dating bill. I am asking the FCC to look into this situation in the hope of reestablishing the balance between the economic needs of the media and the interest of the consumer. I hope that this will let the media know that there is a public willing to back it up when it has the guts to print or broadcast items which may step on food advertisers' toes.

I insert at this point in the RECORD the text of my letter to the Federal Communication Commission, the Miami News series on food coding and related material on food advertising pressure:

JULY 30, 1970.

HON. DEAN BURCH,
Chairman, Federal Communications Commission, Washington, D.C.

DEAR MR. CHAIRMAN: The news media represents the main source through which the public can secure information on consumer and other questions. Such information influences the manner in which the individual spends his money, on what he spends it, his degree of satisfaction with the prices, quality and safety of the items he buys.

In looking to the news media to perform this function, there has always been the assumption that the media operated more or less independently and under the guise of objectivity, it was able to "tell it like it is." I fear that this premise may no longer hold.

According to *Statistical Abstract and Advertising Age* figures, in the neighborhood of \$2 billion in news media revenue comes from food industry advertising. By far the largest share of this goes to the broadcast media. Although I appreciate the fact that your jurisdiction does not extend to newspapers and magazines, I believe that you could do much to remedy the abuse of which I speak in this letter by examining into food advertising pressure as it applies to television and radio.

Some supermarkets and food manufacturers are using their advertising in an attempt to eliminate unfavorable coverage and to secure favorable publicity under the guise of news. I have collected over 20 case histories of this pressure from all parts of the country, which I will be happy to make available to you. Some examples involve withdrawal of advertising; others, boycotting of subject areas which food advertisers may object to; still others the killing of stories as a result of food advertiser objection.

These are instances of pressure to see that something is not reported. Food advertiser pressure appears to be applied as well in the other direction; to see that items not intrinsically newsworthy are reported. These include use of recipes utilizing certain products, free promotional coverage (i.e. the

opening of new supermarkets, the home life of the meat market manager, how XYZ store sells quality food and why), canned editorials, etc.

The result of what appears to be a generally successful application of this type of pressure is that the public cannot look to the news media for full and balanced coverage of consumer questions.

I believe this situation will continue unless the Federal Communications Commission investigates the pressure, exposes it, and takes steps to neutralize it.

Two leading food chains in Miami, Florida, Winn Dixie and Publix, stopped advertising in the *Miami News* immediately after that paper ran a three-part series on local food coding practices in early July. The loss to the paper is \$22,000 monthly. A third chain, A & P, reversed its decision to begin advertising in the paper, and a fourth indicated it would not cooperate with the paper's reporters.

Small and economically unstable stations or papers, such as the *Miami News*, are more vulnerable than large papers which are needed by advertisers. An action against a major paper, such as that taken by GM in 1957 in temporarily dropping advertising in the *Wall Street Journal* because the paper carried a sneak preview of its new models, is extremely rare. But so are actions by the major papers in standing up to an advertiser such as that of the managing editor of the *Milwaukee Journal* before World War II in dropping a department store advertiser for six months because it attempted to suppress an unfavorable story.

Other case histories range from securing the boycotting of particular issues or major surgery on stories on the subject to getting recipes and promotional stories printed under the guise of objective news.

Five California newspapers which had advertising from one supermarket chain boycotted grape boycott news.

A number of stories on food coding surveys in Chicago newspapers have been killed or greatly modified as a result of food chain pressure.

Following a morning meeting with Coca-Cola, NBC made deletions and additions to its documentary on the migrant farm worker, which were favorable to Coke.

Food and cooking editors, many of whose offices are located in the advertising departments of newspapers, get tons of trade and advertiser releases each week and many are under great pressure to use them. Also, trade associations run all expense paid forums at which food editors are fed the industry line.

Advertisers will rarely admit that they are applying pressure or have withdrawn advertising because of unfavorable press although they are usually able to get their message across.

A not too subtle example of pressure was a call from a national food store's representative to a Chicago radio commentator that his consumer program was being monitored by them. On another occasion someone from the same food chain called the publisher of a suburban Chicago newspaper to criticize him for carrying an article on their store.

A not too subtle example of withdrawal of advertising is the case of a New York City television station where in May 1969 an advertising agency complained about a news slip which mentioned their product, pulled without explanation prime time sponsorship of a program two days later, and then called the day after to say there was no relationship between the two incidents.

The objective of the food industry's pressure is to keep the consumer in the dark as to existing abuses and the need for legislative remedies. In 1963, the President of the Grocery Manufacturers Association, Paul Willis, demanded the magazine and TV and radio stations, benefiting from food industry advertising, blackout coverage of and oppose

the then pending Fair Packaging and Labeling Act. Television coverage of subsequent Senate hearings on the subject fell to the level of an almost total blackout. The success of his efforts in large part accounts for the ineffectiveness of the law enacted.

I am asking you to look into this situation as it falls in your jurisdiction with the hope of reestablishing the balance between the economic needs of the media and the interest of the consumer. I hope that this will let the media know that there is someone willing to back it up when it has the guts to print items which may step on food advertisers' toes.

With kind regards, I am,
Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

[From the Miami News, June 30, 1970]

DATE CODES: STRANGE-LOOKING ANAGRAMS
LITTLE HELP TO CONSUMER

Most food products in Dade County grocery stores are fresh but the shopper can't be sure of this by reading the packages.

Those mysterious combinations of numbers and letters stamped or embossed on the packages of most perishable and semi-perishable foods are significant.

But the consumer would need a college course in cryptography to figure them out. Most store personnel were either unwilling or unable to decode them for us when we visited them and asked questions.

Food manufacturer representatives were more helpful, for the most part, with a few notable exceptions. We also found that we were more likely to get information when we identified ourselves as reporters.

Date codes indicate either the date the product was manufactured or the date it should be pulled off the shelf. They may be printed clearly on the top label of the package or embossed on some small corner, hidden from the eye of the consumer.

We toured Dade County stores—supermarkets and corner groceries—for three days. We visited more than 50 stores in all parts of the county, and it became apparent to us that store personnel, from managers to stock boys, generally have the idea that the consumer either doesn't care or isn't intelligent enough to worry about date codes.

While shopping in the K-Mart on Biscayne Blvd. and NE 107th St., one of the store personnel informed us that there was no date code on Kraft cheeses. We, of course, knew that there was a date code printed on the form of each package of cheese. The day before, a Kraft representative had explained the code to us while he was checking the shelf in the Grand Union on Palm Springs Mile.

At Kosher Meats on Washington Ave. at 10th St., Miami Beach, we asked the store manager if the eggs had date codes. "Yes, most eggs have the expiration date," he said. "I can't find it," one of us said.

"Well, I can't find it either, young lady," he said, as he turned back to his inventory.

"Sure there are codes," said a stock boy at one Northeast section store. "But we don't want the people figuring them out. We sell the oldest things we can first."

Some of the personnel in the stores tried to be helpful, but often they said they weren't sure of the codes themselves.

The only explanation we were given regarding fresh meat codes came from a woman behind the meat counter at the Food Fair in the Dadeland shopping center. But she said she wasn't too sure of it.

Stockboys in a few of the stores explained the codes on the dairy products, such as yogurt and cottage cheese, if we asked them.

Reactions of the food manufacturer representatives varied. Some were helpful; others were not.

"We get calls from people who want to know what the codes are or what the numbers mean," Lloyd Shabel, the routing super-

visor for Dannon Milk Products said when we called him in New York.

"We certainly don't want to keep it a secret. We want people to know because it's to their advantage to know they're getting a fresh cup of yogurt." The code for Dannon, however, is simple only if you know it.

An August Brothers Bread spokesman said his company was interested in making sure that the consumer knows he is getting a fresh product. They were one of the few bread companies to explain the codes to us. Arnold was another.

Breakstone sent us a copy of a form letter sent to customers who request it, explaining in detail the codes on its dairy products.

Some of the companies we called said they did not want to divulge codes to the public.

"We would rather not publish what our code means," said a representative of the Kellogg company, who asked not to have his name mentioned. "If you knew which was the freshest box, you'd pick that one."

Don Lewis, director of sales at the Tampa branch of Borden Dairy Products, said he did not wish to disclose his company's code. "We have date codes on all our products," he said, "but they are intended for us, not the customers. Any dairy will tell you that it is in the consumer's interest not to reveal the code on dairy products."

"There is no intent to fool the customer," he said, "but when you code products that legibly, the consumer picks out the freshest goods and the ones that are left get older and older. As a result, the cost of the goods must go up in order to pay for the products not sold."

Spokesmen for two packaged meat firms, Hebrew National and Dirrs, said they would not answer our questions until they had received written requests for information from us. The Miami News sent letters to Hebrew National June 17 and to Dirrs June 22. Replies have not been received.

We got more information from manufacturer representatives than from stores, but how many consumers would make a long distance call to have a date code explained to them? The consumer will normally turn to the people in the neighborhood store.

In the Minit Shop at NW 27th Ave. and NW 105th St., we asked the man behind the counter about the dairy products, many of which were outdated, according to information we had. He said he didn't know about the codes.

"The companies come in and stock the goods," he said. One of the Dannon yogurts had expired two weeks before, on May 29.

At the Horn o'Plenty Food Market, 19116 Collins Ave., the cashier knew there were codes on the dairy products, but said he didn't know what they meant. "Oh, that's for the guys who come in here and change shelves around," he said, when we showed him the code on the top of a yogurt container.

We found very few outdated products at the larger chain stores. In many stores we passed stockboys checking the codes on cottage cheese, yogurt and cheese.

In quite a few stores, when we asked about the date codes on breads, crackers and cookies, we were told, "The company representative takes care of that."

"I don't believe all the managers know the codes," said Ray Gannon, sales administration manager for Frito-Lay. "But a number of the large chains have been informed of what the codes mean. It's up to them to inform their individual stores."

Art Calvert, South Florida regional director for the Florida Department of Agriculture and Consumer Services, said, "Manufacturers ride herd on their own goods. In this way, they are protecting the consumer as well as themselves."

In the Grand Union at the Northside Shopping Center, we asked a butcher at the meat counter about date codes on the fresh meats.

"What do you want to know for?" he asked. When we told him that we were new at this sort of thing (shopping) and we wanted to make sure we were getting the freshest meats, he explained that the meats are packaged every morning.

At the Thrifty supermarket on Washington Ave., Miami Beach, there was Holsum bread with four different colored plastic twist seals—red, green, yellow and blue. We knew each color twist stood for a different day, but we didn't know what color was which day.

We asked which loaf of bread was the freshest.

"They're all fresh. They all came in this morning," we were told by a store clerk.

At the Grand Union on Opa-locka Blvd., Freshbake bread had blue, white and yellow twists, marked B, C, and D. "They're all the same freshness," a cashier said. "They all came in this morning."

The story was the same at the Pic 'n Pay on NE 19th Ave. and 183rd St., where there were blue and yellow twists on the Sweetheart bread.

[From the Miami News, June 30, 1970]

REACTIONS OF FOOD CHAIN EXECUTIVES VARY

"I like to see products coded," said Richard Lencer, general merchandising manager for Grand Union stores, when we called him in reference to date coding.

"The 'expiration date' on many foods, however, is only a guide," he said. "It is not an absolute expiration date." But Lencer said he believes that he is more interested in date codes than the consumer is.

"Most shoppers want to get their shopping over as soon as possible and get back to their card games," he said. "It's a waste when dollars are spent to print something that the consumer doesn't use."

He said that Grand Union meats and eggs have expiration dates on the package.

Executives of other local food store chains were, for the most part, unavailable or uncooperative when we called them.

Bob Jacobs, local sales manager for A&P supermarkets, said that A&P does have a code on its meats, but "that is only for our personnel. It (the code) wouldn't mean anything to anyone else," he explained. Each store manager knows his own code so that he can properly rotate his goods, he said.

"There is no way for the consumer to know the date the meat was packaged," he said.

Jacobs explained that, from a retailer's standpoint, it would not be good to mark clearly the expiration date on any goods. "The consumer would buy only the freshest goods," he said.

"It would work against the retailer," he said. "There would be much damage (merchandise thrown out) and extra expense, which would run our prices up."

We contacted Bert Thomas, president of Winn-Dixie in Jacksonville and he said that in his chain fresh meats do have date codes. He referred us to Clarence Waldorf, divisional manager in Miami, who confirmed that the meats had codes but he didn't know them offhand. He did offer to mail us the information however.

Earlier we spoke to Warren Call, personnel director of Winn-Dixie, who told us there were no codes on the fresh meats. "The meats are judged by their appearance," he said.

When one of us called the district headquarters of Food Fair in Miami, and didn't identify herself as a reporter, she was told that all the executives were in a meeting and she couldn't possibly speak to anyone that day.

When the other one called, identifying herself as a Miami News reporter, she got through to an executive office.

The executive she spoke to, however, said

that he would not divulge the date coding on Food Fair meats.

"That is a company piece of information which is top secret," he said. "For security precautions, we don't want to let our competitors know."

He said he didn't want his name used and that he would deny any statements that were attributed to him.

We attempted to clarify a situation at Thrifty, 527 Washington Ave., Miami Beach, where we had been told that all loaves of bread, even though they had different color plastic seal twists, were of the same freshness. A different person answered the phone each time we called the store and each said that all the bread was fresh, although bakery representatives had told us otherwise.

George Jenkins, president of Publix, said from the chain's Lakeland headquarters that all the perishable goods in his stores are date coded. He said he did not wish to give out the key to the codes.

"If people knew what the codes meant, they would go through all the merchandise, down to the bottom where the freshest goods are, in order to find the package which is the freshest. They would raise bedlam in the supermarket," he said.

"In the long run, the housewife would pay for it.

"We date code our products better than if we had a law. We will take merchandise out of the case because it doesn't please us long before the date code expires," he said.

Referring to current consumer movements demanding the plan date coding of perishable and semi-perishable products, he said, "I don't see why people who don't know the business want to have legislation passed on something they don't know anything about."

[From the Miami News, June 30, 1970]

CHICAGO WOMAN FIGHTS FOR CODING LEGISLATION

Lynne Heidt of Chicago, organizer of the new National Consumer Union (NCU), says she wants to show the food industry the power of the consumer.

The consumer should unionize and force the companies to be responsible, she said in a telephone interview with The Miami News.

But first, she says, the consumers must be informed. They must be made aware of date codes, which are "not only ambiguous, but also not meant for the consumer to understand."

The NCU began with three housewives and now has 200 paying members and a mailing list of 1,000.

In the fight for an end to date-code secrecy, Mrs. Heidt and NCU members have used television shows with large viewing audiences as sounding boards.

"We wouldn't have an issue if the food wasn't outdated here," Mrs. Heidt said. "With the few codes that we have been able to decipher by contacting the large companies, we've learned that people are being sold outdated foods."

This is true of the affluent suburbs as well as downtown Chicago, she said.

In one store, she said, peanut butter date-coded 1968 was being sold in 1970, at 1970 prices.

"Many times we go into stores and ask the managers to explain the codes to us, but they don't know them," she said. "They say they rotate the food, but who knows what that means?"

"We've heard grocery store personnel say that they could lose their jobs if it were discovered that they were providing such information, so they are reluctant to answer the consumer's questions," Mrs. Heidt added.

The NCU is in favor of Rep. Leonard K. Farbstein's (D-N.Y.) bill currently working in Congress. The legislation, if passed, would outlaw the secret dating codes stamped on

supermarket products and replace the codes with clearly marked deadlines for removing products from the shelf.

Translations of the codes should be posted in every store, Mrs. Heidt says. But until this is achieved she and other members are going into stores and trying to teach the consumers the codes which they have discovered. Sometimes they campaign through picketing. Many have tried to stop her actions, she said. "I have been called a Communist and have even been under investigation by a large food chain for what I am trying to do," she said.

[From the Miami News, July 1, 1970]

MEAT EXPIRATION CODES ARE VARIED, CONFUSING

We found that, within the individual supermarket chains, the interpretation of fresh meat codes and even the code itself differed.

The only stores we found (in our tour of more than 50) that clearly marked the expiration date (Example, June 13) on the package were a Grand Union in the Carol City shopping center, and another on Palm Springs Mile, Hialeah.

Other Grand Unions we visited did not have the date marked on the package.

At a Grand Union on North Miami Beach Blvd., and NE Fifth Ave., we asked one of the butchers about the date codes on the fresh meat.

"Is there any date code on the meat?"

"Yeah," he said.

"Could you tell us what it is?"

"I put it out today," he replied.

Repeatedly we were given the same answer: "We put it out today." Few store personnel would give us a straight answer to a question about date codes.

The only attempted explanation of the meat codes came from a woman behind the counter at the Food Fair in the Dadeland shopping center. She said she wasn't too sure of it, though. In the two-letter code, she said the first letter stood for the week (A, B, C, D) and the second letter stood for the day. (Example, AC means Wednesday of A week).

At another Food Fair on Collins Ave. and Fifth St., Miami Beach, we were told by a man behind the meat counter that those letters weren't codes. They were the initials of the person who packaged it.

Despite what the man in the Collins Ave. store told us, we decided to try to decipher the lettering on the meat by using the A, B, C, D markings as dates. We found some pork and sausage products with C and D markings. Since we were there the second week of the month, these meats would have been two to three weeks old.

When we called Food Fair Officials to ask for an explanation, we were told that Food Fair date code information was top secret.

The butcher at Winn-Dixie, NE 59th St. and Second Ave., said that beef lasts longer than other meats. "It has a shelf life of seven days," he said.

At the Shores Super Market, NE 97th St. and Second Ave., when asked for a code, a woman behind the meat counter said, "The meat is coded, but I'm not allowed to tell the public. You wouldn't remember it anyway. They change every day."

John Eckhoff of the Dade County Health Department said it is not essential to have date coding on meat, because "time is not a factor . . . refrigeration is the big thing."

"Bacteria," he said, "are not likely to cause food poisoning on meat until after it is cooked."

"Meat is all right as long as there is no disagreeable odor, it is not slick or slimy, and it is solid, not easily torn apart," Eckhoff explained.

The consumer buying meat in most stores, of course, cannot smell, feel or tear apart

meat until he gets it home because it is packaged in a container and wrapped in plastic.

Eckhoff said his department usually waits for a complaint from a consumer before checking out a store. In this way, the Health Department differs from the Florida Department of Agriculture and Consumer Services, which periodically inspects every food store for sanitation and wholesomeness, in addition to reacting to consumer complaints.

But neither office has the authority to force stores or manufacturers to reveal date codes.

We checked packaged meats as well as fresh meats and found some that appeared to be out of date. Using limited information, we tried to decipher codes on such things as packaged sausage and salami.

We inquired about the date codes and usually came up with an answer like, "They're vacuum packed; they'll last for months." Yet we knew that some had an expiration date clearly stamped on the packages and the others had a code that represented an expiration date.

Hebrew National products at the Food Fair on 41st St., Miami Beach, and the one at Alton Rd. and 10th St., Miami Beach, were stamped with such figures 4-30 and 5-19 when we visited them in mid-June. Neither Food Fair nor Hebrew National executive would explain the meaning of the numbers.

Checking packaged meats whose date codes we knew, we found that the smaller stores had more out-of-date packages than the large chain stores.

It was not unusual to find a large supermarket with no past-date goods on its shelves (of those products whose codes we knew.) It was rare to find a small store with the same record.

If we called a package of meat, that appeared to be past-dated, to a manager's attention, we were usually told that we shouldn't worry; the meat was perfectly all right.

"Don't worry," said one man behind a counter. "The meat can be there for 10 years and it will still be good."

After going through more than 50 grocery stores from South Dade to 183rd St. in North Miami, the main question that occurred to us was, why, if the companies go to the trouble of putting a date code on merchandise, don't they make it an easily understood code, such as EXP. 6-10?

"Well, for people who don't know much about machinery, it's hard to code a small end seal" said George W. Sherlock, vice president in charge of sales for C. F. Mueller, noodle manufacturers.

"By the time you spell out the month, the year, the day and the shift, you run off the end seal," he said.

Lloyd Shabel, routing supervisor for Dannon Milk Products, said, "The machines are already set up. It's easier to keep the code the way it is, rather than fooling around with the months and the dates. Then we would need a different machine set up."

The Oscar Mayer sausage company uses an automatic date coding device, which is hooked up to its machines. "It's very easy to apply the codes this way," said Charles Fensky of the firm's Wisconsin office.

"We might be able to change our codes to print out the month and the day, but we found that what we're using already is very workable," he said.

Sealtest is considering changing its code to one more easily discernible, according to Allan Molnar, who works with the manager of Sealtest marketing services in New York. "Nobody there knows what it will be, however," he said.

"If we coded our products more clearly, the shelf would become a hodge podge of women rummaging through to find the freshest goods," said Don Lewis, regional director of sales for Borden Dairy Products.

Ray Gannon of Frito-Lay said, "I think clear date coding of merchandise is some-

thing that the industry's going to have to take a uniform approach to. We've thought about it, but our competitors don't want to put a date code on their merchandise voluntarily."

[From the Miami News, July 1, 1970]

LISTING BY TYPES OF FOOD

(NOTE.—Below is a more detailed summary of the findings of Miami News reporters Barbara Micale and Linda Kleindienst during their tour of more than 50 Dade grocery stores. The listing is subdivided by types of food.)

EGGS

Chain stores apparently have different systems for date-coding eggs. Grand Union, Winn Dixie and A & P have most of their eggs marked with expiration dates. Publix does not. We were unable to figure out Food Fair's system.

Most cartons of eggs in Food Fair stores have a number on them but we got different answers in different Food Fairs as to what the numbers mean.

At the Food Fair in the 163rd St. shopping center, a clerk told us that the number was a code but he couldn't tell us about it because of store policy.

He said, "The other day some old lady who had apparently figured out the code was going through all the dairy products looking for the latest date."

At the Food Fair on NE 84th St. and Second Ave., a stock boy said that there is no expiration date on the eggs. Numbers, such as 6-3 and 6-4, are "package dates" put on by the company and the eggs have a shelf life of about 10 days, he said.

A manager at the Food Fair on Alton Rd. and 19th St., Miami Beach, said that the number represents the day the eggs are brought into the store.

We found no dates on eggs at the Thrifty Store on Washington Ave., Miami Beach. At the Publix on NW 103rd St. and Sixth Ave., we were told that only the cases of eggs—not the individual cartons—have dates. A store clerk said the eggs were put out fresh daily.

Art Calvert, South Florida regional director for the state Department of Agriculture and Consumer Services, discussed the Florida egg law with a Miami News reporter several months ago. He said the laws were ambiguous. "One part of the law says the expiration date must be on the individual cartons," he said, "but another section says it only has to be on the cases that come into the stores."

MILK

"There are no federal regulations regarding the date coding of milk," said Nancy Shaw, executive director of the Dairy Council of South Florida. "It is up to the individual companies to code their own products."

But the state of Florida has a stringent milk law, said Art Calvert, South Florida regional director for the Department of Agriculture and Consumer Services. "All milk and milk products must be Grade A. We are the only state in the country which requires this. We don't get milk from other states because it doesn't meet our bacteria count standards."

Milk should be kept at about 40 degrees, or else the bacteria will multiply much faster, Miss Shaw said. At this temperature it should keep four to five days, she said.

Milk stacked on top of other milk in grocery store cases should still be cold enough because of the air circulation within the cooler, Miss Shaw said.

However, John Eckhoff of the Dade County Health Department said that stacked milk will not always get the refrigeration it needs to stay fresh. He said his department is constantly citing local markets for this practice.

"Stores are instructed not to stack the milk. Managers usually say they do it only on busy days," Eckhoff said.

The majority of store personnel whom we questioned about milk date codes said they were unable to provide the information. Only through contacting the main office of the company were we successful in having the codes explained. For example, a Sealtest representative in Miami would only say that the milk was coded "according to lot." But by calling Sealtest in New York, we were able to find out the code.

OTHER DAIRY

Refrigeration, shipping and how long the consumer leaves the product in the sun, all contribute to the life span of dairy products, says Bert Hefner, Sealtest news bureau manager.

"People shouldn't get hung up on codes being a quality thing," he said. "They really have a very limited use."

"Sometime a woman will call up and say, 'I bought a package of cottage cheese that didn't have to be taken off the shelf until five days from now and it was spoiled.' So I ask her how long she had it out of refrigeration and she'll answer, 'Well, I stopped to talk to Aunt Tillie for a while.'"

Dammon and Sealtest explained their coding system to us when we made long-distance telephone calls and identified ourselves as reporters. Breakstone sent us a form letter it sends in response to all customer letters on the subject.

Borden refused to divulge its coding system. Don Lewis, regional director of sales for Borden, said "There is no intent to fool the customer." But he wouldn't tell us what the codes meant. "They are intended for us, not the customer," he said. "Any dairy will tell you it is in the customer's interest not to reveal the date code on dairy products."

PACKAGED MEATS

Copeland Sausage products have the expiration date stamped on the package. Other packaged meat products are not so easily deciphered, but one company, Oscar Mayer, did explain the coding system to us when we called.

Spokesmen for other packaged meat concerns were reluctant to discuss date coding. David Datz, spokesman for Hebrew National, refused to answer questions and asked for a letter from The Miami News requesting the information. A letter was mailed two weeks ago and no reply has been received.

Two stores had Hebrew National products with numbers such as 4-30 and 5-19 when we visited in mid-June but we were unable to get explanations of these numbers from store personnel or Hebrew National.

Ernest Hinterkopf, a spokesman for Dirrs, would not answer telephone questions about date-coding of Dirrs products. He asked for a letter, which was mailed to him June 22. We have not received a reply.

Arlene Christiansen, director of consumer and customer relations for Armour, said she could not explain the Code on Armour meats because she wasn't sure of it herself. "Codes on canned meats are regulated by the federal government," she said. "It's something we have to live with."

BREAD

Reactions varied when we contacted bread companies to ask them to divulge their date codes. With certain exceptions, we found that we got more information if we identified ourselves as reporters.

From Peter Weaver, consumer columnist for The Miami News, we had learned that in most instances bread codes are in the form of twists or plastic locks which seal the ends of the package. Each color stands for a different day.

Holsum informed us that even if they told us the code we'd never remember it because the colors change each week. A red twist may be Tuesday one week and Saturday the next.

A spokesman for Merita Bakeries said, "The color code is only for the drivers on

the pick-up trucks. It's no great secret, really, but we don't give out the information."

When asked for the code, a Dandee bread spokesman said, "I'm sorry but we don't give out that information."

A spokesman at August Brothers willingly explained the code and added: "Now you'll be sure to get a fresh loaf."

We called national headquarters for Pepperidge Farm and Arnold bakeries. Both explained the codes to us when we identified ourselves as reporters.

CEREAL

"Cereal is not like bread, where in two or three days it goes stale," said a Kellogg representative when contacted in Battle Creek, Michigan. "It is a long time before it goes stale and becomes unsafe."

He said that the date code consisted of a number for each month but refused to explain it further.

"All of the cereals have a different expiration date," he said. "Bran flakes keep longer than puffed cereal. The sales personnel rotate the stock and make sure it's fresh. We will continue to make sure that our customers get nothing but the best merchandise."

When we called Nabisco, we were told there was only one man in the entire organization who could explain the coding system and that he was out of town. A subsequent letter from Nabisco's legal department refused to divulge the codes.

[From the Maine News, July 2, 1970]

A QUICK COURSE IN CRYPTOGRAPHY

While most companies don't go out of their way to inform the consumer about date coding, not all of them are reluctant to disclose the information. Through investigation we were able to break the following codes:

DAIRY

Breakstone—Temp-Tee whipped cream cheese, cottage cheese (all styles), sour cream, midget farmer cheese, all yogurts and Swiss parfait:

The first four numbers printed on top of each package indicates the month and day after which the product should not be sold.

Of the four numbers, the first two represent the month; the last two numbers indicate the day. For example, the number 1003 means the 10th month, third day, or Oct. 3.

Three, four and eight-ounce packages of cream cheese (foll wrapped): The numbers stamped on either of the end flaps indicate the month and the day after which the cream cheese should not be sold. The numbers 3-31 would mean that the cheese should not be sold after the third month, 31st day, or March 31.

If the products are handled properly, they should stand up in good condition for about a week beyond the expiration date shown on the outside of the package.

Source: customer letter from Breakstone-Sugar Creek Foods.

Kraft—Cheese: There is a number code on the front of the package. For example 105AO. The 105 is the day of the year on which the cheese was packaged, the A is a code letter for where the cheese was packaged and the O means that it was packaged in 1970. (For last year, 1969, the end number would have been 9.)

Kraft cheeses have a shelf life of 150 days from the date of packaging.

Source: a Kraft representative.

Sealtest—Cottage cheese. Light 'n Lively ice cream and sour cream: these have a four-number code. Example, 0710. The first two numbers are the month and the last two represent the day. So a product with this code should be removed from the shelf by July 10.

Source: Allan Molnar, marketing services,

New York office, and Bert Hefner of Sealtest's news bureau, New York.

Velda Farms—Milk: There is a date embossed at the top of the carton showing when the milk must be removed from the shelf. For example, 28 would mean that the milk expired on the 28th day of the present month. The expiration date is five days from the manufacture date, although the shelf life of milk may be longer if properly refrigerated.

Source: Stan Hartman, Velda quality control director.

Farmbest Foods—Milk: A number and a letter are embossed on the top of the carton. The weeks are shown by letters, A, B, C, D. If there are one or two extra days in the month, they use the letter E. The day is coded in this way: Saturday 1, Monday 2, Tuesday 4, Thursday 5, Friday 0. If the milk carton had A5 embossed at the top it would mean that the milk was produced on Thursday of the first week in that particular month. There is no delivery on Wednesday.

Source: William E. Matthews, quality control.

Dannon—Yogurt: The first number of the code is from 1 to 6, which stands for January to June or July to December. The second and third are for the day of expiration and the fourth is a company symbol. For example, if the first three numbers are 110, the product should be removed from the shelf on July 10. (If you saw this in winter, it would probably mean Jan. 10.)

Source: Lloyd Shabel, routing supervisor.

Home Milk—There is a letter representing the week—A, B, C, D—and a number for the day. Milk produced on Tuesday of the second week of the month would have B2 embossed on the carton. There is no delivery on Saturday.

Source: a Home milk representative.

June Dairy—Eggs: They are numbered by consecutive days of the year and the number is the date that the eggs were packaged. For example, if the eggs were packaged on Jan. 1, the number found on the packages would be 1; if packaged on Feb. 1, the number would be 32.

The shelf life of eggs varies. If kept in 40-45 degree temperature, it could be two weeks before they suffer a quality drop from Grade A to Grade B.

Source: Harry Kiel, poultry division manager.

Grand Union and Winn Dixie Eggs—All marked clearly with expiration date.

BREAD

Pepperidge Farm—On certain bread and rolls, the calendar date is expressed as a fraction. For example $\frac{1}{4}$ is actually the 14th day of the month, the day it should be removed.

In Miami Pepperidge Farm bread goods are baked at Royal bakeries.

Source: James Laird, sales administration manager.

Holsum—The code is deciphered by the color of the twists on the bread. Each color stands for a different day. But the colors change every week. For example, a red twist could mean Tuesday one week and another week it could mean Saturday.

Source: A Holsum representative.

Arnold—It is tied with a plastic lock with a letter stamped on it. The code is derived through the word ARNOLD in reverse: Monday—D; Tuesday—L; Wednesday—O; Thursday—N; Friday—R; Saturday—A.

Source: written reply to reporter's inquiry.

Jane Parker—The day of the week is printed in large letters on the end seal.

Dixie Darling—The day of the week is printed on the colored twists.

August Brothers—This code is the color of the twists. Monday, blue; Tuesday, red or pink; Thursday, yellow; Friday, green; Saturday, white. There is no delivery Wednesday.

Source: August Brothers representative.

PACKAGED MEATS

Copeland—The expiration date is put on the package.

Oscar Mayer—This company uses a four number date code. To decipher 3253, add the first and fourth numbers which will give you the month. The second and third numbers are the day. The date for this example is June 25.

Source: Charles Fensky, Oscar Mayer spokesman.

Plumrose Ham—Example, 2303448. Add the first and fourth letter to arrive at the month. The second and third numbers added together give the day. This example is May 30. The remaining numbers are production information. The date is when the product was manufactured and the ham is guaranteed for eight weeks past that date.

Source: Martin Jensen, sales department supervisor.

POTATO CHIPS

Frito-Lay: This code is expressed in three numbers, the first is the month, the second is the day and the third, a letter, is the plant in which the product was manufactured. For example, if the code is 6 23 F, it must be removed from the shelf by June 23.

The date when it must be removed is determined by the date of manufacture and the size of merchandise:

Ten-cent bags of chips, etc.—25 days after date of manufacture.

Twenty-nine-cent bags of potato chips, Fritos, etc.—30 days.

Large size bags of Doritos, etc.—35 days.

Pretzels and crackers have a longer shelf life.

Source: Ray Gannon, sales administration manager.

REFRIGERATED ROLLS

Pillsbury, Borden and Ballard—all have the expiration date stamped on the bottom of the cans.

MACARONI

Muellers—Upright packages have the code embossed at the bottom. Long goods (for example, spaghetti) have it on either of the end seals. The code consists of the week of the year, the year and the shift during which it was packaged. For example, 230 would mean the 23rd week of 1970. The products last from four to nine months, depending on temperature and humidity.

Source: George W. Sherlock, vice president in charge of sales.

Mr. Speaker, I include an editorial from the Cleveland, Ohio, Plain Dealer, April 24, 1970, which reportedly led Lipton's regional representative to call upon the company's Boston office to terminate advertising with the Dealer. Lipton has placed no advertising with the Dealer since the editorial and does not have the paper on its current advertising schedule.

The editorial follows:

CONSUMER IS LAST TO KNOW

The number of persons who purchased and ate possibly contaminated soup mixes and frozen pizzas before the government publicly warned consumers of food poisoning dangers this week may never be known unless they become very ill or die.

Lipton Soup Co. began recalling five types of its soup mixes on March 25, when it wired its distributors that the packages could contain dangerous salmonella bacteria. The company failed to warn the buying public and the government did not bother telling consumers until its routine weekly recall list was distributed this week, then the soup items was 29th on a list of 32 recalls.

The threat of fatal botulism contamination of mushrooms on a brand of frozen pizza was discovered April 15 by the mushroom packager, who notified the pizza maker

and the U.S. Food and Drug Administration that day. No one bothered warning consumers of the danger until the FDA announced it April 23, a week later, and only then because distribution had been so extensive.

The FDA quietly, and in the smallest type it has, prints a weekly list of foods, drugs and cosmetics recalled from sale for reasons ranging from labeling mixup to lethal contamination. Rarely is additional warning given.

This latest example of FDA delay in warning the public of food poisoning dangers is typical. The agency admits recalls are never totally successful because an unknown amount of the products is purchased and consumed before the public is warned—if it is warned at all.

A recent study by investigators under consumer advocate Ralph Nader accused FDA of being more servant than master of the food industry it is supposed to regulate. The soup and pizza episode appears to support that conclusion. The consumer, who should have been warned at once, was in actuality the last to know of the danger to him.

Nader has said government recalls of food and drugs should not be hidden in fine type but announced at once by the Secretary of Health, Education and Welfare for widest possible news coverage and exposure. We agree. The public good demands no less.

Mr. Speaker, following is an article from the Des Plaines Suburban Times which prompted Mr. Villips of the National Food Stores' advertising department to call Mr. Herzog, the paper's publisher to complain about the paper's "irresponsible story about an irresponsible woman":

NATIONAL PICKETED BY NCU

Members of the National Consumers Union, a group of northwest suburban housewives, presented a list of demands to the National Tea Co. Friday while picketing the National food store at Wolf and Camp McDonald rds. in Prospect Heights. Several Des Plaines women were in the group.

An NCU spokesman said the group is not singling out the Wolf rd. store but that it is "symbolic" of problems prevalent in the National chain.

She explained that many NCU members boycott the Jewel stores because they sell grapes and so have aimed their demands at National as the other major grocery chain in the northwest suburbs.

While pickets carried signs saying "unfair business practices," "false advertising," "price mark-up" and "outdated foods," NCU officers presented their list of demands to the manager, Art Savage.

The demands: a retail price list be posted in a prominent place in all stores; all products advertised in the newspapers be priced in the stores as advertised; that scales be furnished for shoppers' use; all canned goods, produce, meats and other products be coded in such a way the consumer will know if it is fresh or outdated; established unit prices (price per pound); that meat and fowl that has been frozen be marked accordingly; soaps, household cleaners and detergents be marked for pollution content; enforced health regulations, and restroom facilities for shoppers.

Pickets showed reporters food items they said had been purchased in National stores the day before, including a jar of pineapple preserves code-dated December, 1968; rancid bologna sausage outdated for two months; a jar of honey code-dated 1-2-69.

They also complained the Wolf rd. store was marking up unadvertised meat prices and cited these comparisons between that store and one a short distance away in Wheeling:

Porterhouse steak, \$1.89 a pound on Wolf rd., \$1.39 in Wheeling; chuck roast, \$1.09,

Wolf rd., 99 cents, Wheeling; ham slice, \$1.39, Wolf rd., 99 cents, Wheeling; boneless pork roast, \$1.29 Wolf rd., \$1.09 Wheeling.

The NCU picketed the Wolf rd store two weeks ago and demanded that prices be the same as at a new National discount food store, the Elm Farm store, in Buffalo Grove.

Mrs. Heldt said that all products in chain stores are coded for dates, but "the system is so complex and so often changed, the average shopper cannot determine the freshness of the product by the present coding system."

She said NCU wants to see these codes translated into dates and the price determined by the freshness of the product. She said the NCU supports legislation introduced in Congress last fall requiring a final date food can be kept on grocers' shelves and that such date appear on all perishable and semi-perishable foods.

NCU officers said the demands are based on six months of research. Savage said the list was forwarded to National's Chicago division office and referred all reporters' questions to that office.

Mrs. Lynne Heldt, NCU president, said the organization has been communicating with National Tea Co. officials through their general counsel. "The offer to consider and discuss questions dealing with policies and operations of National food stores was initiated by the company," Mrs. Heldt said, "but NCU feels they have ignored reasonable requests, specifically in regard to the sale of outdated perishable food and the excessive marking up of unadvertised products over the retail price."

[From Straus Editor's Report, August 9, 1969]

EQUAL TIME—EQUAL SPACE?

In California next year a bill patterned after the FCC's Fairness Doctrine will be introduced in the legislature. Assembly Minority Leader Jesse Unruh is expected to push the move to make newspapers give equal space in reporting both sides of a controversy.

Spokesmen for Cesar Chavez' United Farm Workers' Organizing Committee say the action is prompted by "a news blackout" on the three year old grape boycott by five California dailies: the Bakersfield Californian, Los Angeles Herald Examiner, Oakland Tribune, San Pedro News Pilot and South Bay Breeze.

The Grapeworkers' Union says the papers won't run advance publicity of boycott activities, including the picketing of Safeway stores and parades, for fear of losing Safeway advertising revenue. Safeway is the largest retailer of grapes in California. The union says the chain is pressuring newspapers to ignore its activities—a charge that Safeway denies.

"Typical of the blackout," says L.A. boycott leader Richard Chenoweth, "was a recent parade through the suburb of San Pedro which ended in picketing of a Safeway store. The News Pilot refused to run any advance publicity, then didn't cover the parade although more than 300 people marched right by its office and saw reporters working inside."

Praised by grape boycotters for "fair" coverage were: the Fresno Bee, Los Angeles Times, Sacramento Bee and KNXT-TV in L.A.

[From the Chicago Journalism Review, June 1970]

NEWSPAPERS SEE NO EVIL IN SUPERMARKETS (By Ken Pierce)

At the food section of the *Chicago Sun-Times*, hot news means baked lasagna or veal roast. Only once have male editors at the paper carefully examined the section which food editor Camille Jilke prepares each week. That was the time Miss Jilke and her staff attempted to criticize the news-

paper's second largest advertisers: the supermarkets. The criticism was re-written—after screams from executives at Jewel Food Stores, objections from editors, and tears from reporter Beverly Bennett. The spiciest thing in the final version was a recipe for "feminine chili"—a chili that is more bland than usual, because it includes chunks of mushy avocado.

The idea of a critical feature on supermarkets grew last fall, when both Miss Jilke and Miss Bennett moved to the near north side. "That's when we started shopping at those atrocious stores," says Miss Jilke. "They were dirty, they displayed rotten produce, and they weren't as willing to refund money as the stores I used to shop at in the suburbs."

"Inflation was affecting prices too, so we thought it would be a good idea to tell readers about some of the shopping devices that would make their money go farther."

In their investigations of neighborhood stores owned by major chains, the reporters found:

Rotten produce. Old fruits and vegetables were sold for the same prices as fresh produce at the Kroger store on Barry and Broadway. They also discovered wormy broccoli at the Jewel on Broadway and Belmont. This contradicted the official policy of the chains, which is to sell fresh produce, and to mark down the price of deteriorating produce, when it is salable.

Fraudulent meat labels. At the National store at 2500 N. Clark, ground veal patties were labeled "veal cutlets." A cut slightly better than chuck steak was dubbed "beauty steak" (and sold at \$1.49 per pound) at the Treasure Island Food Store, 3450 N. Broadway.

Unwrapped margarine, which was smearing a dairy case and attracting flies, was discovered at the Jewel.

The reporters also found dirty stores, and the absence of advertised sale items.

"The original stories were rather strong," says one *Sun-Times* staffer who saw them. They were written as exposés, and conveyed the reporters' conclusions that they had uncovered offenses and malpractices.

Even so, the reporters did not name the offending stores. "The only time we use brand names," says Miss Jilke, "is to announce a new product or feature special recipes. Perhaps we ought to, but—" (the words left unsaid are clear enough to most local journalists: "but why try to get the newspaper to stick its neck out" is a possible emendation.)

Jewel found out about the section a week before it was to be printed in early February. A *Sun-Times* photographer, Carmen Reporto, was seen taking pictures of old produce in a Jewel store at Broadway and Belmont. The manager ordered him to stop. He didn't. Two clerks were assigned to block his photos while the manager called police and Jewel's executive offices. An executive phoned Miss Jilke and irately informed her that Jewel policy prohibits picture-taking in the store. Miss Jilke said she didn't know of the policy; she thought that, since the store was open to the public, photographs would be appropriate. The Jewel executive (public relations man William Newby) asked what sort of story Camille was planning to run, and she told him. He was very unhappy—especially because the store in which the photographer was discovered is not exactly one of Jewel's jewels.

Then Jewel called the advertising department of the *Sun-Times*. Jewel was assured that the paper was not going to name names. Jewel remained upset, and threatened to withdraw its advertising. (Jewel bought 1,100,000 lines of advertising in 1969 in the Field-owned *Sun-Times* and *Daily News*). Jewel's advertising vice president called and invited Miss Jilke to lunch—with several other vice presidents. But he did not confirm

the lunch date; instead, Jewel arranged a top-level meeting with *Sun-Times* Editor James Hoge.

According to Hoge, the meeting was called to discuss the presence of an un-authorized photographer on Jewel premises. The manager had accused the photographer of throwing catsup and uttering obscenities (apparently, these are standard canards in the arsenal of supermarket managers; the same offenses are often ascribed to militant consumer advocates), but *Sun-Times* editors stuck by their man. Hoge says that Jewel executives did ask what the paper was planning to print, and he described the section, responding to Jewel's anxiety by stating that the paper was still engaged in its research. Thereafter, says Hoge, he was not involved in editing the section.

However, Feature Editor Bob Zonka found himself slaving for the first time over the food section, and he asked the reporters to re-write it. After one re-write, the section was postponed, because there wasn't enough time for Zonka to scrutinize it.

Zonka told CJR:

"There was no pressure on me to edit a puff piece—no pressure from anyone. There was pressure on Camille, but it was from me—to do it right as I saw fit."

There was another re-write before the section finally ran on February 27, headlined: "Shopper, pick up groceries and unite."

That headline did not reflect the tone or the content of the final version, which now looked generally like the standard advice to housewives (A sample: remember that bone and fat are included in the weight of meat.) Most of what the reporters had found was still vaguely present in the section, but the "malpractices" and "offenses" were buried at the end of long stories, and they were stated hypothetically, to make it clear that the paper was not saying they exist. (Sample: "If shoppers feel their stores keep their produce on the shelves too long, they should point it out to the managers, say consumer experts.")

This is known as "watering" a story. It allows the paper to claim the key ingredients were used, something like the invisible traces of chicken in chicken noodle soup. There was no hint in the 12-page section that reporters—or the newspaper—had discovered anything wrong anywhere. The ground veal patties and the "beauty steak" were buried way down in a friendly story called "A Meaty Subject," and the produce story—opaquely titled "A Fresh View of Produce"—rapidly (and properly) quoted chain policy: sell fresh produce, reduce the price when it's old. Chain stores were caught violating this policy by the *Sun-Times*' own reporters—but you'd never learn that by reading the *Sun-Times*.

Omitted entirely were the dribbling margarine, the wormy broccoli, and the Jewel manager who called police to bar photographs of his merchandise.

Included was a picture of pears. You think they are nice pears if you just glance at them; if you look closely, you wonder if those shadows on the pears may be spots on the fruit. The only explanation is this brief caption:

"There is a great pear crop this year so if pears are bruised or in poor shape, it is the store's fault," says William Lomasney, produce expert for the University of Illinois Agricultural Extension Service."

Beverly Bennett pulled her byline from the final version of her produce article. Asked why she removed her byline, she said: "I could not stand behind the story as it ran. I do not feel it represented the facts. We might as well have said, 'If you happen to find a blue man from Mars in the grocery section, report it to the manager.'"

Diluted as the section was, Miss Jilke told CJR that she was not entirely unhappy about the re-writes. She said that it was the first

food section in a Chicago newspaper to attempt food reporting from a critical consumer standpoint, and she feels that the rewrites also resulted in improvements in the stories; she and Miss Bennett contacted and quoted more experts and store policies while making the revisions. She praises feature editor Bob Zonka for urging her to do this. About editor Jim Hoge, she says:

"I think Jim Hoge did a great thing. I knew after I had discussed the stories with him that we could go ahead with this."

Miss Jilke also points out that the incident marked "the only time that advertisers have tried to influence editorial copy" in the five years she has been food editor.

Prodded by CJR, she continued:

"It's also the only time in five years that I've tried to be that critical."

It's not surprising that advertisers try to throw their weight around with the newspapers—and the supermarkets have a lot of weight to throw. One supermarket advertiser estimates that the chains spend about 15 million dollars per year in the Chicago metropolitan advertising market. Chain store advertising accounts for about 10 per cent of all advertising linage sold by the afternoon papers, the *Chicago Daily News* and *Chicago Today*.

"The supermarkets don't try to pressure us any more than any other advertiser," explained one newspaper advertising executive who asked not to be identified. "Sometimes we will call the editorial department and make sure they've considered all sides," he continued, "but the decisions about the news are made solely by the editorial department." Sometimes, it's worse than that, of course. But usually, the advertisers do not pull the strings directly, or dictate policy to the papers. They don't have to.

All by themselves, journalists worry about damaging reputations (of advertisers as well as other respectable newsmakers).

And they worry about libel suits, so they don't like to print too many negative things about private or commercial activities; these may result in court cases. Editors have to choose which critical news stories are worth the trouble and expense of developing legal proof.

The limited budgets, libel laws, and something that might be called a gentleman's code of honor all lead editors to give every break to established businesses, advertisers or not, and to agonize more about offending business than about leaving the consumer in the lurch.

Lloyd Wendt, editor of *Chicago Today*, told CJR that "We have no special sensitivity about the supermarkets. I've never been confronted with the problem." Yet he also said, "If just anybody said there was old food at the Jewel, I don't think we would run it. It depends on whether the newspaper feels it can prove it, or whether the statements are privileged matters of record so we won't have to defend for libel."

Don Michel, an assistant managing editor at the *Chicago Daily News*, added:

"Whenever you do a consumer story, you always have to worry about any harm you may do."

Perhaps—but, as Michel also believes, journalists ought to print true stories whether or not they will produce disturbing results.

Michel killed a story which *Daily News* reporter Diane Monk wrote about a group of housewives who criticized supermarkets and organized the National Consumers Union. He told CJR he was worried that the group which claimed only 50 members, might be primarily interested in seeking publicity.

Miss Monk asked for time to check the group's charges, and to evaluate the group's activities. Michel refused to allow her staff time for the story.

CJR has not discovered any direct adver-

tiser influence in Michel's decision to scrap Miss Monk's story. It was not printed in the *Daily News* apparently because Michel did not feel the group was big enough, reliable enough, or important enough to warrant a story—and because he felt that the *News* could not afford to take the time to check further.

Miss Monk's story was informative and rather tame, certainly it was suggestive.

Decisions like Michel's explain why Chicago's newspapers seem to speak in two voices on consumer issues: the twang of Ralph Nader, and the ooze of Betty Crocker.

[From the Chicago Journalism Review, June 1970]

A STORY THAT DIDN'T FIT IN PRINT

(NOTE.—Following is an article on the National Consumer Union by Diane Monk of the Chicago Daily News. The article did not run because editors thought the NCU might be seeking publicity.)

"If you look at the faces of women entering a supermarket," said Mrs. Marian Skinner of Wheeling, "you see that most of them are angry."

Mrs. Skinner certainly is angry—about the prices she pays and the "appalling conditions" she says exist in her local supermarkets.

That's why she founded the National Consumers' Union (NCU) last September.

The union's numbers are small (about 50 dues paying members) but its goal is massive: Organization of consumers on the local level for collective bargaining with retailers.

And for its first target, NCU picked a giant: the grocery stores. Specifically, this means the six large companies that sell approximately 90 per cent of the food purchased in the Chicago metropolitan area.

"Suburban women could become just as aroused as ghetto women are about what goes on in their supermarkets—if they could be educated to think about their rights as consumers," said Mrs. Skinner, who has worked with Operation Breadbasket on ghetto grocery store inspections.

"If she knew the facts, every suburban housewife would be on the picket line in front of her supermarket," added Mrs. Lynne Heidt of Prospect Heights, another of NCU's founders.

Borrowing a technique from Operation Breadbasket, NCU uses store inspections to educate, and hopefully, to recruit prospective members.

The union's major complaint about all supermarkets and major food manufacturers is that generally secret codes are used to indicate the "shelf-life" of perishable products.

"And all products are perishable," noted Mrs. Heidt. "Some things, like canned goods, last longer than others, but nothing lasts forever."

Mrs. Skinner and Mrs. Heidt charge that both supermarket managers and food manufacturers refuse to explain their code-dating systems to the public, and that it is therefore possible to sell out-dated merchandise for its full price—in the affluent suburbs as well as in the ghettos.

On their inspection tours of northwest suburban supermarkets, NCU members also claim to have discovered short-weighting of meats by butchers, freezers with temperatures many degrees above the level required to keep frozen foods fresh and generally dirty and unsanitary conditions in many stores.

NCU charges, too, that many advertised sale or budget prices are not reduced prices at all.

"Just ask any woman to show you how her food budget has decreased because of advertised cuts in prices," suggested Mrs. Skinner. "You'll probably get the answer we're trying to document: That the prices haven't really gone down."

NCU members currently are comparing one large chain's special prices with previous prices charged for the same items in the same stores.

After checking several hundred items advertised as reduced, Mrs. Skinner reported she has found only nine price changes—and four of the items were marked up, not down.

NCU (which is not affiliated with the Consumers' Union, publisher of Consumer Reports) belongs to the Illinois Federation of Consumers, a 2-year-old, statewide group with 150 organizations and 300 families on its membership rolls.

The federation has one paid employee, Mrs. Helen Nelson, an economist who serves as executive secretary.

And Mrs. Nelson, who also is associate director for research and development of the Center for Consumer Affairs of the University of Wisconsin at Milwaukee, is a firm believer in consumer unionism of the type NCU hopes to achieve.

"Manufacturers have insulated the market from the consumer's traditional function, which is to enforce competition," said Mrs. Nelson.

"Jazzed up packaging and massive advertising campaigns make it very difficult for the individual shopper to compare prices."

Mrs. Nelson blames advertising costs for many high prices. As an example, she cited figures on one breakfast cereal. The figures, compiled by former President Johnson's National Commission of Food Marketing, showed that 22 percent of the money spent in bringing the cereal from the farmer to the consumer went into advertising and promotion. Another 13 percent was spent on containers and supplies.

"The farmer is getting less than he did 10 years ago," she said, "although the consumer is paying far more."

"There isn't much an individual consumer can do," admitted Mrs. Nelson.

"An organized group effort is necessary to give the consumer the power to bargain before he gets to the checkout counter."

Marian Skinner and Lynne Heidt say that such an organized group effort is what they hope NCU can become.

"So many women tell us, 'I'm sympathetic, but I'm dependent on this store.'"

"Well, we've got to show each woman like that that the store is dependent on HER, and that self-interest is the issue that concerns her, even if poverty and hunger do not."

[From Consumer Reports, March, 1965]

A STORY FOR OUR TIME—OR, WHAT IS THE CHAIRMAN OF GENERAL FOODS REALLY TRYING TO SAY TO MARY JONES?

It will soon be four years since Senator Philip A. Hart began the exhaustive inquiry that led to the proposed Truth-in-Packaging bill. With five volumes of hearings and a favorable Subcommittee Report behind it, that legislation is to have another chance in this session of Congress. But something has been added to the legislative outlook. This year the food industry has succeeded in pulling its pressure groups together for an all-out, no-holds-barred drive to defeat Truth-in-Packaging.

It has taken time to orient fully such a behemoth as this \$80,000,000,000 industry can command. There are over a hundred separate national trade associations in the food processing business alone, among them such giants in their own right as the National Canners Association. Then there are the organizations of the industries selling packaging supplies and equipment to food processors—the bottlers, box makers, glass manufacturers, paperboard suppliers, packaging machinery manufacturers, and the like. There are also the many trade associations of food brokers, wholesalers, retailers, and supermarket chains. And there are those in the

allied industries selling in food outlets—branders of soft drinks, paper products, household supplies, etc. Beneath this array of national groups are thousands of state and local replicas. At the peak of the pyramid is the Grocery Manufacturers Association, known in the trade as GMA. And finally, there are the two super-peaks—the Chamber of Commerce of the United States and the National Association of Manufacturers.

DESIGN FOR POWER

Despite its proportions, communication throughout this commercial network is fairly effective. A trade press serves each particular group. National, regional, and state conferences are held annually, and between times trade association secretaries at all levels can keep in close touch with their members. Thus any one of the organizations at any time, or all of them at once, can be deployed in a legislative drive. Local bottler association, for example, can take over the job of talking to Congressmen in their home areas while Chambers of Commerce whip up a letter-and-telegram campaign to Washington, D.C., where the big-time GMA lobbyists pinpoint the pressure on the leaders of both the House and the Senate.

There is nothing new or unknown about all this, of course. The struggle for consumer legislation usually encounters opposition in depth. The novel thing about Truth-in-Packaging is that a fortuitous set of circumstances gave the consumer an early edge, which so alarmed the industry that it has come right out into the open with one of the most shameless power plays in some time. The story of how it happened is a most instructive tale of our times.

A DIVIDED BEGINNING

The consumer's initial advantage derived from the division that deceptive packaging had wrought in the ranks of the food giants. As self-service in supermarkets came to dominate food retailing, the package became an important brand-switching device—that is, a means for diverting customers, at the point of sale, from Brand A to Brand B. In this respect, packaging functioned as brand advertising always has; but unlike advertising, over which some controls exist, the use of packaging as a promotional weapon was practically uncontrolled. In any hard-sell game lacking rules and a referee, the play is bound to get rough. And so it did in packaging. As the pace of sharp practices succeeding sharp practices speeded up, the packagers themselves were harried by the rat race. Thus when Senator Hart launched his inquiry into deceptive packaging, some elements of the food industry were not too unhappy.

The consumer testimony at those hearings, however, came as a dreadful surprise to the industry. Sellers, preoccupied with their own aggravations had ignored the effect of their conduct on consumers. However, as one witness after another cited packaging malpractices in baby foods, cereals, cooking oils, canned goods, cake mixes, detergents, frozen foods, cookies, candy, crackers, scouring pads, paper napkins, soft drinks, fruit juices, bread, toothpaste, bacon, et al., the point got across. *Advertising Age* was moved to comment:

"There are a good many things about governmental probes that we don't like, and we have the continuing feeling that the investigators can do better with their time and energies in most instances, than by fooling around with relatively minor points in marketing or advertising.

"Yet we must confess that, as consumers, our sympathy lies with the statements of Senator Hart's subcommittee which concern deception, and particularly deceptive packaging. It would be nicer, we think, to live in a simple world in which 'pound' packages contained 16 oz., and not 15 or 14½; in which 'quart' bottles were actually quarts, not fifths, or even maybe 25 oz.; in

which packages containing the same weight or volume didn't look as though one were twice as big as another . . . and so on.

"Individual sizes and shapes, we suspect, have been created to the point where they no longer serve any useful purpose, even as merchandising devices. A little standardization might help everyone."

Other trade papers were also impressed. *Food & Drug Packaging*, for example, described the testimony as the "rumblings of consumer discontent" erupting "into a full-blown packaging controversy." But it was not the trade comment that jolted the food industry. It was what occurred in the public press, and on radio and television.

Consumer issues, especially those dealing with such economic cheats as deceptive packaging, seldom receive much attention from the mass media. This time it was different. Although no one could say that the nation's news services were swept off their feet, they did report the issue. Moreover, deceptive packaging made good pictures. So deceptive packages were shown before a few television cameras to illustrate what consumers were complaining about, and headlines like "The grocery cart is being used to take shoppers for a ride" topped news stories. Columnists took up the theme to produce copy like this, from "Our Man Hoppe," in the *San Francisco Chronicle*:

"My trouble is I'm a Good Shopper. And I demand the Best Buys. Which is really very simple. Because the law says the net contents must be labeled on every package of edibles. . . . So all you do is divide contents into price. . . . So I look at my list and it says '1 lb. rice.' Fine. Did you know you can't buy 1 lb. rice? Not in my supermarket, you can't. You can buy 14 oz. for 29¢, 12 oz. for 25¢, 1 lb. 12 oz. for 35¢, 1 lb. 8 oz. for 47¢ or 2 lbs. 10 oz. for 59¢.

"The rational way to approach this is to figure the cost of each per pound. Simple. A pound is 16 oz. Thus our formula in the first example is: 14 is to 16 as 29 is to x. So 14x equals 16x29, which is . . . Well, you know. And so forth."

It hardly needs saying that many newspaper editorials called Senator Hart silly ("our housewives are too smart to be fooled") or sinister ("regulation will curb the freedom of enterprising packagers"). But the food industry, so long accustomed to a docile press, was not looking for a dialogue. The trade paper *Packaging* pointed to the industry's objective when it wrote in the August 1962 issue, "If we don't smother all this talk about how the consumer is being deceived and cheated, our whole economy will emerge sell shocked."

By that time, more than a year after the first hearings, a second set of hearings was in the offing, this time on the legislation that had developed out of the investigation. The food industry had meanwhile pulled itself together. It was opposed to any packaging law. And it was even more opposed to any further exposure of its misdoings.

It fell to the lot of the president of the Grocery Manufacturers Association to make the food industry's position unmistakably clear to the nation's news media. So a few months before the second set of hearings began in March 1963, GMA's President Paul Willis laid it on the line in a speech at the Television Bureau of Advertising's annual convention. He told his audience that he had met with 16 top management people from national magazines. "We wanted to discuss with them the facts of life covering advertising-media relationships," he said. He reported that he had suggested to the publishers "that the day was here when their editorial department and business department might better understand their interdependency relationships as they affect the operating results of their company; and as their operations affect the advertiser—their bread and butter."

The magazine people, he continued, had understood. They had begun to run articles to create "a favorable public attitude" toward food advertisers. He regretted, however, that he could not say "similar nice things about the relationship of our advertisers with television." Television stations received, he pointed out, "about 65% of their advertising revenue from GMA members." These advertisers, he said, "have seen some television newscasts where they seemingly took great delight in bellowing out stories that were critical of this industry." He referred to Senator Hart's hearings specifically in complaining of critics who "used isolated cases as examples of wrongdoings and smudged the entire food industry." And he closed his remarks with a question: "What can you do additionally that will influence your advertiser to spend more of his advertising dollar with you?"

The broadcasters, it appeared, knew the answer. Except for a mention on NBC's *Huntley-Brinkley Report* and a reference on that network's program *Calendar*, television, so far as CU has been able to find, paid no attention to the 1963 packaging hearings. On radio, only the labor-sponsored commentator, Edward P. Morgan (ABC) gave news about them. And since then, several scheduled television appearances of Senator Hart have been cancelled. "Off the record, I was told advertisers had objected," he said.

THE NEW PHASE

So the food industry enters the 1965 legislative year with its trade groups coordinated and the news media under control. A new phase begins in the campaign against a deceptive packaging law. An article in a recent issue of *Look* may suggest what this new phase is.

Look was named by GMA's Paul Willis, along with *Reader's Digest*, *Life*, *Saturday Evening Post*, *Ladies' Home Journal*, *Good Housekeeping*, and others, as being among the magazines whose editorial departments had agreed to cooperate with food advertisers. In the January 26, 1965, issue, *Look's* editorial pages displayed the by-line of an advertiser, Charles G. Mortimer, Chairman of General Foods Corp., as the author of an article, "Let's Keep Politics Out of the Pantry."

Mr. Mortimer's essay elaborates familiar themes. He salutes the American housewife, whom he calls Mary Jones. He finds her a shrewd and happy woman—shrewd because "when it comes to clever buying" she "can give lessons to a Yankee horse trader" and happy because "she takes it for granted that what she has bought is the purest, most nutritious, easiest-to-prepare food the world has ever seen." He pays handsome tribute to the laws safeguarding our food in making his point about how confident Mary Jones can be when she shops, evidently assuming her (and the reader's) unawareness of the fight the food industry waged against the passage of the very laws he praises. (Recorded against his own company, incidentally, are 28 violations in the last 25 years against one of those laws, the Federal Food, Drug and Cosmetic Act.)

What disturbs him deeply, Mr. Mortimer writes, is that "Mary Jones probably does not know" that her great good fortune as a food shopper results from "the machinery of free competition"—a free competition that is "the heart of our free-enterprise system." The sophisticated reader will find Mr. Mortimer's eulogies to competition even more intriguing than his found protestations on behalf of existing governmental regulations over food. For he is, after all, the chairman of a food combine that is the nation's largest and a prime example of what the Federal Trade Commission has called "economic power and market concentration created by the great merger movement." General Foods was created in the 1920s by mergers; it grew into a huge empire by still other mergers

(it markets 250 products); it is currently challenging an FTC order, issued under the anti-monopoly law, to dissolve a more recent merger; and the earnings from its many merger-acquired companies are such that it commands over \$100,000,000 worth of market-manipulative advertising power a year.

Yet the chairman of the General Foods Corp. finds competition endangered by, you guessed it, Senator Hart. The sequence of his thought gets a bit fuzzy as he develops that idea. It seems to go like this: Competition is good. The food industry has made Mary Jones happy and that is a good thing. So the food industry is good. Therefore the food industry is competitive. Ergo anything that might upset Mary Jones is an attack on competition. And that is what "some Government officials . . . 'playing politics in the pantry'" are up to. They are causing "consumers to question the very system the Mary Joneses of this country find so satisfactory." Esther Peterson, the President's Special Assistant for Consumer Affairs, is the only government official named, aside from Senator Hart. When she urged housewives to send in complaints to her, she "created doubts in the minds of consumers where none had existed," thereby threatening the happy, but apparently fragile, confidence of Mary Jones. Senator Hart's threat is, of course, Truth-in-Packaging.

IF INTEREST SHOULD PROVE HIGH

After the article appeared, Senator Hart wrote to *Look's* publisher and editor-in-chief, Gardner Cowles, pointing out that the legislation had been inaccurately described, suggesting that there was another side to the packaging issue, and asking whether he (Senator Hart) might not be given the opportunity to clarify some of these matters for the reader of *Look*. Mr. Cowles replied, saying: "I will be interested to see how much attention the general public pays to this subject in the next several months." If interest should prove high, he might consider asking the Senator to do something on the subject, he indicated. He went on to say, however: "It is my present guess that the public does not feel any strong need for reform in the area Mr. Mortimer was discussing; but I could be wrong."

Look added a final filip to its latest venture into cooperative publishing by taking full-page ads in other magazines, including a number of the trade journals read by GMA members, to publicize its sponsorship of "this compelling article." And very likely *Look* will pull out the plums that go with being such a good boy. The comic opera aspects of Mr. Mortimer's overtures to Mary Jones and *Look's* unabashed exploitation of them, however, cannot lighten the somber implication of this story for our times.

Mr. Speaker, following is a section from an article by Senator PHILIP HART, "Can Federal Legislation Affecting Consumers Be Enacted?", which appeared in the Michigan Law Review, May 1966:

D. THE IMPACT OF THE PRESS

It is true that the National Council of Senior Citizens recently devoted two full pages of its monthly tabloid to an article on the bill and urged its enactment.¹⁸ However, such a presentation does not have the impact of the multi-page article, "Let's Keep Politics Out of the Pantry," by Charles G. Mortimer, Chairman of General Foods Corporation, which appeared in the January 26, 1965, issue of *Look Magazine*.¹⁹ The author of the latter article presented a broad attack on the Truth-in-Packaging Bill and various other consumer programs of the federal government. In denying my request to present the consumers' side of the argument, the

publishers of *Look* stated that they did not think another article was warranted, since it was their impression that the public did not feel any strong need for reform in the area of packaging and labeling. However, my files contain about ten thousand letters from consumers which give some indication of the public's interest in reform in the area. In fact, I also have numerous copies of letters that consumers sent to *Look*, but which were never published.

This experience with *Look Magazine* is particularly interesting in light of a speech before the Television Bureau of Advertising's annual convention in November 1962.²⁰ The speaker was Paul Willis, who was at that time president of GMA. He commented on a meeting he had conducted with sixteen top management people from national magazines "to discuss with them the facts of life covering advertising-media relationships."²¹ He reported that he had suggested to the publishers that "the day was here when their editorial department and business department might better understand their interdependency relationships as they affect the operating results of their company; and as their operations affect the advertiser—their bread and butter."²² Mr. Willis noted that apparently the publishers had understood, since they had begun to run articles to create "a favorable public attitude" toward food advertisers.²³

Apparently his meeting was effective in other ways as well. Two of the magazines whose publishers met with Mr. Willis—*Reader's Digest* and *The Saturday Evening Post*—commissioned writers to produce articles on my Truth-in-Packaging Bill but never printed the stories.

In 1963 my office sent background materials on Truth-in-Packaging to the leading women's and home magazines on the theory they might be interested in writing something—pro or con—on the bill. However, none of the magazines was interested in discussing the bill, and Jose Wilson, food and features editor for *House & Garden*, was quite frank in his reply: "I think the bill is certainly needed but I doubt whether we can mention it editorially."²⁴ In fact, there was a total blackout on Truth-in-Packaging by mass circulation magazines until a *Coronet*²⁵ article last year and one by *Pageant*²⁶ this year. These two magazines were not mentioned by Mr. Willis as being among those with whom he had met. It also should be noted that *Pageant* carries no advertising and *Coronet* carries no food advertising.

Opponents of Truth-in-Packaging also have made use of canned editorials, such as those circulated by the United States Press Association, which has access to 1,199 weeklies and 150 dailies.²⁷ A congressman reading his mail will recognize these as canned editorials because they are sent to him from several different papers at the same time. However, the typical reader of a local newspaper has no way of knowing that such an editorial represents industry's view of pending legislation and not that of his local editor. In an article on these editorial services, *Harper's Magazine* reported that the National Association of Manufacturers has sent out editorials for three years which have been picked up, usually verbatim, by six hundred daily newspapers.²⁸

Numerous other journalistic resources, such as the internal publications of industry-sponsored organizations, also have been utilized in the effort to defeat the bill. For example, a recent *Federal Legislation Report* of the Michigan State Chamber of Commerce was devoted entirely to Truth-in-Packaging. The position of the National Chamber of Commerce was reflected quite clearly in this report, the first sentence of which began: "The Hart packaging bill (S. 985) whose

false front of 'consumer protection' masks an extreme degree of federal regulation of business. . . ."²⁹ Two paragraphs were devoted to comments in support of the bill, but the bulk of the report (thirty-one paragraphs) expressed arguments against it. These opposing arguments ended with the statement:

"Inescapably, one concludes the Hart bill is not really aimed at consumer protection, for that's already available in existing law. The measure is little more than a federal grab for power to make decisions that heretofore have been made by consumers and by business—a power grab based on the fallacious concepts that the consumer is Casper Milquetoast, Business is Al Capone, and government is Superman."³⁰

Readers were urged to inform the Senate Commerce Committee of their opposition to the bill, and the pamphlet suggested that "similar communications from any of your suppliers and business associates would be useful."³¹

Actually the Michigan Chamber of Commerce was more reserved in its evaluation of the bill than many of the other industry spokesmen. One representative of the National Association of Manufacturers, Mr. D. Beryl Manischewitz, testified:

The effect of this bill, if enacted, will flow into hundreds of communities in every State, influencing the commerce and industry, the payrolls, and the economies of those places.

The jobs of designers, artists, engineers, molders of glass and plastic, steel and tinplate workers, machinery workers, and employees in paper mills, printing plants, advertising agencies, and many others will be regulated or jeopardized by this bill.

In one way or another you may expect a disruption of these enterprises, their employees, their suppliers, their investors, and the smaller services which surround them. . . .

The inevitable effect of the bill will be to roll back the packaging and marketing revolution of this generation. Had we lived in recent years under such a law, we would not buy our products as fresh, as clean, as unbroken or unspilled, as accurately measured, as easily handled or as cheaply as we do today.³²

Mr. Albert W. Wilson, editor of the trade magazine *Pulp & Paper*, expressed the industry's position succinctly in the headline of his editorial against the bill: "That phony Hart bill is back again—threat to mills, labor, whole economy."³³ While the editorial undoubtedly represented the industry's view of Truth-in-Packaging, it apparently did not reflect the sentiments of some of the employees. One industry secretary tore the editorial out of the magazine and sent it to me with the note, "I'm all for you."

FOOTNOTES

- ¹⁸ Senior Citizens News, Jan. 1966, p. 4.
- ¹⁹ *Look Magazine*, Jan. 26, 1965, p. 80.
- ²⁰ For a complete transcript of the speech, see *Hearings, supra* note 12, pt. 1, at 479.
- ²¹ *Id.* at 481.
- ²² *Id.* at 481-82.
- ²³ *Id.* at 482.
- ²⁴ Letter to Author From Jose Wilson, Food and Features Editor, *House & Garden*, June 17, 1963.
- ²⁵ Hart, *Don't Be Fooled by Deceptive Packaging*, *Coronet*, April 1965, p. 10.
- ²⁶ Hart, *The Great Food Packaging Deception*, *Pageant*, Jan. 1966, p. 94.
- ²⁷ See Bagdikian, *Behold the Grass-Roots Press*, *Alasi*, Harper's, Dec. 1964, p. 102.
- ²⁸ *Id.* at 103.
- ²⁹ MICHIGAN CHAMBER OF COMMERCE, FEDERAL LEGISLATION REPORT (1965).
- ³⁰ *Id.* at 2.
- ³¹ *Ibid.*
- ³² *Hearings, supra* note 12, pt. 2, at 552, 565.
- ³³ *Pulp & Paper*, April 19, 1965.

AN ADDRESS BY PAUL S. WILLIS, PRESIDENT, GROCERY MANUFACTURERS OF AMERICA, INC., BEFORE THE EIGHTH ANNUAL MEETING OF TELEVISION BUREAU OF ADVERTISING, INC., NOVEMBER 16, 1962, WALDORF-ASTORIA, 12:30 P.M., STARLIGHT ROOF

IN 1962 GMA MEMBERS WILL INVEST \$1.2 BILLION IN ADVERTISING

In your publicity covering your annual meeting, you say that industry is learning that it cannot increase sales just by increasing production and pushing more products through the distribution pipeline. It is the customer's pull that determines sales today, a pull transmitted through the chain of demand.

Our manufacturers as well as the distributors—wholesalers and retailers—have been keenly aware of this for a long time. That is why they are annually investing so many millions of dollars in advertising and promotions. The theme of your meeting, "The Chain of Demand," is right down our alley.

GMA—WHAT DOES IT DO?

Before discussing your theme, I want to tell you a little bit about GMA—who we are and what we do. Our membership includes the leading manufacturers of this country that produce most of the food and grocery items sold in supermarkets throughout the United States. In addition to the regularly accepted items that make up the grocery basket, our manufacturers produce soft drinks, beer, cigarettes, beauty aids, general merchandise items—most of the branded products available in supermarkets. In recent years many manufacturers who heretofore sold their products primarily through other channels, and who are now marketing them through supermarkets, have joined GMA, and we have been very helpful to them.

GMA provides many services.—We have 20 working committees on which some 800 people serve actively. This includes committees on marketing, advertising, public relations, trade relations, employee relations, traffic, agricultural relations, broker relations, legislative, consumer services and so on. Our members look upon GMA as their organization to provide leadership with the trade, the public, the Government, communications, press, and so on.

INDUSTRY GROWTH

Our industry has had a fabulous growth, especially within the last two decades. It grew from a \$16 billion annual business to an estimated \$80 billion in 1962. This growth did not just happen because people have to eat, or because of population increases. Had we depended on these two factors only, our total annual food consumption bill would probably now be \$40 billion instead of \$80 billion. This extra growth resulted from many things * * * good management at all levels, fine teamwork among all segments of the industry, heavy investment in research, new and improved products, modernization of plants, new equipment, automation, and very importantly, advertising and promotions. It was the combination of these many factors that helped to promote this extra growth, and the industry is moving right ahead—spending more dollars for advertising, etc.

CONSUMER BENEFITS

This industry has made great contributions to the American people and to our total economy. Today's homemaker has the distinct privilege of selecting her groceries from an assortment of some 8,000 items instead of a limited selection of 1,000 items as before. Two-thirds of today's items are either new or were materially improved within the past 10 years. She prepares her three daily meals of nutritious, tasty foods for a family of four, in 1½ hours compared with an earlier time requirement of 5½ hours.

Today's food products, in many instances,

are far superior in nutrition, tastiness, safety, variety, and reliability of quality.

Today's new household items with their built-in maid service provide many timesaving devices which have materially lightened the homemaker's chores. Largely because of the availability of safe, tasty, nutritious foods, and the public's greater understanding and appreciation of the value of good eating, the American people, as a nation, are healthier now than ever before. Children are taller. Sports records are continuously broken and the lifespan is constantly increasing. The American consumer never had it so good. The press apparently likes this way of stating the point and picked it up.

COST-OF-LIVING INDEX

While our Government's overall cost-of-living index shows an increase of 17 percent within the last 10 years, exclusive of food, we are highly pleased to say that the cost of our Government's standard "grocery basket" costs no more today at the supermarket than it did 10 years ago. This standard grocery basket set up by the Government contains some 80 selected basic grocery items carefully weighted as to consumer usage. It is the composite cost of this grocery basket that the Government uses as a monthly measurement of food prices at the grocery store. Whenever we make the statement that today's grocery basket costs no more than it did 10 years ago, it naturally raises eyebrows for some people spend more dollars now at the supermarket than before.

There usually is a practical explanation for this. The family may be larger today, and growing children require more food. People are also buying different and better foods. Additionally, they buy many other items at the supermarket: Magazines, cigarettes, stockings, kitchen utensils, etc. * * * all are paid for out of the grocery budget.

Recently, you have seen several magazine and newspaper articles on "Why Our Food Is a Bargain." That is a correct statement, as it relates to the overall cost-of-living items, and especially when measured in terms of hourly wages related to purchasing power. Ten years ago, in 1952, the American factory employee worked 51 hours to earn enough money with which to buy the Government's monthly market basket of farm foods. This year, in 1962, 10 years later, he earns enough money from 37 hours of work to buy the same standard "market basket." He has the income of 14 hours work for spending for other things * * * a real contribution to our total economy. In this country, we spend about 20 cents of our dollar income, after taxes, for food. This leaves 80 cents available for buying other things. In Russia they need about 50 cents of their dollar to buy foods.

PROMOTION-MINDED INDUSTRY

Our manufacturers are highly promotion-minded. In 1962, they will be investing \$1.2 billion in advertising. A 1961 listing of the top 100 advertisers in 7 media showed that 30 of the first 50 manufacturers belong to GMA, and 57 out of the top 100. In addition to media advertising, our GMA members spent many millions of dollars in promotional material and in the marketing of their products.

This year they will invest \$120 million in research for the creation of new products and the improvement of their old ones, and new uses for them.

We are very promotion-minded.

INDUSTRYWIDE TEAMWORK

Our industry has a splendid record of teamwork cooperation of all the segments which make up the lifeline from farm to table. Our manufacturers enjoy a fine relationship with each other, and we work in fine harmony with the six national distributor associations and their members. This fine teamwork cooperation has contributed greatly to improving the facilities of dis-

tributing our products to the American people.

CONSTANTLY CHANGING INDUSTRY

Today's success of a company's business carries no survival guarantee for tomorrow. Many products which were considered old standbys yesterday have been replaced with improved models or with different products serving the purposes more efficiently and economically. Examples: Cake mixes have reduced the needs for baking powders and other ingredients. Detergents have taken the place of soap in many instances. Instant and frozen products have become regular household items. Any concern that does not invest heavily in research, in advertising, in new and improved products will find it increasingly difficult to keep pace with progress.

COST OF ADVERTISING

For this audience, it is not necessary to comment upon the rising cost of advertising, whether it is per page or per broadcast. You know the story, and GMA members know it. Our manufacturers are great users of advertising. Naturally, they are concerned about the rising costs, not only covering advertising, but all costs. While costs are increasing, competition is growing constantly more severe, and the rate of profit per dollar sales is heavily squeezed. What I want to say is that manufacturers must constantly realize a greater sales return from their advertising dollar. How can we bring this about?

Last year we met with 16 top management people of national magazines. We wanted to discuss with them the facts of life covering advertiser-media relationships. We pointed out that many years ago the advertising department of the manufacturer and the sales department operated independently of each other, even though both had the same purpose, namely, to increase sales. Management did something about it. Now manufacturers are coordinating the work of both departments, and they key into the director of marketing. Both departments supplement each other. Taking a page out of that book of experience, we suggested to the publishers that the day was here when their editorial department and business department might better understand their interdependency relationships as they affect the operating results of their company; and as their operations may affect the advertiser—their bread and butter. While emphasizing that we would fight to the hilt to preserve their freedom to publish material of their own choice, at the same time, we invited them to consider publishing some favorable articles about the food industry instead of only singling out isolated cases of criticism. Certainly there are many fine things to say about this industry of interest to their readers; and as the readers turn the pages and come across an interesting article, they will react more favorably to the advertisement, and be more inclined to purchase the product.

We can point with pride to some of the things which have happened since our visit.

Look magazine ran an article explaining the cost-of-living index published monthly by the Government.

Reader's Digest, an article on "Why Our Food Is a Bargain."

American Weekly, an article on "Are Food Prices Too High?"

This Week magazine, "The Greatest Food Show On Earth."

Saturday Evening Post, an article exposing the food faddists.

Good Housekeeping magazine, on labeling, Ladies' Home Journal, a series of articles on food.

Life magazine, several institutional ads, and is devoting its total November 23 Thanksgiving issue to food.

We could mention many other consumer

and business magazines that carry frequent favorable articles about this industry, like Family Circle, Women's Day, Food Field Reporter, and so on.

These articles will surely help to create a better understanding of this industry and a favorable public attitude toward it. And our manufacturers—your advertisers feel more friendly to the management people.

ADVERTISER AND TELEVISION RELATIONS

I wish that I could say similar nice things about the relationship of our advertisers with television. Even though the networks receive about 65 percent of their advertising revenue from GMA members, there is lots to be desired as it applies to our relationship with their top management. We are not aware of any great amount of cooperation which television has extended to us in passing along interesting, favorable information to the public, information such as appeared in the magazine articles. The newspapers throughout the United States publish a great deal of information relating to food prices, food supplies, nutrition, and so on.

I have before me an article appearing in the Hammond (La.) Sun with boxcar headlines: "How about a great big hand for our food enterprises?" We have stacks of such clippings from hundreds of newspapers. In contrast with these favorable items, we have seen some television newscasts where they seemingly took great delight in bellowing out stories that were critical of this industry. And they told only the critical side. It seems to us that television stations, which have a great influence and responsibility for forming public opinion, would want to report both sides of the story—the whole story. We are not aware of any attempts by television stations to verify the accuracy of critical statements, or to obtain the other side of the story. The press communicates with us freely when statements of doubtful accuracy are received.

Another comment: When our Government's monthly cost-of-living index shows an increase, commentators make a big deal out of it, even though the increase as it applies to food might be one-tenth of 1 percent—the equivalent of about 3 cents a week added to the cost of the family grocery bill. Usually such increases apply to seasonal items which are certainly not a necessity for the consumer when she can select from some 8,000 other items.

There is plenty of interesting material available about this industry for radio/TV use, and broadcasting such information should create a better public attitude, the advertising would be more effective, and the advertiser would get more for his advertising dollar. It is something to think over.

GMA ANNUAL MEETING

We just finished our 54th annual meeting—a 5-day meeting, including five luncheons and three dinners. It began with the GMA Food Forum on Friday. We had our regular meeting on Monday, Tuesday, and Wednesday; and on Thursday an all-day meeting devoted to "General Merchandise."

We dedicated our meeting to the consumer—our boss. Our theme: The Food Industry Salutes the Consumer.

We considered it appropriate to present a public story about this industry's accomplishments so that people will have a better understanding of what we do and how they benefit; and therefore they will not be as easily misled by the misinformation fed them by the propagandists.

Media was well represented. Participating in the program we had six people from the national magazines, two from the daily press, and two women from radio, and, of course, our Thursday luncheon speaker was your own Pete Cash.

The need of expanding our communications was stressed throughout. We all recognize that we are moving into an era when

we must do a much better job of communicating with the American people, with our employees, with Government—with everybody.

Doing a good production and distribution job, and supplying great varieties of tasty, nutritious foods at reasonable prices seemingly is no longer enough. This may appear strange but it is nonetheless so. Why is it necessary to move communications up to the top for priority attention? Because in this country we have people who make a living out of faultfinding and harassing industry. And the fine communication facilities and free speech make it possible for them to get their story told.

At last year's hearings conducted by Senator Hart's committee on packaging, labeling, etc., the professionals had a field day. Using clever phrases and isolated cases as examples, they charged this industry with offering deceptive packages, slack-filled packages, mislabeling, insufficient labeling, and misleading promotions. In our industry we have some 300,000 retailers, some 20,000 manufacturers who produce the 8,000 items available in supermarkets, and a total business volume of about \$80 billion. In any industry as large as this one and so involved, it is normal that some things will go wrong. By clever wording they used isolated cases as examples of wrongdoing and smudged the entire food industry.

Even though we deplore some of their tactics, the professional voices of the consumer serve a useful purpose. By pointing out any shortcomings, they alert management to re-examine its own operations and make whatever corrections are indicated. So, while we welcome constructive criticism, at the same time we must be sufficiently capable to get our story across to the American people to retain their confidence in us so that they will continue buying our advertised products.

THE CHAIN OF DEMAND

I want to come back to the theme of your meeting and to your statement that today it is pull that determines sales rather than push. As stated earlier, we fully agree with that. Our manufacturers and distributors are convinced of this and, therefore back up their conviction by investing more and more advertising dollars every year.

Spending the advertising dollar has become a science in selecting where to spend his dollar—the advertiser must assure himself of getting the best sales results. He will place increased dependence on specific information as to the net effectiveness of media, as opposed to information now available on gross exposure of readers, viewers or listeners. So, it makes good sense that the advertiser and media cooperate to the fullest in working for the greatest sales results.

I close my remarks with a very pertinent question: What can you do additionally that will influence your advertiser to spend more of his advertising dollars with you?

[From Life magazine, January 26, 1965]

LET US KEEP POLITICS OUT OF THE PANTRY

(By Charles G. Mortimer)

The typical American housewife is intelligent, experienced and better informed about running a home than her counterpart in any preceding generation. Let's call her Mary Jones. Right now, she's shopping at her favorite supermarket. Because it, too, is typical, its shelves are lined with some 8,000 different items. Yet Mary Jones knows just what she wants, and she gets it. Into her cart go the prepackaged meats, quick-frozen vegetables, canned soups, frozen juice concentrates, prepared cake mixes, heat-and-serve rolls and all the other good things the Jones family will have served up to them at their dining-room table in the week to come.

As she leaves the supermarket, Mary Jones takes it for granted that what she has bought

is the purest, most nutritious, easiest-to-prepare food the world has ever seen. Having spent 40 years in the food business, I can attest to the fact that her assumption is correct and, what's more, that the prices she has paid are the most reasonable to be found anywhere on earth.

But what Mary Jones probably does not know—and what disturbs me deeply—is that the machinery of free competition which has made ours the best-fed nation on earth is in danger of being tampered with. It is being attacked by certain people in Government who have the perverse notion that the Mary Joneses of America need more Government protection than the ample safeguards they already have.

The danger is substantial, but before I describe what I call "politics in the pantry," I would like to cite a few facts that show just how great a value food is in today's America. Since her family is average in size and income, we'll use Mary Jones as our example.

Back in 1948, out of every after-tax dollar earned by the Joneses, about 26 cents went to buy food. Today, because food prices have gone up less than other prices, and because incomes have soared, food purchases take only 19 cents of each take-home dollar. So the Joneses now have 81 percent instead of 74 percent of their net income left over to spend on everything else, from clothes and household furnishings to insurance and their children's education.

Compare this with conditions in other countries. In England, the average family spends 29 percent of its income on food. In France, 31 percent. In Japan, 47 percent. And in that so-called workers' paradise, Communist Russia, food takes fully half of each family's after-tax earnings.

But even this isn't the whole story. The Joneses are eating far better than the families in these other nations—and better, in fact, than the Joneses themselves used to eat, just a few years ago. They are eating more and choicer cuts of meat. They are eating foods never before matched in purity or nutrition. And they are eating delicious new foods—many of them "convenience" products that sharply reduce the amount of time Mary Jones must spend in her kitchen.

Thanks to these new products, Mary's daily cooking chores take only 90 minutes. (Not many years ago, women used to spend more than five hours preparing a day's meals.) With this extra free time, many Marys—14 million of our American housewives—are able to hold outside jobs as well as run their homes, thus contributing in a very material way to a better standard of living for their families.

What makes it possible for Americans to eat so well and so conveniently for so little? The answer lies in two potent forces that protect the housewife as she pushes her shopping cart down the supermarket aisle.

The first of these forces is the necessary and comprehensive Government regulation that is respected and adhered to by the various segments of the vast food industry. Through laws now on the books, Government agencies effectively safeguard the purity of food products and control of the information printed on food-container labels.

The second protective force is competition—the heart of our free-enterprise system. This force has been a mighty factor in making America's abundant food supply the finest to be found anywhere in the world. It is a major reason for all those new food products, since each processor is constantly seeking ways to gain new customers.

The wooing of consumers through new and improved products has wrought a tremendous change in the nation's eating and food-preparation habits, a change more sweeping than many people realize. A friend of mine told me recently that he was in his kitchen one afternoon when his wife returned from a food-shopping trip.

"I looked at what she had bought—things like precooked rice and a prepared cheese-and-noodle dish—and I realized that more than half the items weren't even on the market when we were first married. Why, I'll bet," he said, "that there have been over a thousand new food products in the past 20 years."

His estimate was low. My own company alone introduced some 50 new food items in just the past year. The entire industry spends over \$100 million annually on research and development of new grocery items.

With America's thousands of food processors competing for consumer patronage in a free economy, and with our Government enforcing essential health and labeling regulations, the food shopper is in an enviable position indeed.

Recently, however, some Government officials have started playing "politics in the pantry." Belatedly, they have "discovered" the consumer as a politically potent entity. That's quite an audience because, of course, everybody is a consumer. So they are pitching emotion-charged appeals to that audience. Through headlinemaking innuendos, they imply that America's food-marketing system needs to be watched and regulated even more closely than it is.

Here are a few of their actions that are causing consumers to question the very system the Mary Joneses of this country find so satisfactory:

Sen. Philip Hart (D., Mich.) has introduced what he calls a "truth in packaging" bill. It implies that food manufacturers are taking advantage of consumers through deception in the sizes and weights of packages and the information printed on labels. Among other things, this bill with the politically appealing name would give the Government the right to dictate weights and other standards for food-product containers.

Mrs. Esther Peterson, Special Assistant to the President for Consumer Affairs, has held four consumer conferences at which housewives were not only invited but urged to submit complaints about the products they buy in their chosen supermarkets or other retail stores.

A National Commission on Food Marketing has been launched amid speculation that it would result in an expose of what some members of Congress have called "profiteering by middlemen" at the expense of both farmer and consumer.

Ostensibly, these actions were taken to help the consumer. Actually, they could, if implemented, hurt him. At the very least, they represent an unwarranted and unnecessary intrusion by Government into the American marketplace.

Take Senator Hart's bill, for example. It ignores completely the fact that price competition is by no means the only competition which benefits the consumer. By making all packages "look-alikes" on the shelf, restrictive legislation would stifle innovation and put a halter on an indispensable form of competition: the freedom to bring out packages which are easy to open, easy to close, easy to handle, easy to store. Each of these represents an added value passed on to the consumer. My own company, for example, wouldn't have introduced instant coffee in a carafe or table syrup in a reusable pitcher if consumers didn't prize these containers as added values.

Advocates of more Government controls insist that food shoppers are often misled by nonstandard package shapes and deceptive labels. This is just not true. Any manufacturer who tries to trick the housewife into buying his product by packaging or labeling it deceptively will soon go out of business. She may buy it once, but she'll never buy it again. And since marketing a food product involves heavy costs, no processor

can remain solvent on one-time sales. He depends on repeat volume.

Another contention of those who advocate still more governmental control is that labels are "hard to understand" and that the consumer is "confused" by odd-ounce weights on packages. Their assumption, apparently, is that package sizes and weights are produced willy-nilly. Again, my own company offers an example of the absurdity of that kind of thinking. We pack vanilla pudding and chocolate pudding in the same size box. As rightfully required by law, the label on every package shows the weight of the contents. The vanilla-pudding weight is three and one-quarter ounces, while the chocolate-pudding weight is four ounces. The reason is that this is the quantity of pudding mix which, in the case of each flavor (as stated on the label), will yield exactly four servings of one-half cup each when blended with two cups of milk.

Because of the difference in the density of the two flavors, to pack the vanilla in a four-ounce size would necessitate giving America's housewives recipe directions with an odd measure of milk to be added—and more servings than she has planned on.

Is this what the consumer wants? Is this a Federal case—a matter calling for enactment of legislation by the Congress of the United States?

While Congress considers the demands for unnecessary new limiting controls, Mrs. Peterson has been holding public meetings and frequent press conferences inviting homemakers to register complaints.

I want to make it clear that I regard and respect Mrs. Peterson as a conscientious and dedicated public servant. But she is part of a political party and subject to pressures aimed at currying favor by offering the consumer "more protection," whether it is really needed or not.

The fact is that despite the best of motives, her consumer conferences—with their emphasis on complaints—have, in my opinion, resulted in more harm than good. For one thing, they have unnecessarily created doubts in the minds of consumers where none had existed, and indeed where none are warranted. For another, they represent just one more intrusion by Government into an area where, in our free society, Government does not belong.

But even more ludicrous than the politically slanted campaign to prod complaints from consumers is the image drawn of the typical American housewife. In their attempt to show why the housewife needs more Government protection, proponents of additional controls have created the impression that she is a timid, naive, confused little woman, hopelessly gullible, bewildered by the endless variety of products on the grocery shelves and exposed, as she shops, to the machinations of lurking, profit-hungry figures who dominate the food business.

This, of course, is utter nonsense. I can testify from experience that when it comes to clever buying, the American housewife can give lessons to a Yankee horse trader. She knows exactly what she wants, and she knows precisely what it's worth to her. And if you don't provide her with what she wants at what she considers fair price, you won't get her as a customer.

What politicians don't seem to understand is that no manufacturer can "force" a consumer to select his product, out of all those displayed, any more than a politician can "force" a voter to pull the lever by his name in a voting booth. Politicians need to be reminded also that we in the food business are up for election all the time.

Where a politician has to run for office once every two, four or six years, every shopping day is election day for us. The homemaker casts her ballot—for or against—by taking our product off the shelf or leaving it there. She can make or break a product

and can even "vote" a company right out of business. Every major food processor has in its files the stories of products that were developed at great expense only to languish on supermarket shelves because they failed to win a sufficient number of purchases by the only person qualified to control the American food industry: the American housewife. So my image of the American consumer is quite different from the one shared by the proponents of more and more Government regulations. The consumer is smart. She is alert. And she *very effectively does everything* that is necessary to keep the food processor in line.

All this is not to say that Government involvement in business is all, or per se, bad. The National Commission on Food Marketing, for example, could be a very good thing. The study the Commission will complete by next July 1 could help bring to Americans much-needed understanding of how our advanced society gets food from farm to table. It could, for example, clarify just who is really a farmer, by distinguishing between those rural dwellers who raise crops for a living and those whose main income is from industrial employment, even though they do "farm" some very small acreage as a sideline.

Most importantly, the Commission's study could clear up, once and for all, the question of just what a "middleman" is. For centuries, this word has carried a connotation of "all take and no give." Since earliest civilization, a middleman has been pictured as one who buys cheap and sells dear, contributing nothing to the value of the goods in the process.

That probably was true, way back. But today, the villain the politicians are chasing is no villain at all. Far from it. In our urbanized, industrialized society, the middleman is the one who takes raw food from the farm and then makes it possible for people to eat it.

Milk in a pail at a farmer's gate is worth nothing to the nine out of ten Americans who live off the farm. As a weekend dairy farmer, I am only too painfully aware of that. Consumers can't possibly all drive out and get their daily quart. The only way milk takes on value is through its availability when and where the consumer can conveniently get it. In other words, consumers simply won't pay for wheat in the barn, peas on the vine or hamburger on the hoof.

The food marketing chain of events encompasses all the vast activity that goes on from farm gate to checkout counter. This has created and sustained the nation's market for processed farm products. And this adds value after value—at a reasonable cost—every step of the way.

I said the cost is reasonable. It is, in fact, surprisingly low. For example, the U.S. Department of Agriculture reports that the homemaker gets frozen orange-juice concentrate for less money per glass than she pays for juice she squeezes from fresh oranges. Similarly, a cup of excellent instant coffee costs her less than one she brews herself. She also saves money, as well as work by buying processed frozen or canned peas and corn, frozen lima beans and spinach, canned spaghetti and chicken chow mein, among a great many others listed as bargains by the U.S. Department of Agriculture. Yet politicians prattle about consumers being "forced" to buy processed, packaged foods at premium prices.

Instead of hurting the farmer, the food-marketing complex actually helps him. It helps him just as it does the consumer. For at the same time that it makes it possible for people to eat, it creates sales for the farmer's crops.

We hear much about how small a share of each dollar spent for food goes to the farmer. Yet, the fact is this: If every single dollar of corporate profits made by the food marketing industry were eliminated—that is, all the profit of processors, wholesalers, food chains

and independent food retailing corporations—the total marketing bill would be reduced only enough to add a single percentage point to the farmer's share of the retail food dollar.

So the farmer certainly is not victimized by the food marketing system. Neither is the homemaker. Yet the politicians say both are, and demand stricter controls.

Actually, my great concern in all this is not alone for the food industry, but for the free society of which the food industry is such a vital part. What disturbs me most is the destructive impact a heavier hand of Government is bound to have on the free choice we Americans now enjoy. For we are faced with the grim prospect of having Government officials tell the consumer what products she can buy and what kind of package she can buy them in. We see vote-conscious politicians informing the housewife that she doesn't really need all those things she's been purchasing; she has merely been gulled into wanting them.

The point really at issue—the point involving one of our cherished freedoms—is simply this: Who is to say what is a need and what is a want? Shall we, as individuals, continue to determine the answer, or shall we leave it to an all-wise, paternalistic Government to decide?

I feel the danger is most acute in the area of food distribution. For in any standard of living, food is the number one requirement. Before he can do anything else, man must satisfy his hunger and be nourished in the process.

As certain people in Government with political motives champion the case for more and more controls, there are others, fortunately, who speak out for freer free enterprise. Rep. Catherine May (R., Wash.) made this statement, lauding the American homemaker for her competence and discrimination:

"She [the homemaker] has done and is doing a wonderful job in needling, inspiring and in regulating American business enterprise. And to reward her, I want to protect her. Not with more Government regulations and laws. I want to protect her freedom of choice. I want to protect her right to reward or punish the businessman. I want her to stay the boss of the marketplace. As long as she is, there's no danger to our free-enterprise system."

LOOK MAGAZINE,
New York, N.Y., February 2, 1965.

Mrs. ESTHER PETERSON,
Special Assistant to the President for Consumer Affairs, Executive Office of the President, Washington, D.C.

DEAR Mrs. PETERSON: Thank you for your recent letter regarding the LOOK article "Keep Politics Out of the Pantry."

We do not plan to hold a "debate" on this subject, but we do appreciate your offering to engage in one.

Sincerely yours,

ROBERT MESKILL,
Assistant Managing Editor.

[From Life Magazine]

(NOTE.—These are the only letters to the editor printed following the Mortimer article.)

PANTRY POLITICS

Thank goodness someone has finally exploded the myth that the American housewife is a starchy-eyed knucklehead whose virtue may at any moment be compromised by a sequined can of tomato paste [Let's Keep Politics Out of the Pantry, LOOK, January 26]. . . . Senators and congressmen, please note: With millions of others, this little housewife . . . enjoys the color and variety competition lends to an otherwise dull chore. . . .

HELENE SILVERBERG,
Brooklyn, N.Y.

Your article . . . was most interesting and timely. Free enterprise cannot withstand abuse from either side, be it private or governmental. . . . As a farmer, I am in the production side of the food industry, and we are having the same kind of troubles. . . . I feel that these [farm] problems are brought about by the vast changes in science and technology and the failure of some of us to adjust to these changes. I say some of us, for many farmers not only adjust to these changes, but in many cases help to bring them about, to the benefit of all of our people. Ill-conceived, short-sighted, political farm programs have greatly aggravated this condition. Less than half of us are producing over 90 percent of all agricultural products and could get along very well without handouts and interference. The larger half of us producing less than 10 percent are not a farm problem, but a social-welfare problem. Yet our Government insists on lumping us together as one set of statistics to suit political aims. America is the best and cheapest fed nation in the world. I hope that [those] in processing and distribution can work with us in production to lessen the burden of needless Government interference.

H. SWART,
Wilmington, N.C.

HOUSE AND GARDEN,
New York, N.Y., June 17, 1963.

Mr. JERRY KABEL,
Press Secretary to Senator Hart, Commerce Judiciary Committee, U.S. Senate, Washington, D.C.

DEAR Mr. KABEL: As Living for Young Homemakers was merged with House & Garden in January 1962, your letter and information on Senator Hart's bill, addressed to Mrs. Evans, was passed to my department.

I think the bill is certainly needed but I doubt whether we can mention it editorially. However, I have passed the material on to our Managing Editor, Mrs. Roche, and if she feels there is any possibility of an article or editorial comment I am sure she will get in touch with you regarding further developments.

Sincerely,

JOSÉ WILSON,
Food and Features Editor.

VIETNAM: ONE MEMBER'S VIEW

The SPEAKER pro tempore (Mr. GRAY). Under a previous order of the House the gentleman from Indiana (Mr. HAMILTON) is recognized for 30 minutes.

Mr. HAMILTON. Mr. Speaker, though the report of the Select Committee on U.S. Involvement in Southeast Asia is now available, I want to give to my colleagues my individual views on our continuing involvement in Vietnam and the other countries of Indochina.

SUPPLEMENTAL VIEWS TO THE REPORT BY THE SELECT COMMITTEE ON UNITED STATES INVOLVEMENT IN SOUTHEAST ASIA, JULY 9, 1970,
LEE H. HAMILTON

You find in Vietnam evidence to support the point of view you had when you arrived. The complexity and the variety of the scene is such that the "hawk" and the "dove" will each observe, investigate and leave, assured of the wisdom of the view he had when he arrived.

Thus, I make no claim to an objective report. I add this supplemental view to the report filed by the Select Committee Chairman simply to pass on to my colleagues several of my observations about this unhappy land which has in recent years been too much with us.

CAMBODIA

The Cambodian venture has relieved the enemy pressure in the III and IV Corps areas.

In each of these areas, the number of enemy-initiated incidents is sharply down. So far as I could determine, there has been little impact from Cambodia felt in I and II Corps.

Almost everyone with whom we talked in Vietnam, including critics of the war, readily admitted that the enemy caches discovered have been significant. The Cambodian venture disrupted the supply and communication lines of the enemy, caused much equipment to be captured, relieved the pressure in the South, increased the confidence of the South Vietnamese, and provided a breathing space of uncertain duration for many provinces.

It did not, however, accomplish all its objectives. The Communist headquarters was not found and negotiations were not advanced.

The final judgment on the crucial question of whether the Cambodian venture will speed U.S. disengagement must await political developments.

Apart from the rapid progress the enemy has made in extending control over large areas of Cambodia since the United States incursion into Cambodia, serious questions remain in my mind about the impact of the U.S. move, among them, these:

Has it hindered a negotiated settlement because Hanoi's suspicion is deepened that the U.S. does not intend to leave, and Saigon, in its new found military confidence, is more resistant to negotiation?

If it has been such an outstanding success, why cannot the schedule of troop withdrawals announced before the venture be accelerated?

If South Vietnamese troops have difficulty making their homeland secure, will they be spread too thin to take on the burden of defending Cambodia? The more area there is to defend, the more advantage to the practitioners of guerrilla warfare.

To what extent is the United States now "committed" to Cambodia? As small weapons are supplied, air strikes continued, and economic assistance planned, the risk is that the United States is being drawn into another unpromising commitment and caught in a whole new set of problems.

What is the danger of an outbreak between the South Vietnamese and the Cambodians, long-standing enemies?

Has the United States, by going into Cambodia, proved itself unpredictable and able to strike at the enemy, or has the U.S. domestic upheaval over Cambodia signaled to Hanoi that the President's options in Southeast Asia do not permit escalation?

Could the undoubted beneficial results of the Cambodian venture have been achieved without the high political cost at home, if South Vietnamese troops had been exclusively used to search the sanctuaries?

These questions will be debated endlessly. Suffice it to say they cause me serious enough doubt to discount the euphoric rhetoric of success that has come from high places.

At every turn we were told that the enemy can take all of Cambodia, if he wants it, and nothing short of massive United States intervention could stop him. If he does not want it, and the weight of opinion, at least for the moment, apparently is that he does not, current levels of American and South Vietnamese assistance are sufficient to enable a non-Communist government to survive. The fragility of the Lon Nol government confronts the United States with some very hard options. My own view is that the United States should not introduce troops into Cambodia, and should avoid massive aid or other steps leading to a new and continuing involvement. The vital interests of the United States are not directly threatened in Cambodia.

SOUTH VIETNAMESE GOVERNMENT

The Thieu government is in firm control politically. However, I saw little evidence

that he is popular and little indication of a serious challenge to him.

Politics in South Vietnam is controlled by a military oligarchy. President Thieu appoints the province chiefs and the district chiefs, and almost all of them are military personnel. President Thieu controls the military, or vice versa, and it is difficult to determine which is the case.

We should not deceive ourselves about the nature of the South Vietnamese government. It is not a democracy, and we should not pretend that it is. There has been much arbitrary use of power.

Truong Dinh Dzu, who finished second to Thieu in the Presidential race, was sentenced to five years in prison for advocating a coalition government. A military court has sentenced Thich Thien Minh, a leader of a Buddhist faction, to ten years at hard labor for concealing weapons and illegal documents. Thieu has demanded that the parliamentary immunity of two deputies be revoked because of Communist activities, and his handling of these cases has been severely criticized. Newspapers are frequently suspended for publishing offensive material.

My suspicion is that this arbitrariness will probably not abate, and might even get worse as the economic and political pressures become more acute.

Corruption has not been eliminated from the South Vietnamese government and there is very little prospect that it will be. Several American province and district advisers pointed out to me that a district chief, for example, simply cannot live on his salary and it is expected that he will "cheat" here and there.

The political and economic problems of the Thieu government are very severe and the prospect is for no relief. At the moment inflation is severe and the people of Saigon are as much concerned about it as about anything else.

In recent months the opposition to the government from militant Buddhists, students who feel they have no future, veterans who feel they have been shabbily treated, numerous politicians and several newspaper editors has become much more vociferous. However, none of these groups has been able to develop a formidable, united challenge to the present government.

One of the political pressures building up on the South Vietnamese government is the density of population. Saigon, for example, now has an estimated 2.2 million people and the resulting density is approximately twice that of Tokyo. The urban problems that result create enormous political and social unrest.

All these matters create an explosive political situation.

There are some encouraging signs that a representative government can be developed. One official spoke to me about the astonishing interest in the provincial elections. I visited several political meetings occurring in the provinces and they are not dissimilar to those I attend in the United States. Candidates spoke and urged the local populace to vote for them in the election. The high percentage of voter turnout in local elections should be appraised carefully. Pressure is exerted to turn out, and the elections tend only to ratify existing authority. It might even be a sign of maturity in the democratic process if the percentage of voters dropped.

But this democracy, rudimentary although it may be, has in it the seeds of promise.

The political developments, then, are a mixed bag. Democracy is struggling to be born and I would like to believe it will prevail, but no one can make that assurance.

ARMY OF THE REPUBLIC OF VIETNAM (ARVN)

I was continually impressed with the importance of the role, actual and potential, of the ARVN. They must bear the burden of

local defense and security, but beyond that they are the primary available instrument of political, economic, and social reconstruction.

There has been improvement in the ARVN forces. Their confidence after Cambodia almost approaches a state of euphoria.

Although American military officials generally are pleased with their progress and have high praise for the performance of several units, they observe that in certain critical areas—for example, in helicopter capability—the ARVN is far short of proficiency.

PACIFICATION

Pacification has had its ups and downs, but in 1969 rapid progress was made.

Although there has been some slowing in the rate of progress in recent months, the general feeling, especially in the III and IV Corps areas, is that pacification will continue to improve. Virtually everyone with whom I talked, American and Vietnamese alike, felt the program is better organized and is generating real progress. My own travels in three of the four Corps areas by jeep and helicopter, often without the presence of security guards, is evidence of this progress.

The Hamlet Evaluation System (HES) has measured progress in pacification since 1967. It was frequently criticized for presenting an overly optimistic view, and in early 1970 was revised to reduce the optimistic bias.

Most officials think it is a useful device. President Thieu, for example, uses it to put pressure on his province chiefs, because he regards it as a definite measure of their performance.

Several key American officials suggested that one of the most heartening signs in Vietnam is the continual improvement in the quality of the province chiefs. The province chief is, of course, an absolutely crucial local figure. I met with several province chiefs and discussed their problems at some length. I was impressed with their grasp of local problems, their sense of urgency for development and nation-building. My impressions tend to confirm the observations of the American officials.

I found among the Vietnamese people both respect and fear for the Viet Cong. They respect their discipline, but they fear their brutality, their heavy taxes and the fact that they draft their sons, who are often never heard from again. More and more, the indication is that the South Vietnamese dislike the Viet Cong and see that they do not tell the truth about the government of South Vietnam or the United States. More and more, South Vietnamese believe that if the Viet Cong would go away they could lead better lives. This is a healthy and an encouraging development.

We must continue to push South Vietnam hard in the area of land reform, local self-government and the protection of basic human rights. We cannot expect too much. Vietnam just is not the kind of a country where democracy is going to operate without problems.

It is critical that the government's land reform program, now announced, be implemented successfully. It would transfer ownership of 2.5 to 3 million acres of land to peasants who now cultivate it, and would affect 800,000 families. It could do more than any single thing to stabilize government control in the countryside. The land reform program constitutes a basic factor in the peasant's attitude toward the war.

THE UNITED STATES ROLE IN VIETNAM AND IN ASIA

The United States must consider Vietnam in the context of Asian policy. I believe we should downgrade United States interest in Southeast Asia, and certainly subordinate it to our interest in Japan. We should be interested in the long range development of

the nations of Southeast Asia, but our immediate, vital interests are limited.

I came away from Vietnam with a keen appreciation of what we cannot do. In a word, we cannot build a nation for the South Vietnamese. By the expenditure of enormous resources, we have given South Vietnam a chance to survive, and that's probably the best we can do. Their severe political and economic problems can only be solved by them. We can do our best to assist them through economic and technological aid, but as much as we would like to, we cannot assure their security, their prosperity or their democracy.

A key to our future Asian policy is to recognize our limitations in bringing about development in Asia. I was impressed by the amazing visibility of the American presence in Vietnam, Thailand, Okinawa and Japan. It is bound to be, and is, a point of friction. Our policy should be to adopt a lower profile or posture than has been the case in the past.

The United States should do all it can to encourage and support an Asian collective security system, and supply economic and technical assistance, but we should be most reluctant to commit American troops. We must look to the nations that are threatened to provide the manpower.

An important step in the future of the United States in Asia is to end in an orderly way our involvement in Vietnam. This will be a task calling for the utmost skill. The nervousness of friendly Asian leaders about the U.S. role in Asia is apparent. They genuinely fear that the United States will desert them. They accept the fact of U.S. disengagement reluctantly. One of the things I tried to do in my conversations with South Vietnamese citizens was to persuade them that the United States is withdrawing and moving out. Although they invariably nodded their heads in assent, I wondered whether they actually believed it with the still-massive American presence all around them.

We are in better shape in Vietnam than we have ever been before, and after five years of major combat, we have done about all we can do. We ought to accelerate withdrawal if at all possible, being careful to protect the United States position in world affairs, to insure the safety of United States forces and to encourage the safe return of American prisoners of war.

CON SON PRISON

I commend my two colleagues for their investigation of Con Son Island prison, and I share their shock at the inhumane conditions they found. American officials should take immediate steps to advise the Saigon government that we will not support a system which tolerates that kind of treatment of persons.

The gravity of their disclosure extends beyond humanitarian considerations. United States policy in Vietnam depends upon the stability of the South Vietnamese government. The conditions at Con Son raise fundamental questions about the nature of that government and its capacity to deal with dissent and opposition, and to make the kind of political adjustments necessary to keep the country from exploding.

MISCELLANEOUS

(1) *Appreciation for United States Personnel.*—My observations would be incomplete without a word of appreciation to United States military and civilian personnel. They are not the policymakers, and should not be held responsible for the errors of policy. I was impressed again and again with their competence and dedication. Many of them serve voluntarily at great personal sacrifice and all of us owe them a debt of gratitude.

(2) *Negotiations.*—Vietnamization, despite its success in several respects, has clearly

failed thus far to spur serious negotiations in Paris. I didn't speak to any American or South Vietnamese official who brought up the subject of negotiations.

(3) *Prisoners of War.*—The American prisoners of war create a special problem. Pressure should be kept up by the Congress to push at every conceivable opportunity for the identification of all prisoners, the establishment of regular communication between them and their families, the prompt repatriation of the seriously sick and wounded, the observation and inspection of prisoner of war camps by impartial observers, and their eventual release.

(4) *Physical Appearance.*—I was impressed by the relatively untouched physical appearance of South Vietnam. There were, in places, many craters left from bombings. There also was evidence of Rome plows which had cut through the jungle, clearing it. (One American general commented that the Rome plow was, next to the helicopter, the most important piece of equipment in Vietnam.) In several instances, cattle were grazing where the plows had been through. In some few areas there was defoliation, but it was quickly coming back. Some instances of defoliation have undoubtedly been unwise and I would strongly oppose it in certain areas, for example, near the rubber plantations. But over all, the impression is one of the fertility of the land, which is everywhere apparent, and heightens the tragedy of the country because of the loss of potential productivity.

(5) *Reconciliation.*—I was often struck with the thought that someone must get on with the task of reconciliation of the North and South. This war will end some day, if only because the people wear out. These people have suffered so greatly. Private groups and governments must begin now to work at the immensely difficult task of reconciliation. These efforts must concentrate on the overwhelming human problems. If progress can be made with them, the larger political and social problems may become more manageable.

(6) *People of South Vietnam.*—I was greatly moved by the incredible hardships the people of South Vietnam have endured. They have had staggering casualties, and many of them lead sub-human lives today.

I admire the very special strengths of the South Vietnamese which have made them remarkably resilient to tragedy.

I could not help but reflect on their future, and I cannot see any real relief. It seems to me they are set for an unrelenting struggle for long years ahead.

OUTLOOK

I return less optimistic than many of our officials. North Vietnam is a highly organized, patient, disciplined society and South Vietnam is a highly inefficient, fragmented society. The United States can, and indeed has, given the South Vietnamese a chance to survive. As the United States withdraws from South Vietnam, we must be very firm—even tough—with the South Vietnamese in order to give them an opportunity to survive.—LEE H. HAMILTON.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Americans spend over \$5 billion a year supporting the fine arts and nearly \$3 billion on books.

AIRBORNE HEAVY METAL—MERCURY AND LEAD—CONTAMINATION

Mr. MONAGAN. Mr. Speaker, again I urge the President to require the departments and agencies of the Government to carry out their responsibilities under existing law in order to protect the public health; to assure the safety of our food; to prevent contamination of the environment and to remove hazards to life and health. Again, I urge the administration to seek actual achievement, not paper results.

The present hazards of heavy metals are contamination of food, water, and air. The results are unintentional animal and human poisoning, or even death. Chronic and acute lead or mercury poisoning can cause headache; fatigue; irritability; gingivitis; liver, kidney and enzyme malfunctions; visual problems; senility; irreversible central nervous system damage and death.

I believe we all desire to leave this Nation a far better place than it has been. To do so we must protect the public health by preventing unnecessary contamination of our environment and our food. We must remove poisons that may impair and destroy humans. In many instances due to the unexpected and increased use of our resources our technology has exceeded itself and created problems of such magnitude that the risks may now exceed the benefits. Therefore, we must take stock of the present situation.

The use of heavy metal compounds such as lead and mercury must be studied in this context because taken within the human organism in sufficient quantity they are killers. The original source of the contaminant may be industrial waste, paints, pesticides, slimicides, and other materials.

In recent years epidemics of chronic and acute mercury, as well as lead poisonings have been diagnosed. Acute mercury poisoning epidemics have been reported in recent years from Iraq, West Pakistan, Guatemala, and Japan. Chronic mercury poisoning epidemics have been reported from Turkey, Sweden, Italy, Denmark, Russia, and other countries. Epidemics have been associated with lead paint poisonings.

Today we are vitally concerned that too much mercury is getting into our food chain. Also, we are finding that many of the lakes, ponds, bayous, reservoirs, rivers, and streams of the United States and Canada are mercury contaminated. The Federal Water Quality Administration admits, at present, to fish and water in, at least, 20 States being contaminated. Activity by States and provincial governments continue to disclose additional water bodies to be mercury contaminated. Local Canadian and U.S. Governments have undertaken to cut back on industrial sources of mercury pollution. New attention is being focused on other metals such as lead, arsenic, and zinc that are showing up in water and fish in increasing concentrations. Yet lakes and waterways that do not possess an apparent source of mercury are turning up with mercury contamination. Such bodies include fresh-

water lakes in northern Canada and the United States. Canada seized contaminated whale meat in a northern area of Hudson Bay, some 2,000 miles from the nearest known source of waste mercury. Mercury appears to be pervasive in our environment. It appears that lead may be equally so or even greater in this respect.

There are many questions. How pervasive is mercury or lead in the environment, water, air, and soil? Does the air, in fact, carry large amounts of mercury or lead particulates in the area we live in or elsewhere in the United States? Have we done the work in order to know? Do these airborne particulates, in turn, contaminate water? Do these airborne lead or mercury particulates constitute an immediate or long-term danger or both to the public's health and safety? Have we performed sufficient studies in order to make such determinations? Have we attempted to determine the number of deaths or illnesses due to heavy metal poisonings? We do not have the answers as we have failed to do the basic work.

AIRBORNE MERCURY

Continuous exposure to mercury vapor above a certain concentration in air presents an immediate health hazard. Some forms of mercury compounds are much more toxic than others. A 1969 National Air Pollution Control Administration (NAPCA) - DHEW publication - APTD 69-40—states that:

Recent air measurements of particulates in New York indicate that the mercury concentration of indoor samples is as high as 40 micrograms/M³ or several times higher than that found safe in animal experiments using mercury vapor.

The several times is in excess of 100 times. The statement is from work done in 1960. The data pose the important question: How hazardous is the mercury contained in the particulates? The studies concerning the inhalation of either mercury vapor or its compounds do not deal with mercury-containing particulates but with the pure compound. This study is a warning. Yet we have not followed up. The questions are unanswered. There is little data available on concentrations of mercury in the air. What data exists is an inadequate sampling of specific areas as well as of the United States. There is little or no data as to current concentrations or to disclose trends for the future. Methods for the control of mercury air pollution are available if NAPCA were to decide they are needed. NAPCA has the legislative authority to set mercury emissions standards or controls on significant sources of mercury air pollution. Yet NAPCA has hardly bothered to act despite the warning carried in its own publication.

Mercury fallout from air contamination, in turn, may create or add to soil, food and water—lakes and waterways—contamination, as well as cause direct and indirect poisoning of humans through inhalation.

The significant sources of mercury air pollution appear to be the mining and refining of mercury, the use and metabolic breakdown of mercury compounds

used in agricultural, industrial, and scientific laboratory applications. NAPCA, if it desired to be truly useful, could join with the Federal Water Quality Administration, when the latter agency acts to prevent mercury industrial waste from polluting water, to insure that the plant is also cutting back on effluent mercury vapor passing into the air. In any metallurgical, or chemical process when mercury is used at elevated temperatures, a certain amount will pass off as vapor as well as liquid waste. NAPCA could provide know-how to States when they have undertaken action and, in turn, NAPCA might be useful with know-how to the affected source.

There must be a determination of the facts. In turn, prior to acting, there must be a considered rational balancing of benefits and risks. Emergency reaction tends to be overreaction. Emergency banning which restricts the manufacture, sale, and use of established market products may cause economic, industrial, and agricultural disruptions which would not occur if proper and necessary consideration, initially or presently, is given to the problems by the administration and the agencies with the responsibility.

AIRBORNE LEAD

Lead, as well as mercury vapors, are poisonous to man if inhaled in certain concentrations. Lead can be dangerous to the human organism if ingested through the food chain and/or water.

Lead is spewed into the atmosphere in continuously increasing amounts through the automobile's utilization of leaded gas for power. The amount of lead and lead particulates in the air in various areas of the country is not known to the degree it should, as the administration and the National Air Pollution Control Administration—NAPCA—of DHEW have not attempted to adequately carry out its monitoring responsibilities, to determine the resultant consequences and to take the necessary steps to protect the people.

Authority exists in NAPCA to set standards for automobile emissions. However, NAPCA has no intention to promulgate lead emission standards before 1975, even though it is known that each day the dangers increase whatever the parameters may be today. We need to know the present parameters of lead concentrations in the air throughout the country, the approximate amounts of lead particulates that can either affect or impair human health, and if warranted, action must be taken immediately. What does the administration propose to do?

Instead of utilizing an authorized operating and funded program to do the job through the control of lead emissions, the administration has opted for a paper proposal—a request for legislation authorizing the Secretary of HEW to regulate fuel composition and additives. Fuel additive and composition know-how and personnel exist in the Bureau of Standards, the Department of Commerce, and within the Department of Defense to do the job requested rather than DHEW. So, in place of constructive leadership, the administration is seeking supposedly new legislation, new programs, duplication, additional funds, industry controls, and making self-serving statements, that

by 1972 industry will only place automobiles on the market which will not require or use leaded gasoline. Meanwhile, the potential danger may increase to an irreversible danger.

The question posed is: Will numerous cases of documented lethal poisoning by heavy metal compounds—mercury and lead—in this country be the only stimulus that can make the administration undertake steps to determine the scope, if any, of the sublethal poisoning that is occurring? The warnings exist. Constructive leadership, education, and rational justified steps are called for. For our benefit and that of our progeny, we must determine the scope of the problem and its resolution.

CHET HUNTLEY TAKEN TO TASK

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

Mr. GERALD R. FORD. Mr. Speaker, one of Washington's most respected senior reporters, Walter Trohan of the Chicago Tribune, has recently commented on the valedictory remarks of commentator Chet Huntley, as quoted by Life magazine.

Mr. Trohan's column, published July 27, 1970, follows:

CHET HUNTLEY TAKEN TO TASK

(By Walter Trohan)

SAN FRANCISCO.—Bad taste, like bad manners, is frequently due to arrogance in power as well as ignorance. At least, so it appears to have been with Chet Huntley, one of the more prominent gurus of news on television, in his criticism of President Nixon and his slur of former President Lyndon B. Johnson.

In an interview in Life magazine on the eve of his retirement after 15 years of high priesting the news for NBC, Huntley said: "I've been with Nixon socially. I've traveled with him in his private plane. I've seen him under many conditions. The shallowness of the man overwhelms me. The fact that he is President frightens me."

If that isn't the worst of taste from a man who assumes postures of outraged innocence when Vice President Spiro T. Agnew charges sectors of the news media with bias, it is entitled to a nomination at least.

This commentator knows Mr. Nixon far more intimately and has seen him under even more conditions. In fact, we have lived together in fellowship in a small camp in a nearby grove of redwoods.

I wouldn't go so far as to say I sleep easier because Mr. Nixon is President, but I will say that I sleep easier because many another hopeful isn't. No man is ever the same after a bite of the Presidential bee and he is even less the same when he wins the White House.

I have talked long and often with Mr. Nixon on a wide range of subjects. He is highly articulate and quite knowledgeable. Of course, one can frequently detect personal advantage, but that is common to most politicians and most men.

In fellowship, his humor may be a bit forced, but that is true of the men of his trade. But he is temperate and clean in mind and body. He is a good husband and a fine father, as two organized and charming daughters attest.

No, Mr. Nixon doesn't frighten me, but after knowing seven Presidents with varying degrees of intimacy I am not easily scared.

The air waves pundit also said: "Of the Presidents I've been around, I think I like

LBJ best. He was kind to me. As insufferable as he could be, he was a gracious and funny man. At least I never tried to argue with him. I just kept filling his glass with scotch and we talked about breeding Herefords. I'm going to his ranch some day and sell him a bull."

Huntley has had a lot of experience in that kind of selling on the air, but he will have to get up very early in the morning to best LBJ in a deal and he had better watch his own glass.

I have known LBJ since 1937. I knew him when he drank and held it very well indeed. But in the White House he was abstemious, drinking a noncaloric soft drink which shall be nameless, but he has always revered James A. Farley, the man who put Franklin D. Roosevelt in the White House and who now sells Coca-Cola and allied products.

If LBJ was kind to Huntley, and there is no reason to doubt this statement, Chet was hardly kind to LBJ. Certainly he was not accurate. I can say this as one who shared more hours and more intimacies. I never feared to argue with him in or out of the White House. I don't claim that I influenced him in the slightest, but he has written from the White House to thank me for my advice and counsel over the years.

It is not a pleasant operation to take a worker in an allied media to task. Doubtless I have erred more often and perhaps more stupidly, but never by shooting from the lip with malice and egotism. But I am impelled to speak out when critical heat brings him to claiming he was misquoted.

PRESIDENT NIXON IS EARNING THE GROWING TRUST AND RESPECT OF THE AMERICAN PEOPLE

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

Mr. GERALD R. FORD. Mr. Speaker, President Nixon is earning the growing trust and respect of the American people.

That is clear from the results of the newest Gallup poll which shows that 61 percent of the people approve of the way he is doing his job.

Mr. Speaker, that is a remarkable 6-percent increase over the last month.

Mr. Gallup believes that a key factor in this increase is the withdrawal of American troops from Cambodia as he promised.

I believe this is one reason.

But I also believe that the American people have perceived that President Nixon is a man of his word, a man who does what he says he will do, a man who will neither create nor tolerate a credibility gap.

I believe that the American people see that President Nixon is a bold leader, one who can make the tough, unpopular decisions that need to be made.

I believe also that they have a growing confidence in his ability to cope with the problems that face us both here and abroad.

Mr. Speaker, I agree with their assessment. Mr. Gallup can count me among his 61 percent.

The text of the Gallup report follows: PUBLIC CONFIDENCE IN NIXON AT HIGHEST LEVEL IN 5 MONTHS—61 PERCENT "APPROVE"

(By George Gallup)

PRINCETON, N.J.—Public confidence in President Nixon is at its highest level in five

months, as determined by a nationwide survey in mid-July.

A majority of 61 per cent in the latest survey say they approve of the way Nixon is handling his job as President—a 6-point increase over his rating in the previous survey conducted June 19 through 21.

The President's gain in popularity between the two surveys has occurred in all four major regions of the nation, with the greatest gain (11 percentage points) being recorded in the South. Apparently Nixon has been little hurt in the South by the Administration's tougher stance on school desegregation in this region in recent weeks.

Nearly 7 in every 10 Southerners currently say they approve of the President's performance, a survey result which will come as welcome news to GOP strategists who seek to build a stronger Southern power base.

A key factor in the President's popularity gain is likely to have been the withdrawal of all U.S. forces from Cambodia by the June 30 deadline. On the following day, July 1, President Nixon appeared on nationwide TV and stated his case regarding Cambodia, fielding question from newscasters from three major TV networks.

The following question was asked of a representative sample of 1523 adults, interviewed in person in a survey conducted July 10-12 in more than 300 scientifically-selected localities across the nation:

Do you approve or disapprove of the way Nixon is handling his job as President?

Following are the national results and trend since the beginning of this year:

NIXON TREND LINE

[Answers in percent]

July 10-12, approve 61, disapprove 28, no opinion 11.

June 30: *All U.S. Forces Withdrawn from Cambodia*

June 19-21, approve 55, disapprove 31, no opinion 14.

May 22-25, approve 59, disapprove 29, no opinion 12.

May 2-5, approve 57, disapprove 31, no opinion 12.

April 30: *Decision to Send U.S. Forces to Cambodia*

April 17-19, approve 56, disapprove 31, no opinion 13.

March 20-22, approve 53, disapprove 30, no opinion 17.

Feb. 28-Mar. 2, approve 56, disapprove 27, no opinion 17.

Jan. 16-19, approve 63, disapprove 23, no opinion 14.

Jan. 2-5, approve 61, disapprove 22, no opinion 17.

The following tables show a comparison of the latest regional results with those from the earlier survey:

East

[Answers in percent]

Approve, late June 53, latest 57.

Disapprove, late June 34, latest 31.

No Opinion, late June 13, latest 12.

Midwest

Approve, late June 53, latest 58.

Disapprove, late June 33, latest 33.

No Opinion, 14, latest 9.

South

Approve, late June 57, latest 68.

Disapprove, late June 24, latest 20.

West

Approve, late June 56, latest 63.

Disapprove, late June 35, latest 29.

No Opinion, late June 9, latest 8.

NAFEC FACILITY ONE OF WORLD'S FINEST

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

Mr. SANDMAN. Mr. Speaker, I should like to call the attention of the House to several glaring inaccuracies in a report filed Tuesday with you by the Government Operations Committee. This report, dated July 16, 1970, contains findings affecting the Federal Aviation Administration in its development of an air traffic control system. These deficiencies exist on page 30 and page 56 of the report. The erroneous findings are used in an attempt to justify the recommendation of a phaseout of the research and development work presently performed at the National Aeronautics Facilities Experimental Center near Atlantic City, N.J., and the transfer of these functions to the former NASA facilities at Cambridge, Mass.

Whoever gave the committee this information is grossly in error. It could be that he is trying to revitalize the white elephant at Cambridge rather than make an improvement in the whole system itself. At any rate, let me point out some of the inadequacies. The facility at NAFEC to start with is one of the finest of its kind in the world. The physical plant at the airfield is capable of testing all kinds of aircraft regardless of size. No such facility as this exists of Cambridge, Mass. The electronics equipment installed at the field is in tip-top condition, the results of millions of dollars already expended by the Federal Government. The hangars at this installation rank with the very best we have. In fact, improvements to these facilities have been constant and have kept them up to date.

When a report says that the research and development facility at Atlantic City is woefully inadequate, it would be a good idea to point out exactly what the inadequacies are. The report does not point to these at all. It is only in the third paragraph on page 30 that a feeble attempt is made to disqualify what exists at the Atlantic City facility. It points out that the barracks are of World War II vintage. This may be so, but the barracks referred to are a tiny part of the entire installation and have very little to do with the overall efficiency of the operation. The report goes on and says "the rural location deprives young engineers and technicians of the opportunity to attend colleges and universities to advance their technical capabilities. Philadelphia, the closest metropolitan area, is too far away for day-after-day commuting." This assertion leads me to believe that whoever supplied this information to the committee did not even visit NAFEC to start out with. For the committee's information, the Atlantic City expressway that connects this area with Philadelphia facilitates 70 miles per hour traffic. The Atlantic City Expressway Authority invested some \$60 million in this excellent highway, none of which was Federal money. It takes exactly 40 minutes to travel from NAFEC to the heart of Philadelphia. If you do not want to go by car, we have 10 flights a day from Atlantic City to Philadelphia. Traveling time for this trip is 20 minutes. If you do not like to fly, there are commuter trains that make the same trip. Philadelphia has some of the finest institutions of higher learning of any city in the world. There are 14 major institutions of higher learn-

ing in the Philadelphia area. I do not think any city in the United States can boast of a higher number. To mention only a few: Drexel Institute of Technology, the University of Pennsylvania, Temple University, Villanova University, and I can go on and on.

The worst inaccuracy is the last sentence of paragraph three: "FAA contractors have also experienced difficulty in recruitment of employees to work at Atlantic City." This statement is completely inaccurate. I can show the committee lists of people with all kinds of technical skills that are on waiting lists waiting to get a job at NAFEC. A similar list can be produced for any FAA contractor who wants one, for any trade in which the FAA contractor may be interested.

In summary, the investment at NAFEC referred to in the committee report runs into the many millions of dollars. There is absolutely nothing wrong with the facility, whether it be for testing or research and development. If there is something wrong with the output at the installation it certainly is not related to physical facilities or location. It would have to be related to those in charge of the operation. If we are going to make an improvement in the FAA's operation along this line, replacements of personnel can be made just as easily at NAFEC as at Cambridge, Mass. There is a question whether the white elephant at Cambridge, Mass., should never have been built in the first place. I wonder why NASA ever abandoned it. If it is going to be activated for some governmental purpose, then I would suggest that we find another field of endeavor, rather than disrupt or phase out the installation at NAFEC at Atlantic City, which has performed many invaluable services to aviation and the people of the country.

ILLEGAL FISHING IN TERRITORIAL WATERS

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

Mr. FREY. Mr. Speaker, I have today introduced a bill to increase the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States.

This legislation raises the maximum fine which may be levied against foreign fishing vessels from \$10,000 to \$100,000.

The current maximum penalty is totally inadequate as a deterrent. This is borne out by the number of vessels which have been apprehended two, three, or more times. Obviously the masters of these foreign flag ships believe the risk of being caught in U.S. waters is far outweighed by the prospects of a good catch, and payment of an occasional fine does not substantially diminish the profitability of these incursions.

Foreign fishing vessels are also encouraged to violate our contiguous fishery zone because of inadequate surveillance, particularly in Alaskan waters. The State of Alaska has over 20,000 miles of shoreline, while on an average only four Coast Guard aircraft are available for patrol duty.

The Coast Guard has done a tremendous job with the resources available, but this is simply not enough. Its ships and aircraft must perform a multitude of tasks from Maine to Florida, through the gulf coast area, along the Pacific coast, and Alaska.

Fishing is a seasonal business and at various times of the year large fleets of foreign vessels may appear off Alaska, then along the coast of Oregon and California, and again off the Chesapeake Bay. These seasonal shifts in foreign fishing activity demand a flexible response which the Coast Guard cannot provide since its facilities must remain widely dispersed to cover search and rescue missions, buoy tending, and other missions which continue throughout the year.

Accordingly, Mr. Speaker, the legislation which I have introduced provides that the Coast Guard may enter into agreements with other Federal agencies to utilize their aircraft and vessels for fishery patrol duties. This should prove particularly useful in Alaska where military aircraft can be employed during peak fishing seasons. I expect that the Department of Defense will cooperate fully with the Coast Guard in this effort.

The final provision of my bill authorizes the Secretary of the Treasury to pay a reward of up to \$5,000 to private individuals for information which leads to a conviction for violation of our fisheries zone or territorial waters.

Evidence received by the Committee on Merchant Marine and Fisheries indicates that American fishermen frequently discover foreign vessels operating in U.S. waters, but due to the economic necessity of pursuing their own catch cannot stop and keep track of the foreign vessel while awaiting the arrival of a Coast Guard ship or plane. Although our fishermen are prompt in reporting such sightings, by the time the Coast Guard arrives on the scene, the foreign vessel has usually retreated beyond the 12-mile limit, or moved elsewhere along the coast.

This provision will therefore give the Secretary the power to compensate our fishermen for economic loss resulting from their effort to assist the Coast Guard.

At the present time, Mr. Speaker, probably no more than 2 percent of the foreign fishing vessels violating our fisheries laws are being apprehended. The number of violations is steadily mounting. Our enforcement resources are woefully short. Positive steps must be taken to stop these flagrant abuses. I believe the legislation which I have introduced today will be a significant step forward in this effort.

HOUSING RIGHTS ACT OF 1970

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

Mr. BOB WILSON. Mr. Speaker, I am today reintroducing the "Housing Rights Act of 1970" which is designed to update Federal guidelines for construction of housing backed by the dollars of taxpayers. It would extend a uniform

code across the Nation, aimed at preventing antiquated building codes, or restrictive labor agreements, from blocking the use of modern construction techniques.

I am pleased that 14 of my colleagues have joined me in submitting this much-needed legislation to Congress. This is a nonpartisan effort, with Members from both sides of the aisle cosponsoring the bill.

The United States stands today on the threshold of a great breakthrough in housing concepts. We are phasing out of the traditional house and lot concept for mass housing, and phasing into the multiple-dwelling unit, carefully designed to give maximum living space and modern conveniences. New building techniques have been developed, and this new, now-type housing can be within the financial reach of young families just getting started, families moving to new jobs, and the aged, whose finances are limited.

To build these houses we must use modern methods. Modular housing, pre-fabrication of sections and fixtures, and preassembly at modern plants will be needed. My bill simply provides that no local codes or locally made labor agreements will be used to block the construction of federally financed housing. It provides recourse in the courts by the Attorney General.

The housing of the 1970's will differ in form and concept from that of decades past. We now need to bring our laws up to date to pave the way for the massive housing program our country must have during this decade if we are to meet our national needs. The Federal role in housing has been well established over the past 30 years through the public housing and loan guarantee programs. Now it is up to Uncle Sam to clear away the underbrush of complex local laws that no longer apply to today's home building market.

I am hopeful that this Congress will move quickly to pass this legislation, to clear the way for the housing boom that lies ahead.

LEGISLATION TO LEVY AN EXCESS WAR PROFITS TAX JULY 30, 1970

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

Mr. OTTINGER. Mr. Speaker, I am today introducing legislation designed to levy an excess profits tax to be in effect for the duration of our involvement in Southeast Asia.

It is patently unjust for a nation to conscript its young men into its service to fight a war, while allowing its corporations to amass extraordinary profits attributable to the distortions of a wartime economy. In order to eliminate such injustice it is proposed that the Congress enact legislation to tax excess profits. Thus, the aim of this bill is to impose an additional levy on corporate profits that result directly from the effects of the Indochinese war on the American economy.

There is substantial precedent for en-

acting this legislation. In both World Wars, excess profits taxes were enacted to enable a more complete mobilization of the Nation's productive capacity into the national defense effort. However, there is also precedent for taxing excess profits during an undeclared war of limited objectives. In 1950, Congress passed an equally strong excess profits tax within 6 months of the beginning of the hostilities in Korea.

The proposed bill imposes on all corporations a tax of 37 percent on the amount of their taxable income which exceeds their "normal nonwartime" taxable income. This 37-percent tax will be added to the normal 48 percent corporate tax rate, thus creating an effective rate of 85 percent on all excess war profits.

As it is the aim of this bill to conscript the productive capacities of our Nation's corporations during the period of military operations in Indochina, as the nation conscripts its young men for the same purpose, this bill is designed to take effect as of January 1, 1970, and to continue until our military operations in Indochina are effectively concluded. Thus the bill provides that the tax will be applied during the "present emergency period." That emergency period includes all taxable years beginning after December 31, 1969, and it shall continue until such time as the actual American troop commitment in Vietnam, Laos, Cambodia, and Thailand is less than 50,000, including offshore naval operations.

In order that only those corporate profits be taxed which bear a reasonable relation to our present military operations, the bill allows a special deduction from a corporation's "taxable income" to determine its "excess profits taxable income." Thus, the excess profits deduction is designed to except from the excess profit tax "normal" profits for the particular corporation. This deduction may be calculated in either of two ways:

First. Base period method. The first method of determining the excess profits deduction is to deem profits earned during a period immediately preceding the period of increased military activity as "normal." This method determines the taxable income during a nonemergency base period, and adjusts that income to eliminate any particular abnormalities that occurred during the "base period." The average adjusted taxable income for the base period then becomes the excess profits deduction. The bill sets the base period as beginning January 1, 1961, and ending December 31, 1964. It is planned that this method of determining the excess profits deduction shall be the predominant one used, as it was in past acts.

Second. Return on invested capital method. In order to assure that no corporation is forced to do business without the potential of receiving a reasonable return on its invested capital, an alternative method of calculating the excess profits deduction is provided. The corporation may choose such method if it allows a greater deduction. Under the return-on-capital method, a corporation is allowed to receive a minimum return

on its invested capital without excess profits taxation. This alternative guarantee that corporations whose taxable incomes during the base period 1961-64 was quite low will not be forced to pay taxes which may appear to be confiscatory. Furthermore this alternative will also make it possible to tax those corporations that were not in existence during part or all of the base period. The bill allows the following return:

Eight percent on the first \$5 million of invested capital;

Seven percent on the next \$5 million of invested capital;

Six percent on the next \$190 million of invested capital; and

Five percent on invested capital exceeding \$200 million.

In addition, the bill also fixes the minimum excess profits deduction, regardless of the method of calculation, at \$25,000, thus excepting from the levy small or marginally profitable corporations.

In a major shift from historical precedent, this bill provides that all moneys collected from the imposition of the excess profits tax must be spent to fulfill the stated national commitment to build a vast number of new housing units. As this goal has never been approached in the past due to lack of available resources, this bill may begin to enact a more sensible set of national priorities. Housing has been chosen as it is a universal domestic need which has long suffered from a lack of adequate funding. Furthermore, this earmarking is necessary to distinguish this bill from an attempt at complete mobilization of the economy for war production.

A further dividend of this bill is that the additional tax imposed should begin to alleviate oppressive inflation. Historically, excess profits taxes have not been passed on to consumers, probably due to the high rate of taxation imposed which makes it impracticable for a corporation to recover newly taxed profits by raising its prices. The earmarking of the funds collected for domestic use protects against an increase in unemployment. Thus, this bill will not only spread the burden of waging war more evenly throughout our society, but it will also help stabilize our economy in this most difficult time.

BILL TO REIMBURSE LOCAL GOVERNMENTS FOR TAX LOSSES ON PROPERTY OWNED BY FOREIGN GOVERNMENTS JULY 30, 1970

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

Mr. OTTINGER. Mr. Speaker, I am today introducing legislation to require the U.S. Government to reimburse States and their political subdivisions for tax losses on property owned by foreign governments.

Mr. Speaker, this has been a problem of long standing, particularly in the New York area with its United Nations-based corps of resident foreign diplomats, and has recently come to a head with the attempt by the mayor of Glen Cove, Mr. Andrew J. DiPaola, to collect tax liens

on an estate used by the Russian mission to the U.N. Mayor DiPaola points out that this property is assessed at \$1.5 million and was a source of revenue for Glen Cove and Nassau County until 1966 when it was taken off the tax rolls under an agreement in which local officials were not consulted. Almost \$50,000 in taxes has been lost to local government since that time, and the burden, of course, has been borne by local property owners. This is a manifestly unfair situation, Mr. Speaker, and if it is in the interest of our foreign policy to allow such properties to be occupied tax-free, then it becomes the Federal Government's responsibility to relieve the burden imposed on already heavily taxed local property owners.

I introduced this legislation in the 89th Congress, as H.R. 3401 on January 25, 1965, because of the application of this problem in my own district of Westchester County. At that time, I discovered that tax revenues were being lost in the towns of Pelham, Eastchester, New Rochelle, and Greenburgh through foreign residency, with the town of Eastchester alone losing more than \$10,000 annually in badly needed income. A suit brought by New Rochelle officials to foreclose tax liens of \$24,000 each on residences of the ambassadors to the U.N. of Ghana, Indonesia, and Liberia in late 1964 was turned down in court with the advice of the U.S. attorney that local governments should seek relief through diplomatic channels. This is patently absurd, and constituted a denial of local government's basic right to home rule and self-sufficiency. This inequity affects a wide range of communities in the New York-New Jersey-Connecticut area with their proximity to the U.N., but may also be applicable to communities in Maryland and Virginia where foreign diplomats maintain residences or estates for recreation purposes.

In a time of mounting tax demands on property owners to maintain adequate schools, fire protection, law enforcement, and other municipal services, Mr. Speaker, it would be a matter of simple justice to enact legislation to recognize that a Federal interest, not a local one, is involved in the tax-exempt status of foreign-owned property and that therefore the expense of same must be borne by the general public. The people of Glen Cove derive no specific benefit from the presence of the Soviet property in their community, and while they have made no effort to have this estate removed, I believe that they have every right to Federal reimbursement for the losses they are suffering. I urge early action on this legislation to relieve this inequitable deficit.

UNDELIVERED MESSAGE OF JOHN GARDNER

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

Mr. PEPPER. Mr. Speaker, one of the great men of our time is the Honorable John W. Gardner. His understanding of the present and his vision of the future distinguishes him as one of the exceptional men among us. So when he speaks he is worth listening to, I think. So that

Members and those who read this RECORD may have the benefit of the remarks prepared by Mr. Gardner for delivery recently before the Illinois Constitutional Convention, an address he was not permitted to deliver. I include, Mr. Speaker, this prepared address following my remarks:

THE UNDELIVERED MESSAGE OF JOHN GARDNER

The President has two and three quarter years remaining before the end of his term. It is essential that in those years the nation be governed by a man who is in touch with all segments of American opinion, a man who does not feel trapped and beleaguered, a man who easily hears and listens to conflicting views, a man who understands that people in power usually have deep complicity in their own isolation.

But I am not interested in indicting the President, because I believe that virtually all of us have failed in our duty as Americans. The failure goes to every level and phase of American life: drug addiction in the slums and corruption in high places; crime in the streets and corporate fraud; personal immorality and betrayals of public trust.

And while each of us pursues his selfish interest and comforts himself by blaming others, the nation disintegrates. I use the phrase soberly: the nation disintegrates.

It is very, very easy for leaders to appeal to the prejudice and fear and anger that is in us. It is easy for leaders to speak to the selfishness that is in us, to tell us that nothing in this country need be changed, and to find villains who may be blamed for our troubles.

But there is in us as Americans something better than selfishness, something better than the lazy, comfortable inclination to blame others.

There is in us, if our leaders will ask for it, the courage and stamina to face our problems honestly, to admit that we ourselves are partly to blame for them, and to identify paths of constructive action.

We face two overriding tasks. We must move vigorously to solve our most critical problems. And we must heal the spirit of the nation. The two tasks are inseparable. If either is neglected, the other becomes impossible . . .

Today's divisiveness is not confined to one issue or one set of antagonists. There are multiple points of conflict—the war, race, the economy, political ideology. There are multiple rifts—between young and old, between regions, between social classes. Around these rifts we have seen hatred and rage, violence and coercion at both ends of the political spectrum. And matching the violent deeds we have had provocative and ill-considered statements from those in high places. Official statements and policies which feed the fires of regional suspicion or racial antagonism or the tensions between young and old may be as destructive as a bomb tossed through an open window.

If one considers the whole range of conflict—ghetto riots and shootouts, campus violence, widespread bombing and arson, school buses overturned by raging adults, and the chilling recent clash between construction workers and radical youth—if one reflects on that full range, one must conclude that we are dealing with disintegrative forces that threaten our survival as a society.

One might suppose that as extremists become increasingly inflammatory, moderates would close ranks and oppose them. But just the opposite is occurring. The moderates begin to take sides against one another. We all become a little readier to grow angry, a little readier to identify villains, a little readier to resort to violence ourselves.

Lest this give the impression that mod-

erates are victimized, let it be said at once that most of them have a secret complicity in the activities of the extremist. The moderate conservative does not explicitly approve of police brutality, but something in him is not displeased when the billy club comes down on the head of a long-haired student. The liberal does not endorse violence by the extreme left; but he may take extreme pleasure in such action when it discomfits those in authority.

In short, extremists often enjoy tacit support from the moderates nearest to them. Thus does a society tear itself apart.

The notable fact about civil tumult today is not that a few fanatics start it but that larger numbers of peaceable people tolerate it and lend themselves to it. Behind that sympathy with disorder is usually frustration and a sense of impotence. It stems, at least in part, from people who want to have their say and feel that they have not been listened to, who feel that they have suffered injustice and have been denied redress, and who feel that in matters of self-government they have been lulled with rhetoric and denied effective power.

The solution lies in giving them outlets *within the system*, that is, in providing them constructive paths of action.

Such paths are available. I want to talk chiefly about one such path—the political process. Many dissidents who resort to disruptive tactics say, "We tried working within the system," but most have not in fact tried very hard, certainly not within the political system. And in this they reflect a falling of the American people generally. We have typically scorned politics and neglected the political process. And by that neglect we have not only denied ourselves the most significant path for effective action, we have allowed the public process to decay.

We can't understand our current frustration if we look only at specific substantive goals in education, housing, employment and the like. What is not working is the process and the mechanisms which should serve us in achieving all of our goals.

Call it the public process. Out of thousands of years of experience in domesticating the savagery of human conflict, man has distilled law and government and politics. As citizens, we honor law—or at least we have until recently. We neglect government. And we scorn politics. No wonder we're in trouble.

It is precisely in the political forum that free citizens can have their say, trade out their differences, and identify their shared goals. Where else, how else can a free people orchestrate their inevitable conflicting purposes?

It is essential that we bring about a renaissance of politics in this country. We must open up clogged channels. We must bring a vitality to political life that will attract good men and women. We must repair rusty and outworn machinery. We must renew the system.

The list of our domestic problems is depressingly long—and some items on the list are frightening. But it cannot be said too often that most of the problems are solvable. They are not essentially more puzzling or demanding than many problems we have faced in our history. The question is whether we have the will to solve them.

Our unwillingness, nationally and locally, to provide adequate resources for such things as education is symptomatic of our attitude toward virtually all of our common purposes except war and the exploration of space. No other nation in the world has enabled more of its citizens to fulfill their individual purposes—even their whims. But we're not doing at all well with the purposes—the problems—that we all share and must tackle together, the problems of creating excellent public schools, protecting the environment, preserving livable communities, enforcing the law, administering justice.

We are neglecting those shared purposes. It goes even deeper. We are forgetting that we are interdependent.

In the long perspective of history, great nations come and go and historians write their epitaphs. If Americans continue on their present path, their epitaph might well be that they were a potentially great people—a marvelously dynamic people—who forgot their obligations to one another, who forgot how much they owed one another.

BADGES TO BILL COLLECTORS

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

Mr. PEPPER. Mr. Speaker, some time ago, Judge Morton L. Perry, one of the able small claims court judges in the Miami area testified before the National Commission on Consumer Finance here in Washington. In his statement, reported in the Miami Herald of June 23, he criticized the constables of Dade County for issuing honorary constables' badges to bill collectors who allegedly repossessed appliances and other consumer goods.

Constable Ray B. Bradley of the second district has written me to bring to light the facts relating to this matter. In order to put the record in order, I am acceding to the constable's request by inserting in the RECORD his letter to me stating certain facts which explain the situation in greater detail:

MIAMI, FLA., June 23, 1970.

HON. CLAUDE PEPPER,
Cannon House Office Building,
Washington, D.C.

DEAR MR. PEPPER: I am enclosing an article from the Miami Herald of Tuesday, June 23, 1970 which outlines the testimony given in Washington by Small Claims Court Judge Morton L. Perry of Miami to the National Commission on Consumer Finance, in which he states, "so-called honorary constables" Perry said, "get into low-income homes during the day when only children are at home to haul away appliances when monthly payments are overdue," and that as a prosecutor, "Perry subpoenaed Constable John Gilbert's records on honorary constable credentials issued by his office. A large number of those holding badges and cards worked for finance companies and collection agencies . . .", and also that the issuing of deputy constable cards is now under investigation by the Dade County Grand Jury.

I earnestly solicit your assistance in having entered into the record a statement concerning the enclosed article. The information I would like to have considered is that there are five Constables in Dade County and that four of the five Constables do not have in existence any special, honorary or other regular deputy cards besides those that have been authorized by the Dade County Commission as County employees and bonded as such. Also, that the Constables in District Two, Three, Four and Five of Dade County consider the issuance of these cards and the purposes for which they have been utilized as being highly improper and illegal and we feel that we should not be included in the criticism concerning this matter.

I would like to call to your attention that the four Constables mentioned are elected Democratic public office holders who have sworn to uphold the law and to protect the innocent. Also, that our duties as specified, in regard to repossessions or seizure of property are not exercised until such time as an order has been issued by the court prior to which the defendant or the debtor as men-

tioned, has adequate time to appear, be advised and given an opportunity to defend his position. Also, in regard to these duties, you may rest assured that these four offices do not take any action until such time as the court order or a warrant has been issued.

The purpose in my bringing this matter to your attention is that I consider that a general assessment of responsibility is unfair to those people who conscientiously try to perform their duties in a manner which would reflect credit upon the democratic processes of our Government and I am certain that when you are in possession of all the facts, that you will exert every effort to see that the responsibility for these reprehensible actions is placed upon the individual who is deserving of the same.

Any additional information that I may be able to furnish or any other effort that I may exercise in your behalf, do not hesitate to call upon me at your convenience.

I trust you will give this matter your prompt attention.

Yours very truly,

RAY B. BRADLEY,
Constable, District Two, Dade County,
Fla.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HELSTOSKI (at the request of Mr. DANIELS of New Jersey) for Thursday, July 30, 1970, on account of official business.

Mr. SNYDER (at the request of Mr. GERALD R. FORD) for tomorrow, July 31, 1970, on account of official business.

Mr. WAMPLER (at the request of Mr. GERALD R. FORD) for tomorrow, July 31, 1970, on account of a death in his family.

Mr. MATSUNAGA (at the request of Mr. ALBERT) for Thursday, July 30, Friday, July 31, and Monday, August 3, on account of official business.

Mr. WYDLER (at the request of Mr. GERALD R. FORD) for the week of July 27 on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WATSON for 15 minutes, today.

The following Members (at the request of Mr. GOLDWATER) to address the House and to revise and extend their remarks and include extraneous matter:

Mr. GUBSER, for 30 minutes, on August 3.

Mr. SANDMAN, for 10 minutes, today.

Mr. ROBISON, for 60 minutes, on August 3.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

Mr. PRICE of Texas, for 15 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

The following Members (at the request of Mr. ANDERSON of California) to address the House and to revise and extend their remarks:

Mr. FARSTEIN, for 30 minutes, today.

Mr. LOWENSTEIN, for 60 minutes, today.

Mr. HAMILTON, for 30 minutes, today.

Mr. FARSTEIN, for 30 minutes, on July 31.

Mr. GRAY, for 60 minutes, on August 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RHODES (at the request of Mr. NELSEN) to extend his remarks following remarks of Mr. NELSEN in Committee of the Whole.

Mr. PERKINS to revise and extend remarks made on the conference report on S. 1076.

Mr. MEEDS (at the request of Mr. PERKINS) to extend his remarks before the vote on the conference report on S. 1076.

Mr. EDMONDSON in two instances and to include extraneous matter.

Mr. GRAY and to include extraneous matter in one instance.

Mr. ANDREWS of Alabama, and to include extraneous material, on the legislative branch appropriation conference report, today.

Mr. OTTINGER in two instances.

(The following Members (at the request of Mr. GOLDWATER) and to include extraneous material:)

Mr. RHODES in five instances.

Mr. WEICKER.

Mr. DON H. CLAUSEN.

Mr. HASTINGS.

Mr. ZWACH.

Mr. HARVEY.

Mr. ANDERSON of Illinois in two instances.

Mr. ARENDS.

Mr. FINDLEY.

Mr. FISH in two instances.

Mr. WHITEHURST.

Mr. HOGAN.

Mr. TALCOTT.

Mr. CRANE.

Mr. BROWN of Michigan.

Mr. MARTIN.

Mr. MORSE.

Mr. SCHMITZ in three instances.

Mr. TAFT.

Mr. DERWINSKI in two instances.

Mr. SCHNEEBELL.

Mr. BEALL of Maryland.

Mr. CARTER in two instances.

Mr. SNYDER.

Mr. FREY in two instances.

Mr. CRAMER in five instances.

Mr. CONTE in two instances.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. PURCELL in two instances.

Mr. DULSKI in eight instances.

Mr. BURTON of California.

Mr. ROBINO.

Mr. EDWARDS of California.

Mr. PATTEN.

Mr. GONZALEZ in two instances.

Mr. DINGELL in two instances.

Mr. MOSS in two instances.

Mr. GRAY in three instances.

Mr. MORGAN in two instances.

Mr. PIKE in two instances.

Mr. SMITH of Iowa in two instances.

Mr. HAWKINS in six instances.

Mr. VAN DEERLIN in two instances.

Mr. LOWENSTEIN in six instances.

Mr. FASCELL in two instances.

Mr. CHARLES H. WILSON.

Mr. BINGHAM in two instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in three instances.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 914. An act for the relief of Hood River County, Oreg.

H.R. 15733. An act to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

H.J. Res. 1328. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes.

H.J. Res. 1336. Joint resolution to extend the effectiveness of the Defense Production Act of 1950 to August 15, 1970.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 29 minutes p.m.) under its previous order, the House adjourned until tomorrow, Friday, July 31, 1970, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2260. A letter from the Acting Assistant Secretary of the Army (Installations and Logistics), transmitting notification of the proposed transportation of certain lethal chemical agents to a point of disposal, pursuant to Public Law 91-121; to the Committee on Armed Services.

2261. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

2262. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the assumption of the control and operation by Indian tribes and communities of certain programs and services provided for them by the Federal Government and for other purposes; to the Committee on Interior and Insular Affairs.

2263. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend acts entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", and "To transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes"; to the Committee on Interior and Insular Affairs.

2264. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by Government employees

in or for Indian communities, and for other purposes; to the Committee on Post Office and Civil Service.

2265. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to extend excise taxes on communication services and automobiles; a draft of proposed legislation to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, and for other purposes; and a draft of proposed legislation to amend the Internal Revenue Code of 1954 by imposing a tax upon the sale of lead additives used in the manufacture or production of gasoline, providing for payments to producers of gasoline for lead additives used during a transitional period, and for other purposes; to the Committee on Ways and Means.

2266. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Community Act of 1955, as amended, to authorize the transfer of certain property at Los Alamos, N. Mex.; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 1168. Resolution for consideration of H.R. 17880, a bill to amend the Defense Production Act of 1950, and for other purposes (Rept. No. 91-1355). Referred to the House Calendar.

Mr. JACOBS: Committee on the Judiciary. S. 3838. An act to prevent the unauthorized manufacture and use of the character "Johnny Horizon", and for other purposes (Rept. No. 91-1356). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. S. 406. An act to amend the Federal Property and Administrative Services Act of 1949 to permit the rotation of certain property whenever its remaining storage or shelf life is too short to justify its retention, and for other purposes (Rept. No. 91-1357). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. S. 2763. An act to allow the purchase of additional systems and equipment for passenger motor vehicles over and above the statutory price limitation (Rept. No. 91-1358). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 17455. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into contracts for janitorial services, trash removal, and similar services in federally owned and leased properties for periods not to exceed 3 years, and for other purposes (Rept. No. 91-1359). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. S. 1366. An act to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corp. (Rept. No. 91-1360). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 18214. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Consumer Protection Agency in order to secure within the Federal Government effective protection

and representation of the interests of consumers, and for other purposes (Rept. No. 91-1361). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 18716. A bill to amend the Public Health Service Act to provide grants to develop training in family medicine; to the Committee on Interstate and Foreign Commerce.

H.R. 18717. A bill to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO (for himself and Mr. POWELL):

H.R. 18718. A bill to regulate rents in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BROWN of Michigan (for himself, Mr. VANDER JAGT, Mr. McDONALD of Michigan, Mr. CORDOVA, and Mr. DON H. CLAUSEN):

H.R. 18719. A bill to prevent the assignment of draftees to active duty in combat areas without their consent; to the Committee on Armed Services.

By Mr. BROWN of Michigan (for himself, Mr. TEAGUE of California, and Mr. DON H. CLAUSEN):

H.R. 18720. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Alabama:

H.R. 18721. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 18722. A bill to amend the Tariff Schedules of the United States with respect to the duties on stainless steel sheets and on articles made from such sheets; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 18723. A bill to prohibit the furnishing of mailing lists and other lists of names or addresses by Government agencies to the public in connection with the use of the U.S. mails, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Mr. ADDABBO, Mr. OTTINGER, Mr. POWELL, Mr. MCKNEALLY, Mr. GILBERT, Mr. PODELL, Mr. MESKILL, Mr. HOWARD, and Mr. HALPERN):

H.R. 18724. A bill to provide for the establishment of a Metropolitan Drug Addiction Commission to coordinate and make more effective in the New York metropolitan area the various Federal, State, and local programs for the control, treatment, and prevention of drug addiction; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN (for himself, Mr. OKONSKI, Mr. DIGGS, Mr. FRASER, Mr. WINN, Mr. ADAMS, Mr. GUDE, Mr. JACOBS, Mr. HOGAN, Mr. KYROS, Mr. THOMSON of Wisconsin, Mr. SMITH of New York, Mr. HUNGATE, and Mr. LANDGREBE):

H.R. 18725. A bill to establish a Commission on the Organization of the Government of the District of Columbia and to provide

for a Delegate to the House of Representatives from the District of Columbia; to the Committee on the District of Columbia.

By Mr. RODINO:

H.R. 18726. A bill to require Federal contractors, and persons contracting for federally supported activities, to observe practices which will preserve and enhance the environment; to the Committee on the Judiciary.

By Mr. SAYLOR (for himself, Mr. BERRY, Mr. BURTON of Utah, Mr. POLLOCK, Mr. MCCLURE, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. WOLD, Mr. CAMP, Mr. LUJAN, Mr. ASPINALL, and Mr. HALEY):

H.R. 18727. A bill to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. BERRY, Mr. BURTON of Utah, Mr. KYL, Mr. STEIGER of Arizona, Mr. POLLOCK, Mr. MCCLURE, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. WOLD, Mr. CAMP, Mr. LUJAN, Mr. ASPINALL, and Mr. HALEY):

H.R. 18728. A bill to provide for the assumption of the control and operation by Indian tribes and communities of certain programs and services provided for them by the Federal Government and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. BERRY, Mr. BURTON of Utah, Mr. POLLOCK, Mr. MCCLURE, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. WOLD, Mr. CAMP, Mr. LUJAN, Mr. ASPINALL, and Mr. HALEY):

H.R. 18729. A bill to amend acts entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes," and "To transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes," and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SNYDER:

H.R. 18730. A bill to authorize appropriations for the construction of economic growth center development highways and for other purposes; to the Committee on Public Works.

By Mr. TEAGUE of Texas (for himself and Mr. RIVERS):

H.R. 18731. A bill to amend the act of July 25, 1956, relating to the American Battle Monuments Commission; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 18732. A bill to amend section 700 of chapter 33 of title 18 of the United States Code to provide penalties for showing disrespect for the flag of the United States; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN (for himself, Mr. DELLENBACK, Mr. GERALD R. FORD, Mr. HARSHA, Mr. STEIGER of Arizona, Mr. THOMSON of Wisconsin, Mr. TALCOTT, Mr. MCCLURE, Mr. LUJAN, Mrs. MAY, Mr. BURTON of Utah, Mr. MILLER of Ohio, Mr. DENNEY, Mr. PELLY, Mr. HAMMERSCHMIDT, and Mr. PIRNIE):

H.R. 18733. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. HARVEY:

H.R. 18734. A bill to establish an improved dairy program; to the Committee on Agriculture.

By Mr. SAYLOR (for himself, Mr. BERRY, Mr. BURTON of Utah, Mr. KYL,

Mr. STEIGER of Arizona, Mr. POLLOCK, Mr. MCCLURE, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. WOLD, Mr. CAMP, Mr. LUJAN, Mr. ASPINALL, and Mr. HALEY):

H.R. 18735. A bill to retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by Government employees in or for Indian communities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS (for himself, Mr. BRAY, Mr. MEEDS, Mr. STUBBLEFIELD, Mr. POLLOCK, Mr. MURPHY of New York, Mr. MCCARTHY, and Mr. FRIEDEL):

H.R. 18736. A bill to establish a Commission on Fuels and Energy to recommend programs and policies intended to insure, through maximum use of indigenous resources, that the United States requirements for low-cost energy be met, and to reconcile environmental quality requirements with future energy needs; to the Committee on Interstate and Foreign Commerce.

By Mr. BOB WILSON (for himself, Mr. BYRNE of Pennsylvania, Mr. MESKILL, Mr. BURTON, Mr. JARMAN, Mr. CARTER, Mr. FISHER, Mr. LUKENS, Mr. POWELL, Mr. HOSMER, Mrs. MAY, Mr. GOLDWATER, Mr. RUTH, Mr. SCOTT and Mr. HARRINGTON):

H.R. 18737. A bill to assist in the efficient production of the needed volume of good housing at lower cost through the elimination of restrictions on the use of advanced technology, and for other purposes; to the Committee on Banking and Currency.

By Mr. BINGHAM:

H.R. 18738. A bill to impose excess profits tax on the income of corporations during the present emergency, in order to establish a fund to provide for the improvement of residential housing in the United States; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 18739. A bill to amend title 13 of the United States Code to provide for a recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the recount if such understatement is confirmed; to the Committee on Post Office and Civil Service.

By Mr. FREY:

H.R. 18740. A bill to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MCFALL (for himself, Mr. FALLOLON, Mr. BLATNIK, Mr. GRAY, Mr. JOHNSON of California, Mr. OLSEN, Mr. MCCARTHY, Mr. KEE, Mr. HOWARD, Mr. ANDERSON of California, Mr. DON H. CLAUSEN, Mr. DENNEY, Mr. HAMMERSCHMIDT, Mr. MILLER of Ohio, Mr. STAGGERS, Mr. PERKINS, Mr. ALBERT, Mr. GERALD R. FORD, Mr. ADAMS, Mr. PELLY, Mr. LEGGETT, Mr. SISK, Mr. SIKES, Mr. DINGELL, and Mr. VANDER JAGT):

H.R. 18741. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. MCFALL (for himself, Mr. DULSKI, Mr. KEITH, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. DANIELS of New Jersey, Mr. BRADENAS,

Mr. HAWKINS, Mr. HATHAWAY, Mrs. MINK, Mr. MEEDS, Mr. STOKES, Mr. DELLENBACK, Mr. TIERNAN, Mr. BROWN of California, Mr. BURTON of California, Mr. CORMAN, Mr. GUBSER, Mr. HOSMER, Mr. ROYBAL, Mr. TALCOTT, Mr. TUNNEY, Mr. HICKS, and Mr. COHELAN):

H.R. 18742. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. MCFALL (for himself, Mr. MILLER of California, Mr. ALEXANDER, Mr. BURKE of Massachusetts, Mr. BURTON of Utah, Mr. FLOOD, Mr. FOLEY, Mr. FULTON of Tennessee, Mr. FUQUA, Mr. GONZALEZ, Mrs. HANSEN of Washington, Mr. HECHLER of West Virginia, Mr. LUJAN, and Mr. McCLURE):

H.R. 18743. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. MCFALL (for himself, Mr. MADDEN, Mr. MIKVA, Mr. O'KONSKI, Mr. O'NEAL of Georgia, Mr. PEPPER, Mr. PIRNIE, Mr. POLLOCK, Mr. PRICE of Illinois, Mr. PRYOR of Arkansas, Mr.

RODINO, Mr. ST GERMAIN, Mr. STEIGER of Arizona, and Mrs. SULLIVAN):

H.R. 18744. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high employment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. ST GERMAIN:

H.R. 18745. A bill to provide for a comprehensive program for the control of noise; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Tennessee:

H.R. 18746. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933, as amended; to the Committee on Public Works.

By Mr. OTTINGER:

H.R. 18747. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on certain real property owned by foreign governments; to the Committee on Foreign Affairs.

H.R. 18748. A bill to impose an excess profits tax on the income of corporations during the period of military involvement in Southeast Asia, in order to establish a fund to provide for the improvement of residential housing in the United States; to the Committee on Ways and Means.

By Mr. BENNETT:

H.J. Res. 1338. 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. PURCELL:

H. Con. Res. 696. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and authorizing a special joint meeting of the Congress for the purpose of receiving in joint session a representative delegation of the wives and families of American prisoners of war; to the Committee on the Judiciary.

By Mr. RANDALL:

H. Res. 1169. Resolution providing for the consideration of the bill (H.R. 18279) the Organized Crime Control Act of 1970; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COUGHLIN:

H.R. 18749. A bill for the relief of Albert George Holder; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 18750. A bill for the relief of Gregorio Teti; to the Committee on the Judiciary.

SENATE—Thursday, July 30, 1970

The Senate met at 11 a.m. and was called to order by the Vice President.

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

O God, above all, yet in all, separate us for this moment from the world without to that deeper world within, which Thou hast made the home of Thy spirit. We thank Thee for the great kingdom of the mind and the silent spaces of the soul. Help us not to be afraid of ourselves, since we were made in Thy image, loved by Thee before the world began, and fashioned for Thy eternal habitation. Take possession of the very center of our being, point us in the right direction, light up our pathway, sharpen our insights, and command all our energies. May conscience monitor every thought, word, and deed according to Thy holy laws. Help us to serve Thee in the quiet discharge of the day's duty. Bestow on us the role of the servant and carry on through us the work Thou didst commence in the Man of Nazareth.

In His name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 29, 1970, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the previous order, the Senator from West Virginia (Mr. BYRD) is now recognized for 1 hour.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11 a.m. tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow morning, immediately upon disposition of the reading of the Journal, the able Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 20 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

TREATMENT OF AMERICAN PRISONERS OF WAR BY NORTH VIETNAM

Mr. BYRD of West Virginia. Mr. President, recently there was a great flurry of excitement and indignation in this country as a result of the disclosures re-

garding mistreatment of prisoners held by the Government of South Vietnam in its Con Son Island prison.

Subsequently, the government at Saigon announced that it would discontinue use of the so-called tiger cages which stirred up the controversy. The cells in which prisoners were held will be remodeled, and henceforth more humane conditions will prevail, Saigon said.

The outcry which was raised over the reported conditions at Con Son was right and proper, in my judgment. It is encouraging to know that, as a result of the indignation expressed, the conditions have reportedly been improved and will continue to be improved.

There is a lesson to be learned from this, I believe. The United States should now intensify its efforts to bring about similar results in North Vietnam with respect to the members of the Armed Forces of our country who are held captive by the government in Hanoi.

Mr. President, nearly 800 American airmen are known to have been shot down over North Vietnam. In all, there are now more than 1,400 Americans—military personnel and civilians—missing or captured in Southeast Asia. Of this total, some 300 have been missing or captured for 4 years or more—longer than any Americans have ever been held as prisoners of war at any previous time in the history of our country. In World War II, no Americans were held prisoners for longer than 3½ years.

The actual number of Americans held prisoner by Hanoi is not known, because North Vietnam has thus far refused to release any information concerning them—this in gross violation of the Geneva Convention of 1949 relative to the treatment of prisoners of war, to which